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Monday, April 13, 2020

City Council Regular Meeting Minutes

7:00 p.m., Webex Community Auditorium

***Minutes are unofficial until approved by Council.
Council approved minutes as presented April 27, 2020.***

1. CALLED TO ORDER AND ROLL CALL:

Mayor Peter Truax called the regular City Council meeting to order at 7:20 p.m. via Webex Video Conference.

COVID-19: Due to the emergency declaration resulting from COVID-19 (Coronavirus disease) and protocols, the City Council limited in-person contact and social distancing. **The City Council conducted the Council meeting remotely by video conferencing.** The meeting was remotely video conferenced by Fire Chief Kinkade and City Recorder Ruggles and televised live from the projector screen at the Community Auditorium by Tualatin Valley Community Television (TVCTV) Government Access Programming LIVE Channel 30 and Live Streamed on MACC TVCTV YouTube Channel 30. The public was allowed to attend and observe in the Community Auditorium as space allowed (no more than 10 persons total at one time). No public hearings are scheduled. The Council encouraged the public to observe the meetings through technology rather than in person.

ROLL CALL: COUNCIL PRESENT ATTENDED BY WEBEX REMOTELY: Timothy Rippe; Elena Uhing; Mariana Valenzuela; Adolph “Val” Valfre; Malynda Wenzl, Council President; and Mayor Peter Truax. **COUNCIL VACANCY:** 1.

STAFF PRESENT ATTENDED BY WEBEX REMOTELY: Jesse VanderZanden, City Manager (Webex remotely); Paul Downey, Administrative Services Director (Webex remotely); Michael Kinkade, Fire Chief (in the Community Auditorium); Colleen Winters (in the audience in the Community Auditorium); and Anna Ruggles, City Recorder (in the Community Auditorium).

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 (Council Goals and Objectives Refinement and Council Team Agreement) Meeting Minutes of March 16, 2020.
- B. Approve City Council Work Session (Succession Planning Employee Retirement) Meeting Minutes of March 16, 2020.
- C. Approve City Council Regular Meeting Minutes of March 16, 2020.
- D. Approve City Council Executive Session (Labor Negotiations) Meeting Minutes of March 16, 2020.
- E. Accept Committee for Community Involvement Meeting Minutes of February 4, 2020.
- F. Accept Community Forestry Commission Meeting Minutes of January 15, 2020.
- G. Accept Economic Development Commission Meeting Minutes of January 9, and February 6, 2020.
- H. Accept Sustainability Commission Meeting Minutes of January 23, 2020.
- I. Community Development Department Monthly Building Activity Informational Report for March 2020.
- J. **Proclamation Celebrating Arbor Month 2020 and Forest Grove's Designation as a 2019 Tree City USA®.**

MOTION: Councilor Uhing moved, seconded by Councilor Valfre, to approve the Consent Agenda as presented. ROLL CALL VOTE: AYES: Councilors Rippe, Uhing, Valenzuela, Valfre, Wenzl, and Mayor Truax. NOES: None. COUNCIL VACANCY: 1. MOTION CARRIED 6-0.

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

5. **PRESENTATIONS:**

5. A. **COVID-19 (Coronavirus disease) Update**

Fire Chief Kinkade presented a PowerPoint presentation overview pertaining to COVID-19 Response Update, which was updated in the Council packet. Refer below to City Manager's Report for additional updates.

5. B. **Community Forestry Commission Annual Report**

Mark Nakijima, Community Forestry Commission (CFC) Chair, gave an overview of the CFC's draft 2019 Accomplishments, which was referenced in the Council packet, noting after the CFC has an opportunity to meet again the accomplishments will be further reviewed for formal acceptance and a final version will be filed with Council. In addition, Nakajima reported CFC intends to honor Councilor Ronald Thompson later this year in recognition of his many years of involvement and leadership advancing CFC's mission. Mayor Truax commended CFC for honoring Councilor Thompson for

his many accomplishments.

5. C. Library Commission Annual Report

Pamela Bailey, Library Commission Chair, presented a PowerPoint presentation overview pertaining to the Library Commission's 2019 Accomplishments, which was referenced in the Council packet. The Forest Grove Library commemorated its 110th Anniversary in October, 2019.

6. **RESOLUTION NO. 2020-33 ADOPTING CITY OF FOREST GROVE LIBRARY COMMISSION BYLAWS**

Staff Report:

Winters presented the above-proposed resolution for Council consideration, noting Library Commission utilized the bylaw template to draft their proposed bylaws. Winters reported the Commission's bylaws were originally adopted in 1974, noting no significant changes from the original bylaws are proposed with the exception that the Commission is requesting to amend its membership to allow three members to reside outside of the city. The terms are also changing from two years to four years consistent with the Council Rules. In conclusion of the above-noted staff report, Winters advised staff is recommending Council consider approving the proposed resolution as outlined in Exhibit A, noting the Commission approved the bylaws at their meeting on January 14, 2020.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2020-33.

