



*A place where families and businesses thrive.*

**Monday, May 13, 2019**

**City Council Regular Meeting Minutes**

**7:00 p.m., Community Auditorium**

***Minutes are unofficial until approved by Council.  
Council approved minutes presented May 28, 2019.***

**1. CALLED TO ORDER AND ROLL CALL:**

Mayor Peter Truax called the regular City Council meeting to order at 7:01 p.m. and led the Pledge of Allegiance.

**ROLL CALL: COUNCIL PRESENT:** Thomas Johnston, Council President; Timothy Rippe; Ronald Thompson; Elena Uhing; Adolph “Val” Valfre; Malynda Wenzl; and Mayor Peter Truax.

**STAFF PRESENT:** Jesse VanderZanden, City Manager; Paul Downey, Administrative Services Director; Bryan Pohl, Community Development Director; James Reitz, Senior Planner; and Anna Ruggles, City Recorder.

**1. A. PROCLAMATION:**

**Emergency Medical Services (EMS) Week**

Mayor Truax proclaimed May 19-25, 2019, as “EMS Week” and presented the Proclamation to Metro West Ambulance.

**2. CITIZEN COMMUNICATIONS: None.**

**3. CONSENT AGENDA:**

Items under the Consent Agenda are considered routine and are adopted with a single motion, without separate discussion. Council members who wish to remove an item from the Consent Agenda may do so prior to the motion to approve the item(s). Any item(s) removed from the Consent Agenda will be discussed and acted upon following the approval of the remaining Consent Agenda item(s).

- A. Approve City Council Work Session (Light and Power Electric Cost-of-Service Rate Study Options) Meeting Minutes of April 22, 2019.
- B. Approve City Council Regular Meeting Minutes of April 22, 2019.
- C. Accept Committee for Community Involvement Meeting Minutes of March 5, 2019.
- D. Accept Economic Development Commission Meeting Minutes of April 4, 2019.
- E. Accept Historic Landmarks Board Meeting Minutes of March 26, 2019.
- F. Accept Parks and Recreation Commission Meeting Minutes of February 27,

2019.

- G. Accept Planning Commission Meeting Minutes of April 1 and April 15, 2019.
- H. Endorse New Liquor License Application (Full-On Premises Catering) for Ridgewalker Brewing Company Event Center – The Mail Room, 1822 21<sup>st</sup> Avenue.
- I. Endorse New Liquor License Application (Off-Premises Sales) for Forest Grove Liquor Store, 3130 Pacific Avenue.
- J. Community Development Department Monthly Building Activity Informational Report for April 2019.

**MOTION: Councilor Valfre moved, seconded by Councilor Wenzl, to approve the Consent Agenda as presented. MOTION CARRIED 7-0 by voice vote.**

4. **ADDITIONS/DELETIONS:** None.

5. **PRESENTATIONS:**

5. A. Ride Connection

Julie Wilcke Pilmer, Chief Executive Director; Deb Bratland, Forest Grove Transportation Coordination; and John Whitman, Service Planner, presented a PowerPoint presentation overview pertaining to Ride Connection, Grovelink, and the 2018 Rider Survey, noting Washington County is projected to receive \$3.5 million for public transportation in Fiscal Years 2019-21 and Ride Connection has applied for funding to improve safety and technology across its Washington County services. Wilcke Pilmer referenced a map showing the designated bus stops, noting Ride Connection is embarking on a community outreach effort to gather feedback about service demand areas and what communities would like to see. In conclusion of the above-noted presentation, the group addressed various Council inquiries pertaining to the expansion options in Forest Grove, i.e., expanding Grovelink services in the evening for school-related student activities and expanding service to Neil Armstrong Middle School, noting they will take these comments into consideration when making decisions about expanding services.

