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City Council Regular Meeting Minutes

**Monday, September 23, 2019
7:00 p.m., Community Auditorium**

***Minutes are unofficial until approved by Council.
Council approved minutes as presented October 14, 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: Timothy Rippe; Ronald Thompson; Adolph “Val” Valfre; Malynda Wenzl; and Mayor Peter Truax. **COUNCIL ABSENT:** Thomas Johnston, Council President, and Elena Uhing, excused.

STAFF PRESENT: Jesse VanderZanden, City Manager; Paul Downey, Administrative Services Director; Bryan Pohl, Community Development Director; James Reitz, Senior Planner; Dan Riordan, Senior Planner; Rich Blackmun, Engineering Division & Project Manager; Eddie Littlefield, Power Services Manager; Michael Kinkade, Fire Chief (in the audience); and Anna Ruggles, City Recorder.

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. Accept Library Commission Meeting Minutes of August 22, 2019.
- B. Accept Parks and Recreation Commission Meeting Minutes of July 16 and July 30, 2019.
- C. Accept Public Arts Commission Meeting Minutes of August 8, 2019.

MOTION: Councilor Rippe moved, seconded by Councilor Valfre, to approve the Consent Agenda as presented. ABSENT: Council President Johnston and Councilor Elena Uhing. MOTION CARRIED 5-0 by voice vote.

4. ADDITIONS/DELETIONS: None.

5. **PRESENTATIONS:**

5. A. Camino – Forest Grove’s New Online Permitting Guide

Pohl presented a PowerPoint presentation overview and introduced Kona Shen and Alison Taylor (via teleconference), Camino Technologies’ Representatives, who presented a demonstration of the new Camino Online Permitting Guide, noting the Applicant Guide is an intuitive software that simplifies complex regulations for applicants and saves time for the public to obtain required information for their project prior to application and investing in plans/engineering. Pohl noted Camino provides one central place to give every applicant a list of the building permits, forms, and calculates the costs for simple and complex, multi-permit projects. In addition, the software automatically detects whether a project is allowed by zone and flags special requirements for flood zones, fire zones, and historical preservation areas. In response to various Council inquiries, Shen noted the program does not currently have the ability to select a language translator.

5. B. Tualatin Valley Highway Safety Improvement Plan

Riordan introduced Glen Bolen, Principal Planner, Oregon Department of Transportation (ODOT), who presented a PowerPoint presentation overview of Tualatin Valley (TV) Highway Safety Improvement Plan and Community Engagement Plan, noting the project scope is to make East Forest Grove Commercial Corridor safer to walk, roll, bike and take transit on TV Highway and develop design recommendations to distinguish the area as an entryway into Forest Grove. Riordan and Bolen reported the plan is a priority for ODOT and the City, noting both entities have been working together to develop recommendations and holding joint focus group meetings in English and Spanish with key stakeholder. In conclusion of the above-noted presentation Riordan advised in spring of 2020, the team will bring forward the proposed design recommendations for safety improvements, draft funding plan and implementation strategy for Planning Commission and Council feedback.

6. A. **CONTINUE PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 2019-10 AMENDING DEVELOPMENT CODE ARTICLE 2 LAND USE, ARTICLE 3 ZONING DISTRICTS, ARTICLE 5 SPECIAL PROVISIONS, AND ARTICLE 12 USE CATEGORIES AND DEFINITIONS, TO PERMIT SEASONAL SHELTERS IN THE TOWN CENTER CORE (TCC), TOWN CENTER TRANSITION (TCT) AND COMMUNITY COMMERCIAL (CC) ZONING DISTRICTS; FILE NO. 311-19-000017-PLNG**

The first reading of Ordinance No. 2019-10 by title occurred at the Council meeting of September 9, 2019.

Staff Report:

Reitz presented the above-proposed ordinance for second reading, noting staff had nothing further to report.

Public Hearing Continued:

Mayor Truax continued the Public Hearing from the meeting of September 9, 2019, and explained hearing procedures.