VanderZanden read Resolution No. 2020-33 by title.

MOTION: Council President Wenzl moved, seconded by Councilor Valfre, to approve Resolution No. 2020-33 Adopting City of Forest Grove Library Commission Bylaws.

Council Discussion:

Rippe voiced concern the Commission is composed of seven members and one student voting member, noting the Council Rules allows up to nine voting members so that B/C are not even numbered. Winters explained the Commission did not discuss increasing its membership or took into consideration that the student member was now a voting member; however, she would bring the concern to the Commission's attention. VanderZanden explained the majority for an 8-member board requires five votes in favor to pass, i.e., a tied vote of 4-4 would fail. In addition, Rippe voiced concern the Commission was proposing to hold at least 10 meetings a year, noting the Commission could set their meeting schedule accordingly without amending the

Council Rules, which requires B/C to hold a minimum of four meetings a year. VanderZanden concurred that pursuant to Council Rules, B/C are required to adopt a meeting schedule in January of each year, which allows flexibility to meet more frequently if established by the B/C's meeting schedule. After roundtable discussion, the following motion to amend was made to retain the existing language in the Council Rules.

MOTION TO AMEND: Councilor Rippe moved, seconded by Councilor Wenzl, to amend Resolution No. 2020-33, § 6. 1. (a) to read: ...the B/C shall hold meetings no less than four times a year.

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

ROLL CALL VOTE: AYES: Councilors Valfre, Rippe, Valenzuela, Valfre, and Wenzl. NOES: Mayor Truax. COUNCIL VACANCY: 1. MOTION CARRIED 5-1.

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

ROLL CALL VOTE: AYES: Councilors Rippe, Uhing, Valenzuela, Valfre, Wenzl, and Mayor Truax. NOES: None. COUNCIL VACANCY: 1. MOTION CARRIED 6-0.

7. **RESOLUTION NO. 2020-34 AUTHORIZING THE FISCAL YEAR 2019-20 EXPENDITURE OF COMMUNITY ENHANCEMENT FUNDS FOR ADDITIONAL GRANT FUNDS TO BE AWARDED FOR COVID-19 RELIEF ASSISTANCE UNDER ORS 294.481(B) AS A RESPONSE TO AN EMERGENCY**

Staff Report:

Downey presented the above-proposed resolution for Council consideration, noting the resolution is authorizing the expenditure of unappropriated Community Enhancement Funds to provide additional grant funds for emergency relief assistance to vulnerable populations due to COVID-19. Downey reported the Community Enhancement Program Advisory Committee (CEPC) would like to expend \$25,000 of available funds, which cannot be expended within a fiscal year unless in an emergency per the ORS. In conclusion of the above-noted staff report, Downey advised staff is recommending Council consider approving the proposed resolution as outlined in Exhibit A, noting the expenditure will reduce the Fiscal Year 2020-21 available CEP funding by \$6,250.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2020-34.

VanderZanden read Resolution No. 2020-34 by title.

MOTION: Councilor Rippe moved, seconded by Councilor Valfre, to approve Resolution No. 2020-34 Authorizing the Fiscal Year 2019-20 Expenditure of Community Enhancement Funds for Additional Grant Funds to be Awarded for COVID-19 Relief Assistance under ORS 294.481(B) as a Response to an Emergency.

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, Uhing, Valenzuela, Valfre, Wenzl, and Mayor Truax. NOES: None. COUNCIL VACANCY: 1. MOTION CARRIED 6-0.

8. RESOLUTION NO. 2020-35 APPOINTING CITY AUDITOR, FOR FISCAL YEAR JUNE 30, 2020

Staff Report:

Downey presented the above-proposed resolution for Council consideration, noting the above-proposed resolution is requesting to appoint the current City Auditor for one more year to perform the audit for fiscal year ending June 30, 2020. Downey reported the City released a Request for Proposals (RFP) for audit services and received three proposals, including one for the current auditor; however, due to the uncertainty surrounding COVID-19, staff is recommending to issue a new RFP next year. In conclusion of the above-noted staff report, Downey advised staff is recommending Council consider approving the proposed resolution as outlined in Exhibit A, noting the current auditor's fees are slightly lower than the other two proposals.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2020-35.

VanderZanden read Resolution No. 2020-35 by title.

MOTION: Councilor Valfre moved, seconded by Councilor Rippe, to approve Resolution No. 2020-35 Appointing City Auditor for Fiscal Year June 30, 2020.