5. B. Washington County Affordable Housing Bond Local Implementation Strategy

Komi Kalevor, Executive Director, and Shannon Wilson, Housing Development Coordinator, Housing Authority of Washington County, presented a PowerPoint presentation overview pertaining to Washington County's Affordable Housing Bond Local Improvement Strategy, noting \$188 million of the bond proceeds will be in Washington County for housing projects; target is to build or acquire 1,316 units of regulated affordable housing in the County between 2019-2026. In conclusion of the above-noted presentation, the group addressed various Council inquiries pertaining to the median family income in Washington County; local implementation plan and next steps; and the County's four guiding principles: 1) Housing Development Plan; 2) Strategy for Advancing Racial Equity, i.e., screening criteria and project-based

vouchers (51% of students in Forest Grove are on reduced lunch program); 3) Community Engagement; and 4) Plan for Ongoing Community Engagement (i.e., funding resources for long-term building maintenance and upkeep).

5. C. *Metro Regional Parks and Nature Funding*

Juan Carlos Gonzalez, Metro Councilor District 4, and Jonathan Blasher, Metro Parks and Nature Director, presented a PowerPoint presentation pertaining to Metro's proposal to renew its parks and nature bond measure in November, 2019, in the range of \$400 to \$450 million, noting the proposed bond would not raise current taxes. In conclusion of the above-noted presentation, the group addressed various Council inquiries pertaining to the importance of connecting Council Creek Trail and defining racial equity, noting the measure focuses on racial equity and climate resiliency across six areas: protecting and restoring land (\$130-140 million); taking care of Metro parks (\$100-105 million); supporting local projects (\$65-70 million); awarding community grants (\$25-30 million); creating trails for walking and biking (\$40-50 million); and delivering on large-scale community visions (\$40-50 million).

6. **ORDER NO. 2019-03 APPROVING A SITE PLAN APPROVAL APPLICATION FOR A 16-UNIT MANUFACTURED DWELLING PARK EXPANSION AT 4015 PACIFIC AVENUE; WASHINGTON COUNTY TAX LOT 1N332DD01400; APPLICANT: ROSE GROVE MOBILE HOME PARK; FILE NO. 311-18-000036-PLNG**

**Staff Report:**

Reitz and Pohl presented the above-proposed order, noting the proposed order is approving a revised site plan for a 16-Unit Manufactured Dwelling Park Expansion at 4015 Pacific Avenue; Washington County Tax Lot 1N332DD01400; File No. 311-18-000036-PLNG). Reitz reported at the hearing on March 18, 2019, Council reversed the Community Development Department's denial of an appeal decision and approved the preliminary site plan pending review of a revised site plan, noting Council voiced concerns pertaining to the lack of pedestrian connections between units and abutting public sidewalks, and the need for the plan to satisfy fire department turnaround requirements. In conclusion of the above-noted staff report, Reitz and Pohl advised staff is recommending Council consider approving the proposed Final Findings of Fact and Conditions of Approval as outlined in Exhibit A, noting the application has been adequately revised to include a new fire department turnaround and new pedestrian walkways along the internal drive aisles to connect the units to the abutting public sidewalks as outlined in Exhibit B, revised site plan dated April 12, 2019.

**MOTION:** Councilor Wenzl moved, seconded by Councilor Rippe, to adopt Order No. 2019-03, a Site Plan Approval Application for a 16-Unit Manufactured Dwelling Park Expansion at 4015 Pacific Avenue; Washington County Tax Lot 1N332DD01400; Applicant: Rose Grove Mobile Home Park; File No. 311-18-000036-PLNG.

**Council Discussion:**

Hearing no questions from the Council, Mayor Truax asked for a roll call vote on the above motion.

**ROLL CALL VOTE:** AYES: Councilors Johnston, Rippe, Thompson, Uhing, Valfre, Wenzl, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.

**7. A. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2019-02 AMENDING THE COMPREHENSIVE PLAN MAP TO RE-DESIGNATE TWO PARCELS FROM GENERAL INDUSTRIAL (GI) TO HIGH DENSITY RESIDENTIAL (HDR); WASHINGTON COUNTY TAX LOTS 1N331DA07500 AND 1N332C000800; APPLICANTS: ROBERTA REYNOLDS, LINDA ESHRAGHI, AND SHANNON POLICH; FILE NO. 311-19-000001-PLNG**

**Staff Report:**

Reitz and Pohl presented the above-proposed ordinance for first reading, noting the proposed ordinance is adopting legislative Comprehensive Plan Map amendment to re-designate two parcels, totaling 1.93 acres, Washington County Tax Lots 1N331DA07500 (is vacant and has no address) and 1N332C000800 (is currently developed with a single-family home), 2355 Kingwood Street, from General Industrial (GI) to High Density Residential (HDR) on the Comprehensive Plan Map and from GI to Residential Multi-Family High Density (RMH) on the Zoning Map; File No. 311-19-000001-PLNG. Reitz presented a PowerPoint presentation overview of an aerial view of three parcels, noting a third parcel, totaling 3.06 acres, Washington County Tax Lot 1N331DA07400, 2352 Kingwood Street, was included in the original review process because the parcel would be bounded on three sides by a residential designation if the other two above-noted parcels were approved; however, the Planning Commission voted to exclude 1N331DA07400, because the owner testified in opposition of re-designating his property to high density residential. In addition, Reitz presented an overview of the proposed Comprehensive Plan Map and Zoning Map amendments and findings supporting the Planning Commission's recommendations contained in Planning Commission Decision No. 2019-05, attached as Exhibit B. Reitz reported the parcels have been designated GI since at least 1987, and the adjoining properties to the west and north (west of an unnamed Council Creek tributary) were re-designated from GI to RMH in 1990. Much of that area has since been developed with residential subdivisions, including Casey West, Casey Meadows and Hawthorne Meadows. In conclusion of the above-noted staff report, Reitz and Pohl advised staff is recommending Council adopt the proposed ordinance amending the Comprehensive Plan Map as outlined in Exhibit A, File No. 311-19-000001-PLNG, noting Council may amend to include Tax Lot 1N331DA07400 (3.06 acre parcel) if Council finds that this parcel also complies with the review criteria.

**Questions of Staff:**

Reitz and Pohl addressed various Council inquiries pertaining to the above-mentioned tax lots, noting the properties are unlikely to become industrial given adjacency to a residential neighborhood, lack of access to a collector or arterial street and, in the case of tax lot 1N331DA07400, the wetland and required buffer area. Reitz added the owner of 1N331DA07400 can continue to do what is currently permitted regardless of the outcome of the rezoning of the other two above-mentioned tax lots.

Before proceeding with the Public Hearing for Agenda Items 7. A. and 7. B. and Council discussion, Mayor Truax asked for a motion to adopt Ordinance No. 2019-02 for first reading.

VanderZanden read Ordinance No. 2019-02 by title for first reading.

**MOTION:** Councilor Rippe moved, seconded by Councilor Wenzl, to approve Ordinance No. 2019-02 Amending the Comprehensive Plan Map to Re-Designate Two Parcels from General Industrial (GI) to High Density Residential (HDR); Washington County Tax Lots 1N331DA07500 and 1N332C000800; File No. 311-19-000001-PLNG.

**Public Hearing Opened:**

Mayor Truax opened the Public Hearings for Agenda Items 7.A. and 7.B. and explained hearing procedures.

**Written Testimony Received:**

No written testimony was received.

**Proponents:**

Mark VanderZanden, Portland, OR, applicant's representative, testified in support of the application to re-designate tax lots 1N331DA07500 and 1N332C000800 from General Industrial to High Density Residential on the Comprehensive Plan Map and from General Industrial to Residential Multi-Family High-density on the Zoning Map, noting the parcels are more suitable with the existing residential use and much less suitable for industrial uses, i.e., lack of access to a collector or arterial street.

No one else testified and no written comments were received.

**Opponents:**

No one testified and no written comments were received.

**Others:**

No one testified and no written comments were received.

**Public Hearing Continued:**

Hearing no concerns from the Council, Mayor Truax continued the Public Hearing

until the next meeting of Tuesday, May 28, 2019.

**7. B. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2019-03 AMENDING ZONING MAP TO RE-DESIGNATE TWO PARCELS FROM GENERAL INDUSTRIAL (GI) TO RESIDENTIAL MULTI-FAMILY HIGH DENSITY (RMH); WASHINGTON COUNTY TAX LOTS 1N331DA07500 AND 1N332C000800; APPLICANTS: ROBERTA REYNOLDS, LINDA ESHRAGHI, AND SHANNON POLICH; FILE NO. 311-19-000001-PLNG**

**Staff Report:**

Reitz and Pohl presented the above-proposed ordinance for first reading, noting the proposed ordinance is adopting legislative Zoning Map amendment to re-designate two parcels, totaling 1.93 acres, Washington County Tax Lots 1N331DA07500 and 1N332C000800 from General Industrial (GI) to Residential Multi-Family High Density (RMH) on the Zoning Map; File No. 311-19-000001-PLNG. In conclusion of the above-noted staff report, Reitz and Pohl advised staff is recommending Council adopt the proposed ordinance amending the Zoning Map as outlined in Exhibit A, File No. 311-19-000001-PLNG, noting Council may include Tax Lot 1N331DA07400 (3.06 acre parcel) if Council finds that this parcel also complies with the review criteria.

Mayor Truax asked for a motion to adopt Ordinance No. 2019-03 for first reading.

VanderZanden read Ordinance No. 2019-03 by title for first reading.

**MOTION: Councilor Wenzl moved, seconded by Council President Johnston, to approve Ordinance No. 2019-03 Amending the Zoning Map to Re-Designate Two Parcels from General Industrial (GI) to Residential Multi-Family High-density (RMH); Washington County Tax Lots 1N331DA07500 and 1N332C000800; File No. 311-19-000001-PLNG.**

**Public Hearing Continued:**

Hearing no concerns from the Council, Mayor Truax continued the Public Hearing until the next meeting of Tuesday, May 28, 2019.

**8. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2019-04 ENACTING CITY OF FOREST GROVE DEVELOPMENT CODE AS TITLE 17 OF THE CODE OF ORDINANCES, COPYRIGHTED 2019, PUBLISHED BY AMERICAN LEGAL PUBLISHING CORPORATION AND REPEALING ORDINANCE NO. 2009-01, DEVELOPMENT CODE OF 2009**

**Staff Report:**

Pohl and Downey presented the above-proposed ordinance for first reading, noting the proposed ordinance is re-enacting the Development Code as Title 17 of the Code of Ordinances, copyrighted 2019, published by American Legal Publishing

Corporation (Publisher), and repealing Ordinance No. 2009-01, Development Code of 2009. Pohl reported staff entered into an agreement with the Publisher to provide codification of the existing Development Code, which kept the organization and text predominately as it was provided to the Publisher by the City, except changing Code §10, Articles 10.1.000 to 10.12.210, as Title 17, Articles 17.1.000 to 17.12.210. In conclusion of the above-noted staff report, Pohl advised staff is recommending Council adopt the proposed ordinance as outlined in Exhibit A, noting once the new Development Code is reenacted, the code will be deemed published as the day of the enactment of the ordinance. In addition, the Development Code will be available on-line (webhosting through Publisher) as a comprehensive, searchable and easy-to-use Code. The City will submit future supplements every six months under the signed agreement with the Publisher at a cost of \$150 for each six months and an additional \$500 per year for online hosting.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Ordinance No. 2019-04 for first reading.

VanderZanden read Ordinance No. 2019-04 by title for first reading.

**MOTION: Council President Johnston moved, seconded by Councilor Valfre, to adopt Ordinance No. 2019-04 Enacting City of Forest Grove Development Code as Title 17 of the Code of Ordinances, Copyrighted 2019, Published by American Legal Publishing Corporation, and Repealing Ordinance No. 2009-01, Development Code of 2009.**

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing and explained hearing procedures.

**Written Testimony Received:**

No written testimony was received.

**Proponents:**

No one testified and no written comments were received.

**Opponents:**

No one testified and no written comments were received.

**Others:**

No one testified and no written comments were received.

**Public Hearing Continued:**

Hearing no concerns from the Council, Mayor Truax continued the Public Hearing until the next meeting of Tuesday, May 28, 2019.

9. **PUBLIC HEARING AND RESOLUTION NO. 2019-21 ADOPTING CITY MANAGER PERFORMANCE REVIEW CRITERIA AND REPEALING RESOLUTION NO. 2018-47**

**Staff Report:**

Mayor Truax presented the above-proposed resolution, noting pursuant to the City Manager's Employment Agreement, Section 6, Council must evaluate the City Manager's annual performance and establish the performance review criteria in an open meeting. Mayor Truax referenced Attachment A, City Manager Performance Review Process and Target Dates, and Attachment B, Draft Memorandum to Department Directors, noting no changes are proposed to the current performance review criteria. In addition, Mayor Truax advised Council will hear the City Manager's self-evaluation and review the compiled responses and comments with the City Manager in Executive Sessions tentatively scheduled for May 28 and June 24, 2019, noting after concluding the performance appraisal in the Executive Session scheduled for July 8, 2019, Council will return in an open meeting to give a summary of the City Manager's performance appraisal.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2019-21.

**MOTION:** Councilor Valfre moved, seconded by Councilor Rippe, to approve Resolution No. 2019-21 Adopting the City Manager Performance Review Criteria and Repealing Resolution No. 2018-47.

**Public Hearing Opened:**

Mayor Truax opened the Public Hearing and explained hearing procedures.

**Written Testimony Received:**

No written testimony was received.

**Proponents:**

No one wished to testify and no written comments were received.

**Opponents:**

No one wished to testify and no written comments were received.

**Others:**

No one wished to testify and no written comments were received.

**Public Hearing Closed:**

Mayor Truax closed the Public Hearing.

**Council Discussion:**

Rippe referenced the City Manager's performance review dates, noting the review period is July 1, 2018, to current, to which Ruggles affirmed, noting Councilmembers shall submit their performance appraisals directly to the Mayor by June 10, 2019.

Hearing no further concerns from Council, Mayor Truax asked for a roll call vote on the above motion.

**ROLL CALL VOTE: AYES: Councilors Johnston, Rippe, Thompson, Uhing, Valfre, Wenzl, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.**

10. **RESOLUTION NO. 2019-22 AUTHORIZING THE EXPENDITURE OF ADDITIONAL FUNDS FOR EXTERNAL WORK PERFORMED IN THE LIGHT AND POWER FUND FOR FISCAL YEAR 2018-19**

**Staff Report:**

Downey presented the above-proposed resolution, noting the proposed resolution is authorizing the expenditure of additional funds reimbursed from other electric utilities in the amount of \$263,115 for personnel and equipment costs incurred by the City related to providing assistance to restore electric utility services during the 2019 snow event south of Eugene. In conclusion of the above-noted staff report, Downey advised an appropriation of these additional funds is needed to prevent an appropriation overexpenditure in Fiscal Year 2018-19, noting the funds have been paid to staff.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2019-22.

VanderZanden read Resolution No. 2019-22 by title.

**MOTION: Council President Johnston moved, seconded by Councilor Wenzl, to adopt Resolution No. 2019-22 Authorizing the Expenditure of Additional Funds for External Work Performed in the Light and Power Fund for Fiscal Year 2018-19.**

**Council Discussion:**

Hearing no concerns from Council, Mayor Truax asked for a roll call vote on the above motion.

**ROLL CALL VOTE: AYES: Councilors Johnston, Rippe, Thompson, Uhing, Valfre, Wenzl, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.**

11. **RESOLUTION NO. 2019-23 AUTHORIZING THE EXPENDITURE OF ADDITIONAL FUNDS FROM STATES OF OREGON AND CALIFORNIA FOR FIRE CONFLAGRATION COSTS INCURRED IN THE GENERAL FUND FOR FISCAL YEAR 2018-19**

**Staff Report:**

Downey presented the above-proposed resolution, noting the proposed resolution is authorizing the expenditure of additional funds reimbursed from the States of Oregon and California in the amount of \$508, 616 for personnel costs incurred by the City for staffing costs related to the fire conflagrations. In conclusion of the above-noted staff report, Downey advised an appropriation of these additional funds is needed to prevent an appropriation overexpenditure in Fiscal Year 2018-19, noting the funds have been paid to staff.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2019-23.

VanderZanden read Resolution No. 2019-23 by title.

**MOTION: Councilor Wenzl moved, seconded by Council President Johnston, to adopt Resolution No. 2019-23 Authorizing the Expenditure of Additional Funds from the States of Oregon and California for Fire Conflagration costs incurred in the General Fund for Fiscal Year 2018-19.**

**Council Discussion:**

Hearing no concerns from Council, Mayor Truax asked for a roll call vote on the above motion.

**ROLL CALL VOTE: AYES: Councilors Johnston, Rippe, Thompson, Uhing, Valfre, Wenzl, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.**

**12. CITY COUNCIL COMMUNICATIONS:**

Council President Johnston did not provide a report (he was not called upon).

Rippe reported attending Public Safety Advisory Commission (PSAC) meeting, noting PSAC decided to not hold meetings in May and June and to consolidate November/December meetings and instead hold one meeting on December 4, 2019. Rippe reported attending Economic Development Commission (EDC) meeting, noting EDC is working on its Strategic Plan's goals and objectives. Rippe reported attending Western Washington County Fire Task Force meeting, noting all five governing agencies approved the Foundational Principles and is continuing its discussions. In addition, Rippe reported on regional transportation-related matters of interest and upcoming meetings he was planning to attend.

Thompson reported on upcoming meetings he was planning to attend.

Uhing reported Sustainability Commission (SC) submitted a letter of support into the record regarding the implementation of the City's High-Efficiency Toilet Rebate

Program (Resolution 2019-16). Uhing reported SC is proposing to combine events, such as City's shred day and Earth Day, noting SC is also proposing to sponsor two events per year. Uhing noted 46 adults and 50-55 children volunteered in this year's Earth Day event. Uhing voiced concern of needing to resolve who is in charge of the third Latino forum, i.e., SC, CCI or City. In addition, Uhing reported on other matters of interest and upcoming meetings she was planning to attend.

Valfre commended staff's work in preparation for the Budget Committee. Valfre recommended providing online comments regarding Metro's local implementation strategy. In addition, Valfre reported on regional housing-related matters of interest and upcoming meetings and forums he was planning to attend.

Wenzl reported attending Committee for Community Involvement (CCI) meeting, noting CCI is providing updates on its goals and objectives to other boards/commissions and is reviewing its bylaws as part of the new reform. Wenzl provided an update on CCI's discussion regarding the Latino Summit, noting an event of this size would be best sponsored by the City and collaborating with CCI and SC. In addition, Wenzl reported on other matters of interest and upcoming meetings she was planning to attend.

**13. City Manager's Report:**

VanderZanden reported on upcoming meetings and events as noted in the Council calendar. VanderZanden reported in response to a public comment, staff is re-evaluating the Aquatic Center's swim wear policy. VanderZanden gave an overview of the newly-revised Oregon Pay Equity Act, noting Human Resources has hired a consultant to assist in completing a comprehensive and defensible study. VanderZanden announced the City is collaborating with Adelante Mujeres on a sponsorship for the Fiesta of Hope celebration on June 15, 2019, in Forest Grove, noting because the event attracts visitors, the City is able to utilize transient lodging tax revenues as part of its sponsorship. In addition, VanderZanden advised he would submit by e-mail a copy of his City Manager's Report to Council, dated May 13, 2019, as the report did not make it in the packet, noting the report outlines various upcoming meetings and updates on department-related activities and projects, including Administrative Services; Community Development; Economic Development; Engineering/Public Works; Fire; Library; Light and Power; Parks and Recreation and Police.

**14. Mayor's Report:**

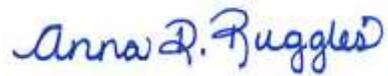
Mayor Truax announced dates of various upcoming activities, events and meetings as noted in the Council Calendar. Mayor Truax reported attending Fire Task Force meetings, various town halls and Washington County Visitors Association's award presentations. Mayor Truax recapped his visit to Washington, D. C., on behalf of the Joint Policy Advisory Committee, on April 29 to May 2, 2019. In addition, Mayor Truax reported on various legislation and local, regional, Metro, and Washington County-

related meetings he attended and upcoming community-related events and meetings he was planning to attend.

15. **ADJOURNMENT:**

Mayor Truax adjourned the regular Council meeting at 9:35 p.m.

Respectfully submitted,



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Anna D. Ruggles, CMC, City Recorder