Written Testimony Received:

Brian Schimmel, Outreach Director of Old Town Forest Grove, who testified in support of the proposed ordinance at the hearing held on September 9, 2019, submitted additional written testimony, dated September 12, 2019, which was distributed in the Council Packet (Cover letter addressed to Council; Oregon Statewide Shelter Study August 2019; Forest Grove Severe Weather Shelter; and Washington County Severe Weather Shelter Response Plan December 30, 2008).

No additional written testimony was received.

Proponents:

Kenneth Pinkerton, joined by Celeste Goulding, Shelter and Services Director of Winter Shelter of Forest Grove and Cornelius, testified in support of the proposed ordinance.

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 Closed:

Mayor Truax closed the Public Hearing.

Council Discussion:

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the motion made at the meeting of September 9, 2019.

VanderZanden read Ordinance No. 2019-10 by title for second reading.

ROLL CALL VOTE: AYES: Councilors Rippe, Thompson, Valfre, Wenzl, and Mayor Truax. NOES: None. ABSENT: Council President Johnston and Councilor Elena Uhing. MOTION CARRIED 5-0.

6. B. **CONTINUE PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 2019-11 AMENDING FOREST GROVE CODE OF ORDINANCES ADOPTING TITLE III, (ADMINISTRATION), CHAPTER 38 (§ 38.01 THROUGH § 38.04), TITLED SEVERE**

WEATHER SHELTERS IN THE TOWN CENTER CORE (TCC), TOWN CENTER TRANSITION (TCT) AND COMMUNITY COMMERCIAL (CC) ZONING DISTRICTS; FILE NO. 311-19-000017-PLNG

The first reading of Ordinance No. 2019-11 by title occurred at the Council meeting of September 9, 2019.

Staff Report:

Reitz presented the above-proposed ordinance for second reading, noting staff had nothing further to report.

Public Hearing Continued:

Mayor Truax continued the Public Hearing from the meeting of September 9, 2019, 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 Closed:

Mayor Truax closed the Public Hearing.

Council Discussion:

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the motion made at the meeting of September 9, 2019.

VanderZanden read Ordinance No. 2019-11 by title for second reading.

ROLL CALL VOTE: AYES: Councilors Rippe, Thompson, Valfre, Wenzl, and Mayor Truax. NOES: None. ABSENT: Council President Johnston and Councilor Elena Uhing. MOTION CARRIED 5-0.

- 7. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2019-12 ACCEPTING THE UPDATE TO THE CITY OF FOREST GROVE HOUSING NEEDS ANALYSIS AND AMENDING THE TEXT OF THE FOREST GROVE COMPREHENSIVE PLAN TO ADD THE 2019 HOUSING NEEDS ANALYSIS UPDATE AS A TECHNICAL APPENDIX; FILE NO. 311-19-000016-PLNG**

Staff Report:

Riordan presented the above-proposed ordinance for first reading, noting the proposed ordinance is accepting the 2019 update to the City's 2009 Housing Needs Analysis (HNA) and adding the 2019 HNA Update as a Technical Appendix to the City's Comprehensive Plan; File No. 311-19-000016-PLNG. Riordan presented a PowerPoint presentation summarizing the Findings and Conclusions, noting the HNA must include an inventory of buildable land within the planning area; a forecast of future housing needs over the next 20 years (2019-2039); and an assessment of whether the jurisdiction has enough land zoned to accommodate forecasted housing needs. Riordan reported Forest Grove's population is forecasted to increase from approximately 24,000 to about 34,000 persons during this 20-year period, noting an additional 3,400 housing units will be needed for the projected population growth. Riordan advised the HNA update analysis finds that there is enough zoned residential land within the urban growth boundary to accommodate housing needs over the next 20 years for both low- and high-density housing types, noting the data shows a significant need for affordable homes for households earning between \$60,000 and \$90,000 annually. In addition, Council held a work session on June 10, 2019, and was briefed on the analysis prior to finalizing key findings. In conclusion of the above-noted staff report, Riordan advised staff is recommending Council approve the proposed ordinance, as outlined in Exhibit A, and Exhibit B, Planning Commission Findings and Decision No. 2019-10, noting the Planning Commission held its hearing and approved the proposed update on August 19, 2019.