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, Uhing, Valenzuela, Valfre, Wenzl, and Mayor Truax. NOES: None. COUNCIL VACANCY: 1. MOTION CARRIED 6-0.

9. RESOLUTION NO. 2020-36 ADOPTING CITY COUNCIL GOALS AND OBJECTIVES 2020/2021 AND REPEALING RESOLUTION NO. 2019-13

Staff Report:

VanderZanden presented the above-proposed resolution for Council consideration, noting the Council met in work session with Sara Wilson, SSW Consulting, on October 14, 2019, to address developing core values and updating the City's Vision Statement identified in 2019, Objective 3.14; and subsequently, Wilson provided facilitation services and one-on-one interviews with all Councilors and Directors as a gateway for the Council pre-Retreat on February 10, 2020. The Council and Management Team Goal-Setting Retreat was held on February 15 and Council held a work session on March 16, 2020, to refine the proposed Council Goals and Objectives. The Council identified 7 new Goals and 32 new Objectives for 2020/2021 (Exhibit A), compared to 3 Goals and 21 Objectives in 2019/2020 (Attachment 1 to the staff report). The Council's new Goals for 2020/2021 are as follows:

- **GOAL 1: SUPPORT DIVERSITY, EQUITY, AND INCLUSION IN THE DELIVERY OF CITY SERVICES AND OPERATIONS**
- **GOAL 2: ENABLE HOUSING SUPPLY AND AFFORDABILITY**
- **GOAL 3: ENHANCE PARTNERSHIPS**
- **GOAL 4: IMPROVE INTERNAL AND EXTERNAL COMMUNICATIONS AND ENGAGEMENT**
- **GOAL 5: MAINTAIN FINANCIAL AND ORGANIZATIONAL SUSTAINABILITY THROUGH LONG-TERM PLANNING AND SUPPORT FOR ECONOMIC AND WORKFORCE DEVELOPMENT**
- **GOAL 6: PROMOTE SUSTAINABLE TRANSPORTATION ALTERNATIVES AND ENHANCE MOBILITY**
- **GOAL 7: EXPAND RECREATION OPPORTUNITIES**

In conclusion of the above-noted staff report, VanderZanden advised staff is recommending Council consider approving the proposed resolution as outlined in Exhibit A, noting each Objective will be integrated into Department Work Plans and briefed in detail to Council during the budget process and budget priorities.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2020-36.

VanderZanden read Resolution No. 2020-36 by title.

MOTION: Councilor Uhing moved, seconded by Council President Wenzl, to approve Resolution No. 2020-36 Adopting City Council Goals and Objectives

2020/2021 and Repealing Resolution No. 2019-13.

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, Uhing, Valenzuela, Valfre, Wenzl, and Mayor Truax. NOES: None. COUNCIL VACANCY: 1. MOTION CARRIED 6-0.

10. RESOLUTION NO. 2020-37 ADOPTING CITY COUNCIL TEAM AGREEMENT AND REPEALING RESOLUTION NO. 2019-14

Staff Report:

Mayor Truax presented the above-proposed resolution for Council consideration, noting at the Council Retreat on February 15 and work session on March 16, 2020, Council reviewed its Council Team Agreement, noting no amendments were proposed as outlined in Exhibit A.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2020-37.

VanderZanden read Resolution No. 2020-37 by title.

MOTION: Councilor Uhing moved, seconded by Council President Wenzl, to approve Resolution No. 2020-37 Adopting City Council Team Agreement and Repealing Resolution No. 2019-14.

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, Uhing, Valenzuela, Valfre, Wenzl, and Mayor Truax. NOES: None. COUNCIL VACANCY: 1. MOTION CARRIED 6-0.

11. CITY COUNCIL DELIBERATIONS ON SLATE OF CANDIDATES INTERVIEWED FOR CITY COUNCIL POSITION VACANCY, TERM EXPIRING NOVEMBER, 2022, AND APPOINTMENT CONSIDERATION

Staff Report:

The Council conducted the following four oral Candidate interviews in earlier work session. One candidate withdrew as noted below.

Council Candidate Interviews:

Time:	Actual Start	Candidate Name:
4:20 pm	4:25 pm	Christobal Mejia Jr.
4:40 pm	4:46 pm	Hugo Rojas Hernandez
5:00 pm		Wolanda K. Groombridge; withdrew 04/13/20
5:20 pm	5:13 pm	Dawn O'Donnell-Hummel
5:40 pm	5:38 pm	Kristy Kottkey

Ballots:

Pursuant to ORS 192.650(1)(C), secret ballots are prohibited and ballots must identify the vote of each Councilmember. The Council was asked to consider the following options:

- Option 1: Reject all applications and initiate a new process.
- Option 2: Deliberate, make a formal motion, and vote on a candidate at this Council meeting. If the Council passes the motion, a resolution making a formal appointment will be brought to the next Council Meeting.
- Option 3: If the Council does not reach a decision at this Council meeting, the Council may move to conduct an additional interview of the top 2 or 3 candidates during a work session at the next Council meeting or a date certain or Council may instruct staff on further follow-up.

Councilmembers were asked to submit individual ballots verbally, ranking their top three candidates on a scale of 3 (highest) to 1 (lowest). Ruggles tallied Councilmembers votes as follows:

Vote for 3 (3 highest, 1 lowest)		Wenzl	Rippe	Uhing	Valen zuela	Valfre	Truax	TOTAL PTS:
Mejia Jr.	Christobal	1	2	1	1	1	1	7
Rojas Hernandez	Hugo	2	1	2	3	3	2	13
O'Donnell-Hummel	Dawn							0
Kottkey	Kristy L.	3	3	3	2	2	3	16

Upon tallying the ballots, Ruggles announced the following top three candidates:

- 1) Kristy Kottkey (16)
- 2) Hugo Rojas Hernandez (13)
- 3) Christobal Mejia Jr. (7)

Before proceeding with the Council discussion, Mayor Truax asked for a motion to

consider appointing one of the top three candidates to fill the Council vacancy.

MOTION: Council President Wenzl moved, seconded by Councilor Uhing, to appoint Kristy L. Kottkey to fill the City Council vacancy, appointed term of office expiring November, 2022.

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, Uhing, Valenzuela, Valfre, Wenzl, and Mayor Truax. NOES: None. COUNCIL VACANCY: 1. MOTION CARRIED 6-0.

12. COUNCIL COMMUNICATIONS:

Rippe reported Howard Sullivan, Chamber of Commerce Director, announced he is retiring May 31, 2020, noting the Board has not announced plans to appoint a new director. Rippe commended Jeff King, Economic Development Manager, for surely stepping up and assisting businesses in response to COVID-19. Rippe advised the Economic Development Commission may need to hold a virtual meeting in May, focusing on COVID-19-related issues, to which VanderZanden concurred.

Uhing reported on regional meetings she attended and matters of interest.

Valenzuela thanked VanderZanden for publishing the City's Situation Reports in Spanish. In addition, Valenzuela reported on services being provided by Centro Cultural and Virginia Garcia Memorial Health Center, located in Cornelius.

Valfre reported on community development block grant-related funding programs. Valfre reported on the levies on the May 19, 2020, ballot. In addition, Valfre reported on regional matters of interest.

Wenzl reported Forest Grove School District is continuing to provide free lunches to anyone under 18 years of age. Wenzl pointed out some of the challenges as a teacher learning new ways of teaching students online and distance learning.

13. City Manager's Report:

VanderZanden presented the City Manager's Report, dated April 10, 2020, noting the City's Situation Report is being updated frequently and published in English and Spanish. The City remains closed to the public through April 30, 2020, unless the declaration is rescinded earlier. City operations are continuing remotely and online. Parks and trails remain open; closures include restrooms and some sports facilities. All Boards and Commissions (B/C) meetings for the month of April are canceled.

VanderZanden advised if Council has no objections, staff will proceed with determining if B/C can hold meetings virtually for the month of May on an as-needed basis, noting B/C would still need to comply with the Public Meeting Laws and social distancing, to which Council collectively concurred as long as there was a necessity to meet and compliance with social distancing. VanderZanden advised due to the effects of COVID-19 and findings ways to provide some relief for residents, staff is considering delaying fee and rate increases from July 1 to October 1, 2020, noting if Council has no objections, staff will prepare a proposed resolution for Council consideration at the next meeting, to which Council collectively concurred. In addition, Downey reported the Small Business Emergency Assistance Program received approximately 80 applications totaling about \$100,000. The application period remains open but is expected to be oversubscribed soon. The Banner Pole Project, funded by the Urban Renewal Agency Installation Art Program, was awarded and the proposed location is the start of the Town Center Transition Zone, between Cedar Street and Birch Street, on Pacific Avenue. In addition, VanderZanden reported on various department-related activities and projects as outlined in the activity report.

14. MAYOR'S REPORT:

Mayor Truax reported on transportation development tax and affordable housing-related discussions. In addition, Mayor Truax reported on various county and regional-related matters of interest and various meetings he attended.

15. ADJOURNMENT:

Mayor Truax adjourned the regular Council meeting at 9:30 p.m.

Respectfully submitted,



Anna D. Ruggles, CMC, City Recorder