Questions of Staff:

In response to Mayor's inquiry pertaining to Forest Grove's projected population growth, Riordan referenced the update, noting the projected growth during this 20-year period is a conservative number.

In response to Valfre's inquiry pertaining to whether there is a current housing gap that has not been met, Riordan referenced the update, noting there is definitely a need for more affordable housing. Valfre pointed out the next steps include adopting a sliding scale for system development charges based on housing size, including accessory dwellings, and consideration of a local construction excise tax to fund incentives for expanding the supply of affordable housing, to which Riordan concurred and referenced the policy recommendations.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Ordinance No. 2019-12 for first reading.

VanderZanden read Ordinance No. 2019-12 by title for first reading.

MOTION: Councilor Wenzl moved, seconded by Councilor Rippe, to adopt Ordinance No. 2019-12 Accepting the Update to the City of Forest Grove

Housing Needs Analysis and Amending the Text of the Forest Grove Comprehensive Plan to add the 2019 Housing Needs Analysis Update as a Technical Appendix; File No. 311-19-000016-PING.

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 further concerns from the Council, Mayor Truax continued the Public Hearing to October 14, 2019.

8. RESOLUTION NO. 2019-50 ADOPTING REVISIONS TO LIGHT AND POWER (L&P) DEPARTMENT LINE EXTENSION POLICY, EFFECTIVE SEPTEMBER 24, 2019, AND REPEALING RESOLUTION NO. 2007-46

Staff Report:

Littlefield, Hormann and Downey presented the above-proposed resolution for Council consideration, noting the proposed resolution is amending the Light and Power Line Extension Policy and increasing associated fees and allowances, and repealing Resolution No. 2007-46. Littlefield and Hormann presented a PowerPoint Presentation overview, noting the proposed fees include increasing subdivision per lot fee from \$1,640 to \$2,050 (includes decorative lighting); increasing residential service line extension fee from \$195 to \$450 (includes radio-read electric meter); and increasing residential allowance from \$402 per meter to \$570 per meter. The new per lot fee and residential service line fee include a deduction for the prorated allowance. In conclusion of the above-noted staff report, Littlefield and Hormann advised staff is recommending Council adopt the attached resolution as outlined in Exhibit A, noting the fees would apply to new building permit projects issued after the effective date of the resolution.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2019-50.

VanderZanden read Resolution No. 2019-50 by title.

MOTION: Councilor Valfre moved, seconded by Councilor Wenzl, to adopt Resolution No. 2019-50 Adopting Revisions to Light And Power (L&P) Department Line Extension Policy, Effective September 24, 2019, and Repealing Resolution No. 2007-46.

Council Discussion:

In response to Rippe's concern pertaining to incremental fee increases, Hormann explained the study that was conducted recently determined the current need to increase costs to recover actual costs of installations, noting it is the city's policy to conduct a cost-of-service rate study at a minimum of every five years.

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

ROLL CALL VOTE: AYES: Councilors Rippe, Thompson, Valfre, Wenzl, and Mayor Truax. NOES: None. ABSENT: Council President Johnston and Councilor Elena Uhing. MOTION CARRIED 5-0.

9. **RESOLUTION NO. 2019-51 AUTHORIZING CITY MANAGER TO EXECUTE LOCAL AGENCY AGREEMENT BETWEEN CITY OF FOREST GROVE AND THE OREGON DEPARTMENT OF TRANSPORTATION FOR THE STATE FUNDED LOCAL PROJECT PROGRAM AND REPEALING RESOLUTION NO. 2018-74; PROJECT NAME: WEST SYSTEMIC SIGNALS AND ILLUMINATION PROJECT (FOREST GROVE)**

Staff Report:

Blackmun presented the above-proposed resolution for Council consideration, noting the proposed resolution is authorizing the City Manager to execute a Local Agency Agreement, between the City and Oregon Department of Transportation (ODOT) for the State Funded Local Project Program, and repealing Resolution 2018-74, which is superseding and replacing Contract No. 32737 in its entirety. Blackmun presented an overview of the West Systemic Signals and Illumination (Forest Grove), noting the project includes installation of reflectorized backplates to the following couplet intersections, except B Street (due to age of signals):

- Pacific Avenue at Maple Street, at Hawthorne Street, at Elm Street, Cedar Street, at Council Street & College Way, and at Main Street.
- 19th Avenue at Main Street, at Cedar Street, Elm Street, and at Hawthorne Street.
- Install pedestrian countdown timers and associated ADA improvements, to include curb ramps, at the intersection of Pacific Avenue and Elm Street.

In conclusion of the above-noted staff report, Blackmun advised staff is recommending Council consider adopting the proposed agreement as outlined in Exhibit A, noting total project cost is estimated at \$200,700, of which ODOT will contribute \$185,085.54. The City has budgeted adequate funds to satisfy the match requirements.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2019-51.

VanderZanden read Resolution No. 2019-51 by title.

MOTION: Councilor Rippe moved, seconded by Councilor Thompson, to adopt Resolution No. 2019-51 Authorizing City Manager To Execute Local Agency Agreement Between City of Forest Grove and the Oregon Department of Transportation for the State Funded Local Project Program and Repealing Resolution No. 2018-74; Project Name: West Systemic Signals and Illumination Project (Forest Grove).

Council Discussion:

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

ROLL CALL VOTE: AYES: Councilors Rippe, Thompson, Valfre, Wenzl, and Mayor Truax. NOES: None. ABSENT: Council President Johnston and Councilor Elena Uhing. MOTION CARRIED 5-0.

10. CITY COUNCIL COMMUNICATIONS:

Council President Johnston was absent.

Rippe reported attending Economic Development Commission (EDC) meeting, noting EDC appointed a new Chair (Kevin Emerick) and Vice Chair (Javier Urenda). In addition, Rippe reported attending various community-related events and reported on upcoming meetings he was planning to attend.

Thompson reported on Community Forestry Commission (CFC)-related activities and Pacific University's tree removal, noting the University was assisted with selecting a new tree replacement from the City's approved street tree list. In addition, Thompson reported on upcoming meetings he was planning to attend.

Uhing was absent.

Valfre reported on regional-related matters of interest and reported attending various community-related events. In addition, Valfre reported on upcoming meetings he was planning to attend.

Wenzl reported on Committee for Community Involvement (CCI)-related activities, noting Police Chief Schutz is scheduled to give a presentation on the proposed new police station at CCI's next meeting. Wenzl added CCI is also working with League of Women Voters. Wenzl reported on Parks and Recreation Commission (P&R)-related activities, noting P&R is waiting for the bylaws template. In addition, Wenzl reported attending various community-related events and reported on upcoming meetings she was planning to attend.

11. City Manager's Report:

VanderZanden reported on upcoming meetings and events as noted in the Council calendar. VanderZanden commended Fire Chief Kinkade for being awarded a regional grant, valued at \$2.9 million, to replace self-contained breathing apparatus (SCBA). In addition, VanderZanden reported on various department-related activities and projects.

12. MAYOR'S REPORT:

Mayor Truax announced dates of various upcoming activities, events and meetings as noted in the Council Calendar. Mayor Truax reported attending various community-related events. In addition, Mayor Truax reported on various local, regional, Metro, and Washington County-related matters of interest and meetings he attended, upcoming community-related events, and upcoming meetings and events he was planning to attend.

Council Training Budget:

Mayor Truax provided a brief update, noting as past President of the League of Oregon Cities Board of Directors, the Board has asked him to participate on a trip to Washington, D. C. in October, 2019; however, because he has depleted his training budget, he is asking Council if they would support disbursing funds from the Council's training budget for his airfare and lodging costs. Mayor Truax explained this is a one-time request and only because his training budget is currently depleted, noting the LOC will likely provide meals only. After brief roundtable discussion, Council collectively voiced verbal consensus to approve disbursing funding for the trip so Mayor Truax could participate on the City's behalf.

13. ADJOURNMENT:

Mayor Truax adjourned the regular Council meeting at 9:16 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder