



CITY OF TROUTDALE

"Gateway to the Columbia River Gorge"

AGENDA

CITY COUNCIL – REGULAR MEETING

Troutdale City Hall - Council Chambers
219 E. Historic Columbia River Hwy. (Lower Level, Rear Entrance)
Troutdale, OR 97060-2078

Tuesday, September 13, 2016 – 7:00PM

Mayor

Doug Daoust

City Council

David Ripma

Corey Brooks

Larry Morgan

Glenn White

Rich Allen

John Wilson

City Manager

Craig Ward

1. **PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE.**
2. **CONSENT AGENDA:**
 - 2.1 **MINUTES:** February 9, 2016 City Council Regular Meeting, February 23, 2016 Joint City Council & Troutdale Solid Waste Community Enhancement Program Advisory Committee Regular Meeting, May 24, 2016 Regular Meeting, and June 28, 2016 Regular Meeting.
3. **PUBLIC COMMENT:** Public comment is limited to comments on non-agenda items. *Remarks shall be limited to 5 minutes for each speaker unless a different time is allowed by the Mayor. The Mayor and Council should avoid immediate and protracted response to citizen comments.*
4. **PUBLIC HEARING / ORDINANCE (Introduction):** An ordinance vacating segments of SE Kibling Avenue and SE 7th Street rights-of-way at the Troutdale Elementary School site. Chris Damgen, Planning Director
5. **REPORT:** Flood hazard analysis presentation. Dr. Wayne Huber
6. **RESOLUTION:** A resolution authorizing a City Official to negotiate and execute an agreement for professional recruitment services for the City Manager position. Erich Mueller, Finance Director

7. **RESOLUTION:** A resolution approving the real property acquisition on NE Harlow Place and authorizing a City Official to execute the transaction. Erich Mueller, Finance Director

8. **STAFF COMMUNICATIONS**

9. **COUNCIL COMMUNICATIONS**

10. **ADJOURNMENT**



Doug Daoust, Mayor
Dated: 9/7/16

City Council Regular Meetings will be replayed on Comcast Cable Channel 30 and Frontier Communications Channel 38 on the weekend following the meeting - Saturday at 2:30pm and Sunday at 9:00pm.

Further information and copies of agenda packets are available at: Troutdale City Hall, 219 E. Historic Columbia River Hwy. Monday through Friday, 8:00 a.m. - 5:00 p.m.; on our Web Page www.troutdaleoregon.gov or call Sarah Skroch, City Recorder at 503-674-7258.

The meeting location is wheelchair accessible. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to: Sarah Skroch, City Recorder 503-674-7258.

DRAFT

MINUTES
Troutdale City Council – Regular Meeting
Troutdale City Hall – Council Chambers
219 E. Historic Columbia River Hwy.
Troutdale, OR 97060

Tuesday, February 9, 2016 – 7:00pm

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE.

Mayor Daoust called the meeting to order at 7:00 p.m.

PRESENT: Mayor Daoust, Councilor Ripma, Councilor Anderson, Councilor Morgan, Councilor White, Councilor Allen, and Councilor Wilson.

ABSENT: None.

STAFF: Craig Ward, City Manager; Ed Trompke, City Attorney; Erich Mueller, Finance Director; Chris Damgen, Senior Planner; Sarah Skroch, City Recorder.

GUESTS: See Attached List.

There were no amendments to the public agenda.

Councilor Ripma stated point of order. On the agenda, there is an Executive Session following the Council meeting. And then, there is something called a possible reopening of the public meeting and a resolution to adopt the real estate sales agreement. Since the Executive Session is about a real estate transaction, I'm assuming that might have something to do with it and that is not the proper procedure. We have an Executive Session, we get a staff report prepared, and at the next Council meeting, that's when we adopt something. Were we thinking of asking the public to just step out for an hour? Who knows how long the Executive Session might take. I ask the Council's indulgence. We're trying to be open and transparent. Let's do a proper procedure, one we always follow, have an Executive Session afterwards, and if we decide something that we want to adopt, let's put it on the next agenda. That way it is published, and everybody can look at it and study it.

Councilor Morgan stated if that's the case, February 16th is an open Tuesday that is currently available. So if need be, that could be tabled and moved to next Tuesday.

Mayor Daoust replied, just to be clear, we are following proper procedure, otherwise it would not be on the agenda like this. The City Attorney says it is acceptable to hold an Executive Session and then come back in and make a decision on the Executive Session, which is why it was worded this way. There is nothing wrong with that procedure. We probably will have to make that decision when we get to that point. I don't think we can make that decision right now.

Councilor Ripma asked, could I offer a suggestion? I'm still concerned that this procedure, at the end of what could be a long meeting, won't get adequate scrutiny, and it certainly won't get any public scrutiny after we finish the Executive Session. Could we just agree to convene, if we do, just to publish the real estate sales agreement? Not to adopt or consider adopting, but just so it can be published and we could consider it. Would that be proper?

Mayor Daoust replied, yes, when we come back from Executive Session and into a Regular Council session that might be one of the options we consider when we come back. We need to make that decision later.

Councilor Morgan stated point of order, I believe a Councilor could make a motion to table it until a further date.

Councilor Ripma replied well, I'd do that if that's permissible.

Mayor Daoust stated I'd have to have the City Attorney give an opinion because it was set up this way so that we can make a decision.

Councilor Allen asked am I the only one missing the resolution for Item 12?

Councilor Ripma answered no, it's not in our packet. I know of no real property transaction before the City of Troutdale right now that is so urgent that we would have to adopt it without any public scrutiny or comment. I mean there's no emergency. Is this something unimportant and just minor to some trivial thing, or is it big?

Ed Trompke, City Attorney, replied I think it would be inappropriate for me to disclose what it is without our Council's say so on it.

Councilor Ripma asked can we just move it forward for the purpose of tabling it to the next meeting?

Councilor Allen stated I'm not comfortable voting on anything tonight without knowing what it is.

Ed Trompke replied if that's the consensus of the Council, then I think the public will be aware of that and understand that that's likely to happen, and that it would be done at the proper time which is coming out of Executive Session. My recommendation would be to keep the item open afterwards, otherwise at the end of the Executive Session there is no public session and we would have closed that ability to disclose the matters publicly that you want to disclose whether or not you consider them tonight or not, and whether it is in a week or two weeks.

Mayor Daoust stated we have to come back into session after the Executive Session to decide what we are going to do with what we learned in Executive Session. That's procedurally accurate.

Councilor Ripma replied yes, but I'm asking that we announce that we are not going to vote on a resolution to adopt a real estate sales agreement that we haven't even seen. We will have seen it after the Executive Session, but the public won't have. We won't have had a chance to study it; we won't have a staff report. I agree procedurally you're right. I'm not arguing that it isn't proper, but it isn't our regular procedure and if we just have a consensus to resume the public meeting just to table Item 12 until a future date, not take action on it, I'm satisfied with that.

Councilor Allen stated I would like to change it so that Item 12 is not a resolution, but just a discussion since we don't even know what it is.

Councilor Ripma replied we will be discussing it at the Executive Session, so that's not that important.

Councilor Allen stated that's not enough time. I'm analytical. I like to think about things.

Councilor Ripma stated that's why I'm proposing it. Is it okay if we don't vote on this tonight, we just discuss it at the Executive Session, and then table any action on a resolution to adopt until a date certain?

Ed Trompke replied it is probably just fine, but I don't know if this is the right time to do that.

Councilor Ripma stated if we don't do it now, then the public ends up having to go out and wait until we come back to decide. I don't like it being one of the options. I'm trying to say that to adopt it tonight after an Executive Session would be improper or at least it isn't open and transparent. I like Councilor Morgan's solution.

Councilor Morgan stated procedurally we're allowed under Robert's Rules, that's my point. Given the fact that the meeting on the 23rd has seven items currently, my proposal is to table Item 12 of an action to the February 16, 2016 meeting, which is currently Urban Renewal Agency. There's currently nothing available to give the seven days' notice to do that. That was my recommendation.

Councilor Allen replied I would agree with that, yes.

Mayor Daoust stated I just need to confirm, because now we're predetermining what we're going to decide later when we should decide later what we're going to decide. And that sounds like round-about talk.

Councilor Allen stated this is an agenda update to change Item 12 and move it to the date suggested by Councilor Morgan.

Councilor Morgan added February 16th.

Councilor Ripma asked and we'll do it after the Executive Session?

Councilor Morgan replied correct.

Ed Trompke stated the Mayor sets the agenda. If he wants to announce right now that he's inclined to put that agenda together on the 16th, then I suppose he could announce that.

Councilor Ripma asked, why don't we do that Doug? I put it to you, please.

Mayor Daoust stated I think what we can decide now, that we really should decide later, is we can have an Urban Renewal Agency meeting on the 16th, next Tuesday, so we can go over and make a decision on this real estate agreement. That will give us a week. We'll have to come back into session after the Executive Session because we need to decide what to do with the documents that we get in Executive Session since none of us have it right now. And we'll need to give staff direction on what to do in the week between, so we will have to come back into session.

Councilor Ripma stated so we'll come out of the Executive Session into Regular Session, decide about documents if there are any, and then refer the decision to the 16th.

Ed Trompke stated you probably ought to keep the option open to have a joint meeting of Urban Renewal and Council, but I don't know that you need to say that now.

Councilor White stated I noticed we had a revised agenda. What was revised? I was just curious what got changed on that.

Mayor Daoust replied one of the Charter amendments got removed. We will talk about that later, I think.

2. CONSENT AGENDA:

2.1 MINUTES: October 27, 2015 Work Session.

2.2 RESOLUTION: A resolution approving an Intergovernmental Agreement with the State of Oregon for the administration of the Local Motor Fuel Tax.

MOTION: Councilor Anderson moved to approve the Consent Agenda. Seconded by Councilor Wilson. The motion passed unanimously 7-0.

3. PUBLIC COMMENT: Public comment is limited to comments on non-agenda items.

Claude Cruz, Troutdale resident, stated I have three short items. One is I've noticed several times now I have checked on your website about the dates of the Council meetings and it is stale information. I think the latest that is on there is January or some such thing, so if you could please update that. The second is a suggestion, and it is really on behalf of the Chamber. I think the City might want to consider investing in the sort of community resource we borrowed from Fairview last year for the Fall Festival. It is a wonderful Felix the Cat sort of trailer that has tents, popups and basically is an instant event. It is really helpful for mounting city events and looks like a pretty modest investment, so it is worth investigating. If you want I could help price it out and get some information so you could consider it more concretely. The third thing is I have to thank Councilor Ripma and Councilor Morgan for pointing out the procedural potential shoals

from a transparency point of view that I sent by email to the Council earlier and was told that the determination had been made to proceed in this way. I think it's procedurally fine, but again, in the interest of transparency, I'm glad you came to where you did, so thank you for that.

Jon Lowell, Troutdale resident, stated I don't know what the proper way is of going about protesting the way this agenda is set up, but from a citizen's point of view, it looks like it was an attempt to deceive the public and I think this should never be done again.

Councilor Ripma asked, what do you mean, Jon?

Jon Lowell replied there is no mention of what the Executive Session will be except that it is a real property discussion. And then you come back and say you're going to reopen the session and most people will have gone home after that. They're not going to wait around an hour. And then it says that there's a resolution, or there was a resolution here to adopt a real estate sales agreement, but it doesn't tell the public anything about what parcel of land or even if it is land.

Mayor Daoust stated we never list the agenda item of an Executive Session. We never have and we never will.

Jon Lowell replied you did list a resolution here though, to discuss a real estate property thing without telling the public what property it is. And you also put it in a way that most of the people will have gone home because it is going to be late in the evening by the time you get to it.

Bruce Wasson, Troutdale resident, stated the second public session may be legal, but it doesn't pass the smell test in my opinion. And not knowing who owns this real estate, who is going to benefit from it, and is there any conflict of interest on anybody on this board or this City Council who might be involved in this, as a member of the public. I would like to know what and who this money is going to or coming from, and what is going on here, because I have seen in the past a little too much shenanigans with certain people in this city trying to do things. Quite frankly, I am very uncomfortable with the fact that we don't know anything about this deal. And I would look at this very dimly if I was you in an election year and if something were to go wrong here. Those who are up for re-election might want to think about that.

Sam Barnett, Troutdale resident, stated good evening, Councilors and Mayor. Mayor, I want you to know I took great offense at the last Council when you addressed me during public comment and pretty much ordered me to keep it positive. I should not be here tonight feeling the need to remind you of the definition of freedom of speech. To order or merely suggest the behavior you expect from participants during public comment is preposterous, to say the least. I hope you have realized this and have given at least a bit of a thought between then and now and that won't happen again. Public comments are not always going to be positive as we all know. But it's really the only way we have as citizens to voice our opinions and thoughts and views on what faces the City. To all of you, I kind of feel the need to know who, individually or collectively, is coming up with these ridiculous and silly motions, some of which we're talking about tonight. It's kind of

distressing to me the things that are being considered by the Council. More than who owns the property that you're talking about for now; I'd really like to know who owns the ideas behind this kind of way of doing business. Thank you.

Ed Trompke replied it is not the Council, I advised about that. If you have distress about it, talk to me about it after the meeting, please. Thank you.

Steve Scott, Troutdale resident, stated by the ORS statutes, everything here is fine. The only question I would have is I understand that at the end of Executive Session, we really don't know so you really couldn't put an agenda after that, but it looks like initially a resolution was going to be brought forward after the Executive Session. I've been a resident of thirteen years here in Troutdale and I've never seen it this way so it's just a little confusing to me, so I understand Councilor Ripma's concern about it. I don't think there's any hanky-panky going on here or anything. We're all on board as far as it being legal. In some of the town hall meetings you, Mr. Mayor, had mentioned more transparency. I'm not blaming you for this, but it doesn't seem to be something that is as transparent as it could be moving forward. But I do appreciate your comments about possibly looking at different angles after the Executive Session dealing with the resolution if we call it that. But with regards to what happens afterward, I have my concerns, as a resident of Troutdale. Thank you.

4. MOTION: A Motion to Adopt Findings of Fact and Final Order for the Sheldon Development Maps Application

Ed Trompke stated at the last Council meeting, the Council disapproved an application for a Comprehensive Plan and Zoning Map change and a number of rationales for disapproving it were expressed at that time, and so staff took those reasons and put them into a finding. In a quasi-judicial procedure, you need to make findings at the end and approve a written decision. That then gives the applicant the opportunity to appeal the decision, if they want. All of the Council's rationale for disapproving the matter was put into the report and the factors found to be not in compliance with the Code requirements are listed. This is staff's best effort at putting into writing all of your words from the last meeting. I believe there was one Councilor who voted to approve and the others voted to deny, so the vote should look pretty similar this time unless someone has grossly misstated Council's opinions from the last meeting. If you think it fairly represents what you said at the last meeting, then a motion to approve it as written would be in order.

Mayor Daoust stated I appreciate the way this was summarized. During the discussion that I made specific comments about which criteria, in my opinion, were not met. What's written here coincides with those 4. There are 2 criteria under the Comprehensive Land Use Plan, numbers 5 and 6, and 2 criteria under the Zoning District Map, numbers 4 and 5, that I thought were not met, so this captures at least those mentions of particular criteria.

MOTION: Councilor Ripma moved to approve the Findings of Fact and Final Order for the Comprehensive Land Use Map Amendment and the Zoning District Map Amendment as set forth in the packet. Councilor Anderson seconded.

VOTE: Councilor Morgan –Yes; Mayor Daoust – Yes; Councilor White – Yes; Councilor Allen – No; Councilor Wilson – Yes; Councilor Ripma – Yes; and Councilor Anderson – Yes.

Motion Passed 6 - 1.

5. PUBLIC HEARING/RESOLUTION: A Public Hearing on three resolutions approving the recommendations of the City Organization Review Subcommittee, each referring a Measure Election to amend the 1994 Troutdale Charter.

Mayor Daoust explained Item 5 is a public hearing and resolution. We'll take these one at a time. I'll mention the resolution, we'll have staff report, and then we'll talk about it. All of these are to go out to a public vote if we so choose.

5.1 RESOLUTION: A resolution submitting to the Electors of the City the question of amending Section 14 of the 1994 Troutdale Charter to allow discipline of Elected Official for disclosing confidential information.

Ed Trompke stated the staff report is fairly short. Executive Sessions are held to allow the Council to analyze, ask questions of experts, attorneys and others in private to address sensitive matters such as real estate negotiations, litigation strategy, litigation likelihood of success, and those sorts of issues that shouldn't be out in the public. They are necessarily private. There have been concerns raised that maybe not all Councilors respect the confidentiality of it to the extent they should. And, it's always an issue when you're trying to be transparent but there are some things that do need to remain confidential. There has never been any clear direction as to what Council should do if someone does violate the confidentiality of an Executive Session. This lists a couple of possible penalties including a maximum fine of \$500 and exclusion from further confidential sessions that talk about the same or similar subject. It tries to be related to the topic at hand, but to make everybody understand that there are consequences if they don't respect the need for confidentiality. This came through the Organization Review Subcommittee of the Council. I put the language together based on the Subcommittee's recommendations on how to address the issue.

Councilor Morgan stated just one thing I wanted to say to clarify this issue, and remember we had talked about this before, the goal of this was to modernize the Charter. We haven't had a major Charter change since the Kight rules of 2010, which didn't look at things like procedural or election status or other ethics. It was primarily to mitigate or control some of the powers of the Mayor. These are a few recommendations that were looked at. I don't love them all, but at the end of the day, the voters will have a chance to weigh in if Council decides to move forward on these. These are very much in line with other municipalities our size and the county. But this specific one, we have run into some things with information that's not designed to be secretive, but could compromise a position that the City might have in negotiating with outside entities, developers, or what have you. It's a question for the public and for this Council.

Councilor Ripma stated I understood that the Subcommittee was to basically look into the relative power between the Manager, City Council and the Mayor, not to impose discipline or to change the election rules. I'm just amazed that these are being brought forward tonight as resolutions, putting them out to the voters when we haven't ever had a chance to discuss them. They weren't even written until we got our packet. Nobody ever saw them and you're putting it to the voters. That is not a proper procedure to follow. First of all, I think 5.1 and 5.3 shouldn't even be discussed further, they are ridiculous.

Mayor Daoust asked did you have a question for staff?

Councilor Ripma replied I do. Could we refer these to a citizen's committee like we did in 1994, please? Would that be proper, Mr. Trompke? Because this would give the public a chance to weigh in on this. You're just bringing it to us cold and we haven't even discussed it.

Mayor Daoust stated we already had a Committee.

Councilor Ripma replied you had a 3 person committee of the Council.

Mayor Daoust stated we had a Subcommittee that held public hearings.

Councilor Ripma stated those were held in the middle of the afternoon.

Mayor Daoust replied no, they were not.

Councilor Ripma stated I'm sorry, they need to be referred. The first time anyone saw the resolutions or the wording of the change to the Charter was when our packet were delivered. You read out broad titles two weeks ago, but they weren't written yet. I checked with Ed.

Mayor Daoust asked how long did the Subcommittee meet?

Councilor Ripma stated that doesn't prove there's any public comment.

Mayor Daoust replied they were all public hearings. Some people in the audience attended those.

Ed Trompke stated there was public comment. I know Councilor White came to a couple, I know Paul Wilcox was at some, and there were other people in attendance. I didn't pay a lot of attention to who was in the audience, but there were people.

Councilor Ripma stated I guess these ideas were promoted to whoever was here. There certainly wasn't a discussion by the Council in public for a chance for someone to question the wisdom of some of these. As I read it, on this one, if the majority of the Council determines that another Councilor violates the confidentiality of an Executive Session, they can impose a \$500 fine, discipline, and remove them from any further discussions. Think of it gentlemen, how is a Councilor supposed to present facts, which is mentioned in here, to defend himself against something like that? Keep saying "I didn't do it?" How

do you prove you didn't do it? How is this in keeping with due process, which requires an impartial finder of fact and a judge?

Ed Trompke replied it doesn't. Due process requires a fair hearing at an appropriate time.

Councilor Ripma asked, a fair hearing, you mean four Councilors in an elected body like this can determine...

Mayor Daoust stated, Councilor Ripma, please don't dominate all the discussion tonight, would you please?

Councilor Ripma replied this is the only chance the public is ever going to get if you decide to approve this.

Councilor Morgan stated I understand the frustration, but hear me out because this is the important thing. This is a discussion that has been going on for a while. There was a lot of citizen engagement. In fact the term limits, which I think you were very much opposed to, went to Citizens Advisory Committee (CAC) and they rejected it. There was a lot of feedback amongst the people who were here, I think Jon Lowell was here, but not a huge number of citizens were there.

Councilor Ripma stated the Council didn't refer this to CAC.

Councilor Wilson replied we (the Subcommittee) did.

Councilor Ripma stated that means only the advocates referred it to CAC and they only heard one side. They still had enough wisdom to turn down some of them.

Ed Trompke stated I think they were referred at the request of Councilor White, who was in attendance.

Councilor White replied, no I complained about it. Subcommittees have never referred things to our committees, the Council as a body does that.

Councilor Ripma stated if the CAC considered it only hearing proponents, they didn't really consider it and that isn't a proper procedure either. All I'm saying is that if we want to put it to the CAC, I want them to have a chance to hear both sides. I think we ought to do a separate Charter Review Committee, a public ad hoc committee, like we did in 1994 and have this considered because I don't think it would pass muster from anybody.

Ed Trompke replied the answer to your question is yes, at the appropriate time you can make a motion to have that action taken.

Councilor Ripma asked can't we just withdraw this for now?

Ed Trompke replied there's no motion on the floor, so you can't move for that at this point.

MOTION: Councilor Ripma moved to deny adoption of Item 5.1, a resolution submitting to the Electors of the City the question of amending Section 14 of the 1994 Troutdale Charter to allow discipline of Elected Officials for disclosing confidential information. Seconded by Councilor White.

Councilor Ripma asked before we vote, can we discuss?

Mayor Daoust replied yes, but I will say that under Council rules, you can only make two comments and you have to wait until we all get a chance to speak so everybody gets a chance to speak. If the audience doesn't mind, don't express yourself via comments, or sighs or gasps or laughing out loud. It's not a productive way to hold a public meeting and we'd appreciate it if you didn't do those kinds of things.

Councilor Wilson stated just so I've got this right, anybody that's disruptive can be asked to leave.

Ed Trompke replied that's true.

Mayor Daoust stated following Council's rules, everybody will have a chance to speak once before you speak a second time and you only get two comments. Those are the Council rules.

Councilor White asked can I get a clarification on one thing? I don't want this to count as one of my comments. The agenda says "public hearing". I assumed that meant the public was going to be able to speak tonight.

Mayor Daoust replied yes.

Councilor Morgan stated it is difficult to do that when we table them all or strike them down. I was hoping to hear the public and then be able to have motions.

Councilor White stated I would like to hear from the public before we table this or...

Motion was withdrawn by Councilor Ripma.

Mayor Daoust opened the public hearing at 7:43 p.m.

Brian Sheets, Troutdale resident, stated I heard about this one first and I was really interested about it because it talks about the privilege that the Executive Session gives to City Councilors during those meetings; an opportunity to participate in litigation, strategies, real estate negotiations, personnel actions, those kinds of confidential things. From the principle that I have always understood, the privilege remains with the client, that the client can waive the privilege. So, if it's something that might not be in the best interest of the City, might not be in the best interest of fellow Councilors, but that person has the opportunity to waive that. And whether it damages the City's position, makes harder work for Mr. Trompke...

Ed Trompke replied if I may respond, legally, it is the Council that has that privilege, not any individual.

Brian Sheets stated the Council acts through its agents.

Ed Trompke replied the Council acts through a majority.

Brian Sheets stated I would say the ability to do those kinds of things goes to the individual, and if the individual wants to waive those kinds of bad things, that's what the voters are here for. I don't think that necessarily it's for other Council members to necessarily accuse that person through any sort of informal or formal process. I think if it harms the City, if it harms the legal counsel's position, if it hurts the City's position, I think it's something the election should really figure out. I'm really concerned about the procedure for it, too. I understand what due process entails, a fair hearing and the opportunity to be heard and present the case. I didn't see anything in the packet that actually discussed the process. I'm concerned about that because I want to make sure that if something like this does happen that there's a process to protect the person's property rights, liberty rights, and their reputation if they are falsely accused. I just want to make sure there's plenty of procedure on this. And if so, weigh out exactly what you're going to get out of it. If it's a \$500 fine, is that worth it? What do you do while the procedure's happening? Think about how much this actually takes and how much you're actually getting out of it, that's all I'm saying. Thank you.

Ed Trompke replied from a legal standpoint, there are things that no one here is authorized to disclose no matter what; such as, if you disclose private personnel matters or medical information, even information about people who are transported in an ambulance. My firm represents ambulance providers in public agencies. The people who have the rights are not the City Council, but the employee, the person receiving medical treatment, those kinds of people. Those things do occasionally get discussed in sessions. And in other sessions, it is in labor negotiations, unfair labor practices that can be very financially disadvantageous to the City can be discussed and if revealed can result in penalties from the NLRB (National Labor Relations Board), so we do have things that can't be released at all. Then, City Council can waive by majority vote, because the City always acts by the majority. It's the City that has the right to waive a privilege or confidence, not an individual Councilor. My client is the City, or the City Council acting through a majority, and that shifts, which makes my job difficult because one person may change a vote from one week to the next, and that means my position and what I'm doing has to change. Majority rule is what it is, that's what we've got to live with.

Brian Sheets stated I understand that a potential leak has a possibility to impose liability on the City. What I'm talking about is this Charter amendment. I'm not talking about liability that can be imposed through leaking certain information. We don't want people to be putting the City in legal problems or jeopardize positions. We don't want any of that, but I don't think this is the right way to do it.

Councilor Morgan asked do you think it's a worthy aspiration to at least ask the public what they think? Quite frankly, there's no policy at all. I know it might not be the right policy and the voters will ultimately decide, but that's the question right there.

Brian Sheets replied I don't think a Councilor should be accusing Councilors about different things. All this is going to do is criminalize or put penalties on something, it's not a criminal penalty, but it's going to create these things where it's still happening. You're not allowed to speak on confidential matters, so the press gets it through an anonymous source or somebody says something. I don't think this is really going to solve much; it's just a lot of procedure that's not really in the City's best interests.

Mayor Daoust stated please limit your comments to three minutes. Brian went a little bit over but I didn't tell him ahead of time, so that's fine.

Jay Ellis, Gresham resident, stated I wasn't aware of these situations. I think going to a public vote is a little cumbersome and expensive. Echoing some comments from other Councilors, I think relooking at this through a citizen's advisory committee would be beneficial and save time and energy. If it doesn't pass muster with a citizen advisory committee.... I'm going to group all these points together for Items 5.1, 5.2 and 5.3, because I have to leave after this comment. If Council were to agree to accept this resolution, why spend that time and energy taking it to the voters? If you take them to a citizen's advisory committee, I think there's a lot more notice now of this situation and you're going to have more attendance and participation. That might address the issue without having to go to a citywide vote. Those are just my comments, thank you.

Mayor Daoust stated, just to be clear, any Charter amendment has to go out for a public vote, so we will be deciding later whether to send it out for a public vote.

Jon Lowell, Troutdale resident, stated I think this is inappropriate right now. You folks have a copy of the full description of what we're talking about but as citizens we don't. It wasn't put on the agenda, so I think the citizens need a chance to see what we are being asked to discuss before they come up for discussion.

Mayor Daoust asked is that a true statement? Was this on the website?

Sarah Skroch, City Recorder, replied the meeting packet is online.

Ed Trompke stated I think what he said technically was right, the whole language is not in the agenda, it is in the packet, which is behind the agenda. It's only the title that goes on the agenda.

Mark Kelsie, Gresham resident, stated just one question. If this resolution moves forward, who or what is going to be the policing body over these potential rules? An unbiased body that looks at this and says this Councilor, this person, has made this error? Who is that body going to be?

Councilor Wilson replied we have passed it on to our attorney in the past.

Mark Kelsie stated so somebody accuses someone of breaking these rules and regulations and then that goes to the attorney, so, you are policing yourselves, basically then. Is that what you are saying?

Several Councilors responded it's a majority of the Council.

Mark Kelsie asked and that's an unbiased approach, right?

Councilor Morgan replied that's currently how it is done for censures as well. Any Councilor can be censured at any point in time with the majority of the Council.

Mark Kelsie stated but you are policing yourselves. You have each other watching each other to see who says what. Is that correct?

Ed Trompke stated it's the way all governments operate. If you look at even all the way up to impeaching a president, politically elected bodies make those determinations. That's the "American Way" if you will. You either trust your elected officials or you don't.

Councilor Morgan stated Council also could ask for an internal review by a third party like what was done in 2010 when we hired Bev Russell to do an internal investigation.

Mark Kelsie asked so fundamentally then, as an example, if you are talking Executive Session, and a while back the Mayor went to the General Store and discussed, is that fundamentally a break in this policy and he would then be approached by you and then that goes before Council because it is a step out of Executive Session?

Councilor Morgan replied there's currently no process for anything like that to get punished.

Mark Kelsie asked, that process is necessary, you feel?

Councilor White stated actually, the answer we got on that was the mayor is the political head of the City and the rule didn't apply to him.

Ed Trompke replied that was not my legal opinion. I said he is the political head of the City, the Charter says that and because of that, he can go to meetings with other Mayors and other government bodies and have discussions. I didn't say anything about Executive Sessions.

Richard Goldie, Troutdale resident, stated I have a question which I hope you can answer. Who was on the City Organizational Review Subcommittee? Were there any actual citizens on there or who was on it?

Mayor Daoust replied three Councilors and they held public meetings.

Richard Goldie stated a lot of us in the City have noticed there are four certain people that stick together quite a bit and you three are on that. Thank you very much.

Councilor Wilson asked, can I address Mr. Goldie for a second? I just want to say there were a lot of issues brought up that the three of us did not agree on and it took all three of us to make the agreement to bring it forward to Council. So, not everything that we talked about or discussed or wanted or thought needed to be a Charter amendment got brought forward because we all did not agree. So, I can say the four of us don't always agree up here, too, and I can say there are times when I agree with other Councilors and not necessarily the Mayor, and he knows that also.

Richard Goldie asked is it just blind luck that not one of the other three Councilors were on this Committee?

Councilor Wilson replied we didn't appoint ourselves.

Richard Goldie asked who appointed you?

Mayor Daoust replied I did. I appoint every subcommittee.

Richard Goldie stated that's my point.

Councilor Morgan stated just like the Mayor appointed you for a committee, the Mayor has the authority to appoint for committees.

Richard Goldie stated I get it. I just hope you guys get what I'm saying, too.

Ed Trompke said Mr. Mayor my recollection is that you asked for volunteers that night. I believe you said "Who wants to be on it?" Look at the meeting minutes from when the mayor did it, he did it in an open forum.

Paul Wilcox, Troutdale resident, stated you all know, I'm sure, that I actually read this stuff in detail. I have additional comments, but I want to get to the language before I run out of time. For 5.1., Line 9, says "Council need not follow any particular procedure in determining the fact of disclosure or imposing that discipline." It sounds to me like guilty until proven innocent. That's my briefest comment you are going to hear tonight, but I will use a couple more of my minutes to say that I agree completely with Councilor Ripma that this Subcommittee has dropped this on the balance of the Council and the Mayor also without any advance notice. And the timing of this, you have it scheduled for the May ballot, the primary ballot, which means there has to be a public hearing tonight, and a public hearing two weeks from tonight and that's your timeline. If you don't get it done this month, it doesn't get on the May ballot. There should have been a work session between the Subcommittee's decision or recommendation or whatever on these amendments and the full Council. Like Councilor Ripma says, it's the first you have seen it, and now, you're under the time pressure if you want to get it on the May ballot, you've got to do it.

Councilor Ripma stated there isn't even a second reading. This is it, it was dropped on us, you never brought it to Council and we never got to discuss it.

Rob Canfield, Troutdale resident, stated while I believe the intent of the Subcommittee in proposing this Charter amendment was good, I think the step of fining a fellow City Councilor for divulging information from an Executive Session is a little far reaching. There are already State public meeting laws that cover what is allowed, there are already City rules and City Council rules in the City ordinances that cover this, and there's always the option of censuring a City Councilor as has been done before if the City Council feels that an individual City Councilor has deserved it. But I think it is going too far to fine someone; it becomes political in a financial way. It's over reaching and I don't think it is necessary. I would urge you to reject taking this to the voters. Thank you.

Tanney Staffenson, Troutdale resident, said I would just echo what has already been said this evening. I think it is a little reaching, and although you don't have something of this magnitude, you already have methods in place and procedures to accommodate a breach of confidentiality. These things do happen and they have to be addressed, but I don't know if fining each other and kind of holding a court is the answer to that. The other thing I would say, I would hope this would have gone to CAC to get their opinion before we move it forward. The other thing is when we do a Charter amendment I am hoping that any of these that go forward to the voters are 7-0, 6-1, something like that because we are going to be looking to you for direction on how to vote because all of these are going to impact you more than the voters. If the Council is split, what do we think the citizens are going to do? How does that work? Whatever we send to them should be something like, "This in the best interest of Troutdale, we agree upon it, we support it, please back us on this to make the City better." Thank you.

Bruce Wasson, Troutdale resident, stated I agree completely with Councilor Ripma that the City Council should not be imposing fines on anybody without due process. And voting to fine somebody or censure them deep enough to where they couldn't come to meetings is inherently wrong. I would remind you that history teaches us many lessons and we don't learn from them. Vice President Andrew Johnson, when ascended into the presidency upon the death of Lincoln, was impeached by the House and barely won the trial in the Senate. It was a political witch-hunt and we do not wish to descend into a political witch hunt on City Council because that is what it could become, particularly if somebody is falsely accused. Somebody can say something and it may not be true. So the criminal justice system or the State rules should govern how that is done, not the City Council. I would be very opposed to this. Thank you.

Sam Barnett, Troutdale resident, stated I've gained a lot more knowledge on this just listening to the people speak before me. I had some notes that they covered, so I don't really have a lot to say other than the fact that censorship has its process here in the City and has been used when necessary. What you are talking about tonight, there is really no real process to it. Obviously, the City Attorney would bring the case forward and then he would go around the room and represent. Who is going to represent the Councilor defending himself and at what cost? Would that be the chore of the City Attorney to represent both sides? It just seems really silly to me. Is this the most trust that we all have in each other here? I do think that if history has proven itself, it will become a political witch hunt. And I hate to say it, but I think that is, in some ways for some of you, its true intention, and that bothers me a lot. I come up and I complain quite a bit and probably

more often than I would like to for sure, but there is so much dissension with this Council. I think it is embarrassing to even to consider putting this in front of voters. Thank you.

Mayor Daoust closed the public hearing at 8:07 p.m.

MOTION: Councilor Ripma moved to deny adoption of Resolution 5.1, a resolution submitting to the Electors of the City the question of amending Section 14 of the 1994 Troutdale Charter to allow discipline of Elected Officials for disclosing confidential information. Seconded by Councilor White.

Councilor Morgan asked, can we just approve or not approve 5.1, instead of going the other way? It doesn't matter, if that's your motion, that's your motion, but we are going to be voting yes versus no and no versus yes, as opposed to just voting in favor or against.

Mayor Daoust stated that's what I was going to clarify. It's a little awkward when you say don't approve something and then we are wondering whether we vote yes or no on it. So just to clarify, your motion is to not approve 5.1, so if we want to go along with that we would vote yes.

Councilor Ripma replied yes, I understand that because I don't want to make a motion to approve it. We can handle it. It's very straightforward. I agree, Councilor Morgan, but since I got there first, I urge this Council to please vote "yes" to not approve this.

Councilor White asked Ed, hopefully I won't be putting you on the spot because I've asked you this question before and I think you explained it to me that the Supreme Court ruled that it is Freedom of Speech and bottom line there can be no consequence. It may be unethical and it may not be gentlemanly liked. I take it very serious, but the bottom line at the end of the day is it doesn't pass muster with the Oregon Supreme Court.

Ed Trompke answered that Oregon doesn't have a free speech amendment, it has a free expression amendment. I'm paraphrasing but the last line of it says "but every man shall be liable for the consequences of their speech." So that means you may be criminally liable, you may be civilly liable, or anything else for the consequences of your speech. That doesn't prohibit laws against disclosing confidential information. They exist lawfully under the Oregon Constitution because while it is very broad, it isn't absolute. Does that answer your question?

Councilor White replied it is a little different from the last time you answered it, but I think I get it. My question is for the Subcommittee. Usually, we see the results of a vote and I think when Councilor Anderson presented he said this was Councilor Morgan's idea, and you were very specific about that. Usually, that would mean it would die in committee then, if the majority of the committee wasn't in favor of this.

Councilor Wilson stated no, I think what was said was that Councilor Morgan wanted the Council to know that he was the one that brought this forward.

Councilor White asked were all three of you in favor of this?

Councilor Anderson replied to bring it forward to this point, yes.

Councilor Wilson stated everything that's on there, all of us agreed on. Nothing is in here that there was any two-one vote, or however you want to mix it up.

Councilor Morgan stated let me be very clear, not everything that is on here, I support. I support it for the dialogue with Council as a deliberative body.

Councilor White stated normally we see how the vote works. I've been on a few subcommittees.

Councilor Morgan stated the votes are tallied and there are minutes.

Councilor Anderson stated I voted to bring all these things to this point, because I want to hear what the public wants to say. I want to hear what the Council has to say. Plain and simple. These are concepts, these are ideas, they may go down in flames, but I'm not going to lose any sleep over them if they do.

Councilor White stated one other concern with the Subcommittee is the original scope of work was to provide balance between Council and the City Manager. It wasn't this election engineering, for lack of a better word, that I'm seeing tonight.

Councilor Anderson replied we discussed Council rules, which will come forward at a later date. The reason these are on the agenda tonight is because in order to get them on the May ballot, action has to be taken in the month of February. That's why these are here tonight, and the Council rules that were also discussed aren't coming forward yet.

Councilor Ripma asked why do they have to be on the May ballot?

Councilor Anderson stated if you're going to do something like 5.3, and there's a Mayoral election coming up, you probably want that on the May ballot if you're going to do it.

Councilor Ripma asked is that what it's for, just to help Mayor Daoust? These Charter amendments usually go through a public process and the Council at least gets to have a Work Session, as Mr. Wilcox pointed out. There's no rush, this is our Charter.

Councilor Morgan stated this isn't a Charter review. They just happen to be Charter amendments. So there's a difference. This is an Organizational Subcommittee that looked at the Charter. A prime example is something that has also been discussed,

and I believe is still being worked on, is the transient lodging tax and other things that have nothing to do with the Charter.

Councilor Ripma replied I know, but these things don't need to be on the May ballot. They could be considered deliberately, let public input be engaged, let the people comment on it, and we can decide if these are good ideas.

Councilor Wilson stated this particular resolution was brought over because of the consistency of people speaking outside the Executive Session to the public. I could delete \$500 from this resolution, but the fact remains that as Councilor Morgan has asked, and as our Attorney has said, there's really nothing in our Council rules that if you break the confidentiality the Council has any power of doing anything. And it just doesn't apply to one or two of us, it applies to all of us, including the people that put this together. So, it isn't a way of trying to control anybody because we are all under the same guidelines.

Ed Trompke stated there is nothing in the public meetings law that purports to restrict anybody's or to put any consequences on violation of confidentiality. There's nothing in the statutes, that's why Cities are adopting regulations about this.

Councilor Allen stated so what I'm seeing here is that the Council is split on important issues, that the people that are oftentimes in the majority are more comfortable with this than those of us that are in the minority. I think we can all agree that it is wrong to release Executive Session material without a formal agreement from the Council. I think we can all agree that's wrong. However, this proposed amendment has nothing to do with disclosure and liability. The majority of the Council can violate these rules like a Portland parking meter and they will probably never go after themselves. It's going to be used as a tool to go after the minority opinion of the Council. That's why this thing is so dangerous. How is a minority member of the Council going to defend themselves when they are not able to talk about Executive Session material, how can they do that? It's not possible. What are the legal costs going to be according to this? How many times are you going to fine somebody over and over again? It has nothing to do with whether things will be discussed about Executive Session or not, it's going to be used as a tool for the majority of the Council to attack the minority of the Council. I strongly suggest that this does not go forward.

Mayor Daoust replied this applies to everybody.

Councilor Allen stated the majority would never go after themselves.

Mayor Daoust stated the wording applies to every single person on this City Council. If I said something that I wasn't supposed to say under Executive Session, you guys could come after me. It applies to everybody sitting here, not a group against another group, that's not the intent. The intent is to hold us all accountable.

Councilor White asked why do we have so many Executive Sessions? I think we've set a new record, and they can be used as a political weapon to silence the opposition.

Mayor Daoust replied I don't know what to do with that, sorry. There are strict rules for Executive Sessions.

Ed Trompke stated I know of a City that has at least 2 a month and has for decades. It's all at the preference of that Council.

Councilor White asked isn't it true though, that you can release the information once the issue has been resolved, and at that point, it can be released to the public? My concern is the public is left in the dark.

Ed Trompke replied with a majority vote. There was something in the newspaper last month about an attorney's opinion that the Council wanted to keep confidential, I think it dated back to the 1980s, 30 years ago, and the Council decided for whatever reason, that it should remain confidential and it's still confidential. And, in the case of the attorney/client privilege, it is intended to put the City as a unit - the City - on the same basis that every other person or corporation has, which is to keep some of its attorney discussions private, and that's all it is. A municipality is a municipal corporation that is treated constitutionally, just as Intel or PGE or any other corporation.

Councilor Morgan stated I don't know what was said while I was gone. I don't know what was said about me or what have you but I have been talking about the Charter for quite some time, about some discrepancies in the transient lodging tax. And for me, this is just to try to have a conversation about better ways to modernize it. I think we all can agree that we don't have a procedure in place that allows for accountability. I don't know if a majority vote is the best or a fee or what have you, but the goal is to try to find a solution towards that. If the Council doesn't think 5.1 is the best avenue to find equity, and it's going to be used as a weapon and we're afraid of that, then I would gladly entertain any kind of a solution, compromise, or recommendation specific to 5.1, because as God is my witness, the goal here is not to use anything as a weapon. The goal is to protect the negotiating position the City might have in certain negotiations and have a recourse that currently wasn't available since 1994, and that's it.

Councilor White stated I would rather pay \$500 than face our current rule of public censure. I would gladly pay that than go through public censure, so I think we do have plenty in place. I don't think it needs to be modernized.

Councilor Morgan asked so you're talking about having a \$500 fine?

Councilor Wilson replied no, he's saying that he'd rather pay the \$500 than public censure.

Councilor Ripma stated we have harsher censure penalties now.

Councilor Morgan asked than a \$500 fine?

Councilor Ripma replied yes, if it comes down to it.

Mayor Daoust stated well, there's a reason this is on the agenda, based on things that have happened in the past, where the damage had already been done, so there's a reason for this. I guess that's all I'll say. It wasn't just cooked up as a method to strangle a section of the Council. It is here because things have happened in the past, where words got out and the damage was done, and there was nothing the Council could do about it.

Councilor White asked why weren't they censured?

Mayor Daoust replied I suppose we could have done that, but we didn't.

Councilor Ripma asked why don't we put this to a Work Session and discuss these Charter amendments because we've only just seen them. Let's discuss them and decide whether we want to refer them to a committee or something before referring them to the voters. I know you want to rush them right to the voters. The thing is, we should only refer things to the voters that we think are actually good ideas. We really should. It is a waste of time and money to do that otherwise. We should be recommending it to the voters. That's what we've always done. We are leaving out a big step out here.

Councilor Morgan asked all of the Charter amendments, not just one?

Councilor Ripma replied all of them. They deserve some deliberation.

Councilor Morgan stated I agree, but I feel like there has been a lot of deliberation. These were public meetings. A lot of the public wasn't there. I have talked about it for months now about how we have to do a better job of outreaching on our website and all of that.

Councilor Ripma stated well, this is purely contrary to that because we just got them. The public doesn't even have a copy. There's been no public discussion. It's just totally contrary to being clear and transparent.

Mayor Daoust stated you cannot deny the fact that the Subcommittee held public meetings. There was a Subcommittee, not the Council, which held public meetings that people could have come to.

Councilor Ripma replied not with the wording we have here, Mayor Daoust. They didn't have that until Mr. Trompke wrote it last week. I'm serious, that is the important issue.

Councilor Morgan stated every meeting that the Council discussed had public input, we gave recommendations for language to Mr. Trompke in the meeting.

Councilor Allen asked has there ever been a point in Troutdale's history where the majority of the Council voted to censure themselves? It just doesn't happen.

Councilor Wilson asked can you say for 100% percent certain that it has never happened, Councilor Allen?

Councilor Allen replied I am not aware.

Councilor Morgan stated I'd like to call the question on Councilor Ripma's motion.

Councilor Allen asked wait, right in the middle of me speaking, you're going to call the question? What ever happened to I could speak twice? I was told I could speak twice. I've been very patient. Now, you tell me I can't.

Mayor Daoust stated parliamentary procedures say that if a Councilor calls for the question, then we move to calling the question, is that true?

Ed Trompke stated you vote on whether or not to continue the debate as to whether to call the question. There's a vote without further debate as to whether to move to a vote on the matter.

Councilor Morgan replied I would love a debate about substance and not a fight.

Councilor Ripma stated well, let's continue the discussion.

Councilor Morgan replied if we can have a civilized discussion, I would love that.

Ed Trompke said you're debating a non-debatable item here. You simply vote on it, because everyone either believes that they have heard enough or not.

Councilor Morgan asked can we have a discussion?

Councilor Ripma stated let's keep discussing. I vote no.

Councilor Morgan stated I will vote no on my call of the question.

Mayor Daoust stated all right, we are voting on whether to go ahead and call the question, and just vote on this. That's what we are voting on right now.

Councilor Wilson asked just so I'm clear, which point is which?

Mayor Daoust replied I'll just make it simple. Does the Council want to continue the debate? Okay, I can count, let's continue.

Councilor Allen stated I am merely trying to point out that if a majority of the Council is upset with the minority of the Council over a particular action, it doesn't even have to be true, they can just vote fines and I'm not assured that they won't. That's what concerns me. This is a terrible thing in democracy, to have a majority be able to manipulate the minority in such a manner. We make \$50 a month here.

Mayor Daoust stated all right, so I think that's the end of the discussion, at least, I'm sensing it. We will wait until Councilor Anderson returns. The motion on the floor is to reject this resolution; a vote yes to reject 5.1, or no, not to reject 5.1 and send it out to the electorate of the City.

Councilor Allen stated a yes vote rejects sending it out to the voters.

Mayor Daoust replied a yes vote says you don't want to send it to the voters, a no vote says you do want to send it to the voters.

VOTE: Councilor Morgan – Yes; Mayor Daoust – Yes; Councilor White – Yes; Councilor Allen – Yes; Councilor Wilson – Yes; Councilor Ripma – Yes; and Councilor Anderson – Yes.

Motion Passed 7 - 0.

Mayor Daoust called for a 10 minute break at 8:32 pm and reconvened the meeting at 8:44 pm.

5.2 RESOLUTION: A Resolution submitting to the Electors of the City the question of amending Section 21(l) of the 1994 Troutdale Charter to allow the Mayor or City Councilors to discuss employment matters, contracts, or property with the City Manager.

Ed Trompke stated this came out of the same Subcommittee. Section 21 of the Charter and other sections of the Charter were amended two years ago due to the fact and/or perception of improper conduct by the prior Mayor who was alleged, I'm not making any statements about fact or not, to have interfered with the way the City Manager ran the City and about staff and/or contracts. And so, a Charter amendment was adopted at that time, and it's been interpreted in different ways and inconsistently, perhaps, over time. This is to clarify that City Councilors and the Mayor can talk with the City Manager about contracts and employees because the delivery of services to the public by employees is a matter of importance to the Council and the Manager. They need to be able to talk about that. And the same with City contracts to talk about the strengths, weaknesses of contracts, and the benefits or detriments of contracts, without living in fear that a person might be sanctioned for it. This just says that those discussions can be held. They can be held privately at the discretion of the participants by telephone call and not just as a matter of public record. And in light of some of the most recent public meetings law decision of the Court of Appeals, in which a County Manager alleged to have had a serial meeting with a couple of Councilors by virtue of an email and a telephone conference, that shouldn't be allowed and that's why it says "but shall conform to the requirements of law". So, it doesn't allow the Manager to go get 4 votes on the Council by talking to 4 Councilors

in secret, because that would violate public meetings law by having a serial meeting. It does allow Councilors to call the City Manager to talk about issues. It's worded as tightly as can be done under the existing public meetings laws to allow the free exchange of ideas that have to do with matters of public concern, primarily delivering service to the public. And this would again be referred to voters on the May 17th ballot.

MOTION: Councilor Anderson moved to approve Resolution 5.2, a resolution submitting to the Electors of the City the question of amending Section 21(i) of the 1994 Troutdale Charter to allow the Mayor or City Councilors to discuss employment matters, contracts, or property with the City Manager. Seconded by Councilor Wilson.

Councilor Ripma asked is there anything in our Charter, as it is now, that prevents a Mayor or Councilor from discussing staff needs, property, contract needs, with the City Manager? I just couldn't tell that there was.

Ed Trompke replied it's not clear. It depends on how you interpret the language that's in there. This clarifies it. It says no there is nothing in there that's meant to and that's the problem. When I first came to this City, I was told that everybody understood that it did expressly mean that, whether or not it was clearly stated, I was told that is what it meant.

Mayor Daoust stated with the language that's been in place since 1994, it was kind of understood by the Councils that we couldn't coerce the City Manager in certain staff decisions; that was not the Council's role, so we've kind of understood that for a long time.

Councilor Allen stated I'm always looking at safeguards. Am I right to assume that 4 Councilors couldn't actually meet and collaboratively decide to individually go meet with the City Manager in an effort to change their mind? That's correct, right?

Ed Trompke replied if 4 City Councilors got together to discuss any City business, then that is a violation of the public meetings laws, unless it's done with prior notice in a public place and you've got accessibility and all the requirements, so the requirements are there.

Councilor Anderson stated taken at its most literal sense, this Charter that was enacted in 2010, we can't tell the City Manager if an employee is doing a good job.

Councilor White stated this might be the only one that passes. Is it worth doing all of this and putting it before the voters when we could handle it in house, from what it sounds like?

Ed Trompke replied it's a Charter amendment and Charter amendments have to go to the people. So, if you were to adopt an ordinance that said something like that, that's not necessarily going to be upheld, depending on how the Charter itself gets interpreted, because the Charter is sort of like the constitution for the City.

Councilor Anderson stated, in response to Councilor White, as we discussed in the committee, we're basically undoing what we thought was a wrong to begin with because it was too stringent, too restrictive on Council. That was the mindset behind bringing this one forward as it's written.

Councilor Allen stated I may not be interested in this if it has to go to the ballot in May and become a special election. Do we have the option of sending it to November instead, so we're not paying more?

Ed Trompke replied you may not be able to send something in now for November. I would defer to Ms. Skroch, if she knows. I think they do have a first and last date for sending something in, and I know we're way off from the November 1st date. That's somewhere in July I think. That's just off the top of my head.

Councilor Allen asked we're talking about referring this to the voters, but when?

Ed Trompke replied this would go in May per the terms of the resolution.

Councilor Allen stated you're saying it can go in May, but it wouldn't be able to go to the General Election in November?

Ed Trompke replied no, I said it can't be processed and turned in because they won't take it at this point.

Councilor White stated Mr. Ward, maybe you can help me make this decision. My concern is there's a possibility you could be pulled in 7 different directions as people approach you. You're not concerned?

Craig Ward replied I actually welcome this. When the Organizational Subcommittee talked to me about this, my sense is that I work for all 7 of you. If you have concerns, if you have input, I would rather hear that directly and be able to talk about that than have everybody worried that somehow they're violating the Charter and they could be punished for that. I think it's important that the caveat be in there that essentially you all understand that talking to me does not obligate me. I'm collecting information and opinions, and I want that. To me, this just sort of lubricates the policy making process and helps me make wise decisions.

Councilor Ripma asked if we refer this to the ballot in May would that cost the City, or is May a regular election so we don't have to pay extra?

Sarah Skroch replied I contacted the County elections office and they said because it's the primary election, we wouldn't have to pay for this one.

Mayor Daoust opened the public hearing at 8:56 pm.

Paul Wilcox, Troutdale resident, stated I'm kind of confused about exactly how long this existing language has been in the Charter. The Mayor says 1994 and Councilor Anderson

says 2010. The attorney was referring to pre and post Mayor Kight. It's kind of irrelevant, really, but I was just curious about the timing.

Ed Trompke stated some of the language dates back to 1994; some of it came in in 2010.

Paul Wilcox asked are you talking about up to the part that's not underlined?

Ed Trompke explained no, most of Section 21 is from 2010, but it interacts with other sections that aren't actually in here that were modified in 2010. And I believe part of 21(i) was modified in 2010, but I couldn't tell you off the top of my head which piece of it. I did look at it at one point.

Paul Wilcox stated for 21(i), the existing language, is actually a copy and paste of the League of Oregon Cities model charter language, so I don't know how long that's been there. I doubt that they borrowed your language. And then, I don't know where you are getting this thing where you can't talk to the City Manager. The last sentence of the existing language says, "In Council meetings, Councilors may discuss or suggest anything with the manager relating to City business." Anything is a pretty broad ranging word. In your new language, I have a problem where at the very bottom it states, "Discussions may be held privately." If you can discuss absolutely anything public, why do you need to meet in private? That's what I have on that item.

Councilor Wilson stated it could take longer than just a few minutes in a Council meeting to get a discussion and get clarity on what your concern or what you feel is going on. We may be able to say a few sentences, but we're not able to fully vet, I guess, what may be on our minds, and being able to have a private discussion with him I think is a good thing.

Councilor Morgan stated I can give a tangible example of that issue. When Councilor White and I worked on the fire contract, it could have been very closely understood since it wasn't in a public meeting. We were tasked by the Mayor to be on the subcommittee. When talking about things like contracts and/or documents, we would have to go to the City Manager, but not coercing him and not steering him or guiding him. Basically, this allows Councilors to work with staff and/or the City Manager on issues of consequence without fear of coercion or undue influence. This freely allows for the citizens to have a representative that can engage with staff on certain issues of consequence.

Councilor White stated I share Mr. Wilcox's concern, too. When I read the date on here, I thought the entire Charter was reviewed in 2010.

Councilor Morgan replied just the parts with the Mayor. Before Debbie left, she said one of the big issues was the entire Charter should be completely looked through because it hasn't been done since 1994, except for the section about the Mayor.

Brian Sheets, Troutdale resident, stated I support this. I think it's a good current policy and it's a good common sense solution to clarifying the Charter and making the Charter a bit more bulletproof for interactions with the Councilors and City staff. I think it's a good idea.

Mayor Daoust closed the public hearing at 9:01 pm.

Councilor Allen stated I like that you kept the language that we may not directly or indirectly attempt to coerce the Manager, meaning we can't say, "You will do this or you're out of here"; that kind of thing. I like that the protection is still in there because I'm always looking for protections. But protections go both ways, because we currently can talk to our City Manager about a number of different issues, but we don't. That's left to interpretation and there's been discussions as to whether or not we could or couldn't. But we can, so I like that this bottom section actually clarifies that you can talk to him as we do, you just can't coerce him. And, going along with what our attorney said that we still can't collaborate as a majority, and then tell him what to do, so I like that as well.

Mayor Daoust stated history has actually brought us to this point for all 3 of these Charter amendments. There are reasons all 3 are here. The City Council knows that the only people that we "supervise" or have the ability to hire and fire, is the City Manager, the City Attorney, and the Judge; 3 people. Other than that, we have no authority as a Council to discuss with the City Manager the strengths, weaknesses or anything else about any other staff. That's how it's been understood. So, in my mind, this just clarifies the fact that we can get into conversations with the City Manager about how the staff is functioning in the City, because we are interested in customer service. That's one thing we've been hounding on for a long time. Some of us felt we just couldn't bring staff customer service issues up to the City Manager because managing the City staff was totally under his purview. That's just one example of why this is here. I think it's a good idea.

VOTE: Council Morgan — Yes; Mayor Daoust — Yes; Councilor White — Yes; Councilor Allen — Yes; Councilor Wilson — Yes; Councilor Ripma — Yes; and Councilor Anderson: Yes.

Motion Passed 7-0.

Mayor Daoust announced the Charter amendment will go to the electorate in May.

5.3 RESOLUTION: A resolution submitting to the Electors of the City the question of amending Section 27(A) of the 1994 Troutdale Charter to require Council to resign to stand for Election to another office.

Ed Trompke stated the current Charter provides that there are 2 classes of Councilors: those whose terms expire at the same time as the Mayor's, and those which expire 2 years after the Mayor's, and that creates a disparity if a Councilor wishes to run for the Mayor seat. Those whose terms expire will then be out of office when they run for Mayor and don't win; whereas those who still have 2 years remaining can remain in office for the 2 years so it's kind of a free pass to become Mayor. In conversations, it came out that prior to the 1994 Charter, the Mayor's term was 2 years so that alleviated the problem. The Mayor had to run every 2 years so, there were 3 who could run on a free pass in 1 term, and 2 years later the other 3 could run against the Mayor on a free pass. It still didn't create quite equality because the Mayor's position might become vacant in 1 of those

years and not the other. So there still might not be equal treatment for the different Councilors. So what this does is say that any Councilor who files for the position of Mayor or any other elected office thereby vacates the seat of Councilor and is no longer a Councilor and can then run for whatever office they want. There are other Cities that have this provision, but Cities are all over the board on what they do with this kind of question.

Councilor Morgan stated procedurally, I would like to make an amendment, but I don't know if that could be entertained or discussed after public hearing, or if the public and/or the Council will suggest we make the amendment prior to. That's the question.

Ed Trompke stated there should probably be a motion to consider it or approve it before you make a motion to amend it, just from a parliamentary position.

MOTION: Councilor White moved to not approve Resolution 5.3, a resolution submitting to the Electors of the City the question of amending Section 27(A) of the 1994 Troutdale Charter to require Council to resign to stand for Election to another office. Seconded by Councilor Allen.

Councilor White stated I have a point of order question. Forgive me, Mayor, if you were planning on saying this, but I'm concerned that this issue would be a conflict of interest for you since you could benefit financially with your \$500 a month stipend. It primarily affects you. It doesn't affect the rest of the Council as much as it affects you, specifically, since you are the Mayor.

Mayor Daoust replied yes, I was going to say something similar to that, but I wasn't going to state I have a conflict of interest. I think the City Attorney would agree with me.

Ed Trompke replied I think that's right, because any Councilor who was thinking about filing for the Mayor's position would have the same conflicts.

Mayor Daoust stated the statement I was going to make was that I would like this discussion to focus on what the Council wants to do going into the future. Don't focus this on what benefits Mayor Daoust, because none of you know whether I'm going to run for Mayor or not this term. So, let's remove the discussion from what benefits the current Mayor, and talk about what we want to do as a City Council for every Mayor from now on or every person that applies to be Mayor. In my mind it's an equity issue that's unequal in the current Council set up that we have.

Councilor Allen asked how about if we make that true so that on this particular one, it would go to the people in November. That totally takes that out of the discussion.

Councilor Morgan stated just for context here, because this is, unfortunately, another controversial issue, this is modeled after the County's Charter and was something that I've looked at for quite some time. This was about whether the Mayor should have a 2-year or 4-year term, whether a Councilor should resign at the time they declare like the County currently has in place, whether the Councilor that might challenge 2 Councilors would then assume office or resign at the end of

the year. So there's a lot of nuance behind that. It just so happens we're in an election year in which the County, which has term limits, is now thinking about reversing those oddly enough, and they're also thinking about whether this resign to run is viable as well. So, it's something that's kind in the air; other Cities have it and others don't. In this same line was a discussion about buzzers and other procedures for the City Recorder, etc., as well as procedures for the Council as a whole. This was a big discussion that was modeled over the County Charter.

Councilor Anderson stated we're talking about the Mayor but the way this is written is if any of us want to run of any office and we lose, we're out, right?

Ed Trompke replied, it says that when you file you're out.

Councilor Morgan stated that's why I wanted to make an amendment.

Councilor Ripma asked is there some procedural way to hear what Councilor Morgan's suggested fix on this is?

Councilor Morgan replied my amendment was going to be that the person running for; this is specific to Mayor or Commissioner or Legislator or Governor; that they do not resign until the end of that calendar year. So, in this case, it would be December 31, 2016, so they would hold their seat for that period of time. It would also allow for that Council position that might have 2 years available to be filled in that General Election, whatever it might be.

Councilor Allen asked that can be added as a friendly amendment can it not?

Councilor Ripma stated I like that much better, but this is a reason why I think this deserves a discussion of the Council in a Work Session. The current Charter has this anomaly, and I agree it needs to be fixed. And, with Mayor Daoust's admonition that we shouldn't focus on November and having this in place by November, let's take some time with this, gentlemen, and talk about it at a Work Session.

Ed Trompke stated this issue was raised with me. I was prevented by the public meetings laws from discussing it with the rest of you, because I couldn't have a serial meeting under the most recent decision. I'm passing around a revised resolution that says that the vacancy shall be on December 31st of the year of the candidacy, and is otherwise the same as the resolution in front of you, so you could do either. And, this court of appeals decision prevents me from talking to you as freely and openly as I would love to under the guise of public meetings transparency.

Mayor Daoust stated so this is the same thing Councilor Morgan brought up, basically.

Ed Trompke replied yes, I believe it is.

Mayor Daoust stated so we could withdraw the motion on the table if we wanted to approve this one?

Ed Trompke replied yes if the first motion's withdrawn. Otherwise, you need to vote on the first motion, and then you can move to the amendment.

Councilor Wilson stated I just wanted to say, Councilor Ripma, years ago when you were running for Mayor against Jim Kight, something that you brought up to me in a discussion that you and I had was that if you were not elected to Mayor, you would lose your seat, whereas Jim would not give up his seat because it was in an off year for him. This has been on my mind for a long time, not just since I got on City Council.

Councilor Ripma stated Jim (Kight) ran against Paul (Thalhofer) and didn't have to resign. I ran against Jim and I did, and I recognize it's anomalous.

Councilor Morgan asked you didn't run for your term again?

Councilor Ripma replied no.

Councilor Wilson stated he couldn't. He was in the off year, so he had to give up his seat anyway.

Councilor Ripma stated you can't file for both.

Councilor Morgan stated so he didn't resign, he just didn't seek re-election.

Councilor Wilson stated this has been my thought for a very long time, that it puts some people in at an advantage or a disadvantage depending upon who you are. This is one of the things I thought should be moved forward to us so that everybody's put on equal footing. And with the amendment that Councilor Morgan brought up, it will help keep the Council balanced through that year of the election, too.

Councilor Morgan stated we had 3 Councilors and a Mayor or 3 on the Council running at the same time and it was kind of chaotic. This wouldn't allow for the electorate to actually be voting in that current election for an actual seat and it balances the whole thing out electorally, at least for the voters, too.

Councilor Morgan stated we have 2 resolutions in front of us. A motion was made this current resolution, right?

Ed Trompke replied that motion is on the floor and it's been seconded.

Councilor Morgan stated Councilor Anderson's motion is to outright reject 5.3. This is a completely new proposal, so in essence, you could vote against the current motion on the table before it, and then reintroduce this resolution.

Ed Trompke replied but, if you're going to vote on the first one up or down, you do have to have a public hearing first. Then if you raise the second one, you'll have to have a second public hearing.

Mayor Daoust stated we could withdraw the first motion and have the public hearing.

Ed Trompke replied that would be the most expeditious manner.

Councilor Allen said I just have a clarification that's kind of timely on something Councilor Ripma said. So, correct me, but you didn't actually resign your seat, you served your full term?

Councilor Ripma replied yes.

Councilor Allen asked you just didn't run for the same position, right, for a different position?

Councilor Ripma stated because you can't file for both seats. I filed for Mayor and I couldn't then file for my Council seat. I might add, Norm Thomas had brought up this very fix back in Paul Thalhoffer's term. That's why I voted against the 1994 Charter because of this.

Mayor Daoust stated we've talked about this same thing for years.

Councilor Anderson stated I just think maybe knowing where this came from or what the Subcommittee was after here would help the public comment and it would help the Council in their debate. This is a problem, and the Subcommittee recognizes that it is a problem, all for different reasons. Politics are getting more heated; they're getting more personal everywhere, not only here. I've watched these post-election hangovers happen where it grinds this body to a halt because you have people who are campaigning against other people. I can't stop that. I'm only trying to contain it if I can, so my intent here is to really keep the City Council moving forward without the politics of an election year hijacking it. Is this the perfect solution? I don't know. That's for the public to decide. Tonight, it's for us to decide here and ultimately for the voters. This is the solution that we came up with. It's not the only one. We've discussed 2-year terms for Mayor. We discussed going back to the pre-1994 to get everybody on even footing. What we wanted to avoid was something that happened in the early 2000s where 2 City Councilors, who were in the middle of their terms, had nothing to lose, they ran against a beloved Mayor because the beloved Mayor was being challenged by somebody that wasn't as beloved. And so these two others got in the race, allegedly to split the vote and the desired result was achieved, the beloved Mayor won. I believe he would have won anyway, but, that's neither here nor there. That's the kind of thing that we're trying to prevent as a Subcommittee and it's the kind of thing I'm trying to prevent as a member of the Subcommittee. But, I'm not by any means married to this as the sole answer. I'm not married to it being put on the ballot in May.

Mayor Daoust stated so one option is to withdraw the motion that's on the floor and have the public hearing so people can say what they want to say, knowing that we do have another option.

Councilor Allen asked, can we do this as a friendly amendment and have a motion prior to this resolution? Because it doesn't say when you do an amendment, how much you have to amend. Would you accept this date change as a friendly amendment?

Ed Trompke stated technically, the way it would be done is since you have a motion on the floor is there's a motion to amend it. If the motion to amend gets a second, then you have the hearing on the whole thing and then a public hearing. Then you have a vote on the motion to amend, and then a vote on the final matter, whether it's the amended or the original one. You have two votes, one on the motion to amend and then on the original motion.

Councilor Anderson stated I'd like to make a motion to amend Resolution 5.3 to change Section 27(A)(5) to include, as written, what we see here in this alternate resolution.

Ed Trompke stated if I may help you with that. On Page 2 of the resolution, the Caption is changed to read "Councilor resigns December 31..." rather than "upon candidacy". And for the Question it's changed to read "Shall a councilor's position become vacant on December 31 following candidacy for another office". And then, in the Summary in the last line is changed to read "...is deemed to be vacant on December 31 on the year of candidacy...." Those changes would be part of your motion.

AMENDED MOTION: Councilor Allen moved to amend the main motion (see Mr. Trompke's changes above). Seconded by Councilor Anderson.

Councilor Ripma stated the motion on the floor is to reject this. We're amending a motion to reject, but more than that, gentlemen, could I say that before we get any further down this road, why not have a Work Session to also consider the option of another possible fix, like a two-year Mayor term. There's not a need to try to cobble this together tonight in such a confusing way. There isn't a rush. If it isn't for Mayor Daoust, it really doesn't need to be done this quickly. I think it's a good fix. I'm generally in favor of the idea, but most of our long serving Mayors, in the years I've been in Troutdale, Glenn Otto and Sam Cox, all served under 2-year terms and that was a tradition in Troutdale. I remember the 1907 Charter had 1-year terms. I don't know when that got changed. I think we're all in agreement we want to fix this, but, could we just consider putting it off now.

Councilor Allen stated we don't have a good answer now, so I would support doing a Work Session.

Councilor Morgan stated I support the amendment with recommendations for May or November to take effect. It is up to the voters, ultimately. But, again, I'm just going to echo what Debbie had mentioned. I think this is a good fix for this election and a good fix on both parts. But the entire Charter needs to be completely looked at, and the more substantive questions of 2 years versus 4 years and looking at some of the other Kight amendments, the entire document itself needs 20 plus years of revisions. I think this is a good fix for the time being. We shouldn't kid ourselves to think that we aren't just going to look at the entire thing. We have to, I believe, with some seriousness, like with the community and having a task force for that.

Councilor Ripma stated it's the same problem we had with the first one really and with the second one. You guys brought these resolutions to put on the ballot without the Council or the public having any opportunity to see it or review it. What kind of open process is that?

Councilor Morgan stated but my point with that this is a conversation that's been going on for a year plus. We started this conversation last summer. We've had 6 months now of meetings on this and the Council has been plugged in, the community has as well, and I've mentioned it several times. We have a lot of stuff to do. We made a motion last February to extend Urban Renewal for 10 years, and we promised the voters we'd reach out, and we've yet to do any reaching out to that. We make a lot of promises, so I don't think we need to pick and choose on that. But I've said this for quite some time, this is important, and until we can look at the entire document itself; this is a quick fix I think for this election. And then I think we should have a really big discussion about the entire document itself. But we haven't done that for 20 plus years except for a change to the Mayor's powers in 2010, which I think now we're reversing course on because it was a bad fix at the time.

Councilor Ripma stated well, Mayor Daoust was saying, we shouldn't do it for this election.

Councilor Allen stated I didn't closely monitor the Subcommittee meetings because I was waiting for the promised Work Session on this. I thought the whole Charter was going to be involved. That's why I didn't do that.

Councilor Ripma stated we knew nothing about it. The language wasn't even written until last week.

Councilor White stated I think Councilor Morgan just confirmed my statement earlier that the Subcommittee's guilty of scope creep. What we were told and our main objective for that Subcommittee being formed, the idea was to look at the balance between Council and the City Manager, period. Now, I'm hearing from our newest Councilor that the whole Charter needs to be looked at. It hasn't been looked at.

Councilor Morgan replied as a matter of consistency, I know we like to pick and choose, but we had a task required. For the Fire Contract, we didn't get tasked from the Council to look over new options, we were asked to renegotiate the contract. So, being an elected official working on behalf of the citizens, things do evolve, but to insinuate or assert that this is somehow shape shifting or a switching of the hands is not consistent. Just like I think what we ended up finding out with the fire contract was, there were a lot of bodies buried, and it was important to get the bodies back. I think all these Subcommittees are tasked at finding the best practice, doing the most homework, and doing the best research. That's the same thing. We haven't seen yet what's coming up with the transient lodging tax and other things. This was an Organizational Subcommittee which was designed to work at the organizational structure from top to bottom, and that's a very open ended discussion because the intent was to do that, to look at top to bottom, and we're having that conversation now.

Mayor Daoust stated yes it was, the Council Rules and the Charter. That was the goal of the Subcommittee. That's pretty broad. Getting back to the motion that's on the table. I guess I'll have to clarify what Councilor Ripma brought up. The original motion was to not pass 5.3, but then we amended that to something we liked better. I'm a little confused whether we vote on the amendment, which we all seem to think we like, but the original motion was to deny the whole thing. You see what I mean? So, that's why I said, why don't we withdraw the original motion and start over again.

Councilor Allen stated my motion to amend is just as Councilor White has stated with the changes that our Attorney had mentioned. So, it's still a motion not to pass it with this change, which actually makes it more palatable.

Councilor Anderson replied I get it. It's just like the first one.

Ed Trompke stated I'm not sure what that means, again. If a person votes no, not to pass it, does that mean that if 7 people vote no that it is passed? Is that the intention of the Council?

Councilor Morgan replied yes.

Ed Trompke stated first, we have to vote on the amendment.

Mayor Daoust stated we're voting on the amendment first. So if we like the amendment, you vote yes.

Ed Trompke stated you should probably have the public hearing first, just to make it even easier.

Mayor Daoust opened the public hearing at 9:53 p.m.

Zach Hudson, Troutdale resident, stated thank you, Mr. Mayor and the City Council. Whether you decide on this change to the Charter tonight or in a Work Session, one thing

I'd like to suggest is whether it should apply to all elected positions. There are people around the community who serve in more than one elected position in different bodies that don't conflict with each other.

Councilor Morgan replied it does.

Zach Hudson asked it does address that?

Councilor Morgan replied yes.

Zach Hudson asked so it wouldn't impede someone from running for school board, for instance?

Councilor Morgan replied correct.

Councilor Ripma stated no, it would apply to someone running for school board. We would be unable to run for school board.

Zach Hudson stated I only wish to make sure that everyone is aware that if you pass it and you therefore would require somebody who wishes to run for the Gresham-Barlow School Board to step down from this Council, you may be making an unnecessary requirement, because those 2 positions don't conflict with each other in the way that the City Council and Mayoral positions would. An example of someone serving in this capacity is State Representative Carla Piluso who also serves on the Gresham-Barlow School District Board and does a very fine job in each. It would be a shame to prevent someone from taking on that kind of service. Thank you.

Rob Canfield, Troutdale resident, stated I love my town. When the election occurred with 2 City Councilors plus the private citizen running against Mayor Thalhofer, I thought it was wrong then that those 2 City Councilors got a free ride. They had nothing to lose and it was not fair and it's not fair now. I heard most of you say that what happened then was wrong. It's still wrong now. There needs to be a way to level the playing field, and I think if a post Charter amendment, even with Councilor Morgan's amendment to hold to a certain length of term, is the way to go. We have to level the playing field because nobody should get a free ride. This has to be fair. The other thing that happens when someone runs like that, you're questioning their motives. I think it diminishes the integrity of a City Councilor if it looks like you're doing it for your own personal advancement, instead of doing what's best for the City. If you get a free ride people are going to question, did they just run for the City Council so they could run for Mayor later? It's just wrong. It's plain old wrong to let City Councilors have a free ride. If you can run for Mayor, you ought to resign or lose your seat, so you have skin in the game. It's just not fair to let somebody have a free ride against the Mayor or any other position. I also agree with what a lot of Cities are doing, if you do want to run for School Board, State Legislator, Governor, or even dog catcher, I'm a voter, I want you to commit to your 4 years on the City Council. If you want to run for something else, then run for something else. You should never have run for City Council. You should complete your term first, and then do something else. I don't want you to use City Council as a stepping board and get elected and then leave. I want you to commit to your 4 years. In addition, if you're a City Councilor and you want to run for

Mayor, you should give up your seat. I also believe if you run for any other office, you should say, "Hey, I'm out of here. I can't commit to the City anymore because I want this other job."

Tanney Staffenson, Troutdale resident, stated Mayor and Councilors, a few things. In 2004, Barbara Kyle, Jim Kight, Norm Thomas, Paul Thalhoffer, and Roman York all ran for Mayor, with Thalhoffer winning. Interesting thing was in 2006, Kyle, Kight, and Thomas all won their elections. That's a pattern that you see. I'm sorry to pick on you, Councilor Ripma, but when you lost, you won your next election. What it kind of tells me is in some frames, the voters felt that someone was worthy to be on the Council, but maybe not their first choice for Mayor. I think this is something that needs to be fixed, but I've heard a lot of things tonight. One of the terms that I did hear was free pass. I find that to be interesting because I don't think there's such thing as a free pass. I don't believe it. You spend close to \$10,000 to get elected to the City Council for a 4-year term, and that involves all sorts of things, not limited to going door-to-door in the rain, and I can go on and on. So, I don't think there's a free pass involved for anybody. There's a lot of ways to fix this. I can think of half a dozen solutions in my own head. I'm sure you guys have gone back and forth with those, so I don't know that we're going to get there tonight. But, you are elected by the voters for a 4-year term. You're serving that term. And when you resign, one thing we lose is the experience because you're gone, and that's a negative thing because how many years you've been on Council is gone when you leave. Maybe you run again; you spend the extra \$10,000 to run 2 years later and get back on and maybe you don't. But then when you're running 2 years later, who are you running against? Maybe it's somebody else that's on Council that you don't want to run against, so you're out. You stay out. Is that the best thing for the City? I don't know. We all have reasons for running for Mayor. You did 4 years ago. I know this isn't about you, but, there was a reason for that. And I think that's the case with everybody. So I just think it's something that needs to be looked at. I'll say again, whatever you decide, send it to the voters as you have the other ones, unanimously; something they can get behind and support. Thank you.

Paul Wilcox, Troutdale resident, stated there are so many elements to this. I'm going to have to read my comments so they are intact in the minutes, which is always good I think.

Paul Wilcox read his written statement into the record. A copy of his statement is attached to the minutes as Exhibit A.

Diane Castillo, Troutdale resident, stated pardon my little bit of rambling because I'm still not sure what was presented. I did get a chance to look at what was in the packet, so I can try to form an opinion, do some research, and look at it. I think that's appropriate for people who are interested in what's on the agenda to take a look and to digest, analyze, and ask questions of their leaders. So I'm just putting it out there. I still don't understand what's out there now, so I'm just going to make some points. I don't agree that if 1 person, let's say Councilor Morgan or Councilor Wilson might want to run for Metro at the same time that they should give up the position. I think that you are still qualified enough to perform Council duties while running for another position, so I don't begrudge somebody that has talents seeking other office out there. Also, I don't know if a resolution has to be posted for a period of time, so I'm questioning the amended version again with the audience being confused as to why it's even being proposed. I'm fine proposing a Work

Session. I don't think there should be a rush. If these people don't understand what's being proposed at this time, then I highly doubt everybody else out in Troutdale has time to digest and understand. And not wanting to be disrespectful to Mayor Daoust, I will assume you'll run in August, and I've been asked by 1 of the members of the Subcommittee many times if Councilors Ripma or Allen are going to run for Mayor. So, although we want to say maybe there isn't politics, and I always welcome a good freedom of speech, healthy debate on any topic before City Council, I still feel that factors into this proposal. That's all I have to say.

Sam Barnett, Troutdale resident, stated I am a little confused, but I'll keep it brief. I think that the public comment that you're hearing right now is for something that's going to be declined here in a minute and replaced with the amended version that was passed out a little while ago. First I wonder why we're trying to model ourselves after the County. I believe this resolution fundamentally breaks down the foundation of the City Council and most Mayors come from the City Council and commonly run against each other, obviously. A little double jeopardy in there; you've lost your bid for Mayor, now you've also lost your seat, and a lot of you have been on City Council for many, many years and have been very valuable to the City of Troutdale for a long time. I don't think that you should be punished for losing a race for the opportunity to be Mayor for the betterment of Troutdale. Now you can't go back to your seat and continue the good work that you've done for years if you've lost that race if you're midterm as a Councilor. I just don't think that's fair. There are Senators right now running for President that aren't going to lose their seat if they don't win. But, that part of it I don't like, as far as all the rest of it, I'll leave that up to you, but I sure hate to see good Councilors go for losing the race for Mayor.

Mayor Daoust stated so it's not so confusing, the difference between the two resolutions is fairly simple. The first one says that the Councilor would resign upon filing. The second one just says they have until the end of the calendar year. That's really the only difference. It's not more confusing than that, unless I'm over simplifying it.

Councilor Morgan stated I have one word to the attorney. I've made one up kind of in my head, but does that also stipulate the election to replace the remaining 2-year term is in that next General Election as opposed to an appointment? I don't think it does, and I can be wrong.

Ed Trompke replied no, but any resignation that is tendered is statutorily irrevocable 3 days after its tendered. So, by filing for a position, it would be irrevocable 3 days later, and the Council could declare the vacancy and have it put on the ballot in November.

Councilor Morgan stated my point is that it doesn't automatically refer that appointment, or that vacancy to the voters in the next General Election.

Ed Trompke replied, no, but I think by operation of law it does as the law works now.

Mayor Daoust stated I hate to bring this up, but I'd like clarification on something. The language states that the Councilor becomes a candidate for any other elected office, okay, we got that. But the summary only mentions Mayor, so, what are we talking about

here? Are we talking about just running for Mayor? I heard Councilor Anderson say it's for any elected office. The summary conflicts....

Ed Trompke replied the summary may be under inclusive rather than conflicting and doesn't say other offices, so we should probably fix it by adding a sentence to it. Because it was the intention to direct this towards the Mayor's race, but it is actually broader than that. The wording "A Council position becomes vacant, not only on filing for Mayor, but also for any other elected office" can be added to the Summary. We have 185 words we can use in the summary and we're not anywhere close to it.

Mayor Daoust asked, would we need to rewrite the summary in any fashion?

Ed Trompke replied no, Sarah can. I can give her my handwritten words and then she can incorporate those in, and they can be part of the resolution being voted on if that is accepted by the person making the motion to amend.

Councilor Allen stated it's clearly a clerical fix, so I would accept.

Ed Trompke said okay, so I'll give it to Sarah then.

Mayor Daoust stated that wording clarifies the fact that we're talking about any elected office.

Ed Trompke answered yes.

Mayor Daoust closed the public hearing 9:59 pm.

Councilor Allen stated I'd like to amend my amendment to include the changes read by the Attorney and passed to the City Recorder.

FRIENDLY AMENDMENT: Councilor Allen moved to amend his amendment to include the changes read by City Attorney Trompke's (A Council position becomes vacant, not only on filing for Mayor, but also for any other elected office). Seconded by Councilor Anderson.

Ed Trompke stated that amendment doesn't require a vote because it was a friendly amendment.

Mayor Daoust stated so now we're voting on the amendment.

Ed Trompke stated yes, you're voting on whether to substitute the amendment to the original question.

Mayor Daoust asked so a yes vote means we want to?

Ed Trompke replied yes means yes, you like these changes.

Councilor Ripma asked can we discuss the amendment briefly? The amendment is okay with me. The original resolution is bad, but it still suffers from not being available to the public, for not having been published, for not having been discussed at a Work Session, although we've had a lively discussion here but, it's not as good as having a Work Session where we can consider it at a little bit more length. I will favor the amendment, but I'm still going to vote to not support this resolution. I just wanted to say that.

Councilor Morgan stated I get the frustration on that. It's just one of those things where I don't think this is a silver bullet to solve the issue. I sincerely believe in my heart this is the right step and letting the voters decide. But, I hope that maybe out of this, or maybe if the majority of the Council is willing to do it, we could task a Charter specific citizen committee, with a couple of Councilors too, and committee members, and all committees to look at the entire thing. I think we really have to bring this document back into line with everything from top to bottom.

VOTE: Council Morgan — No; Mayor Daoust — Yes; Councilor White — Yes; Councilor Allen — Yes; Councilor Wilson — Yes; Councilor Ripma — Yes; and Councilor Anderson - Yes.

Motion to Amend Resolution 5.3 Passed 6-1.

Mayor Daoust stated okay, the amendment passes. Now, we vote on the original motion, which was to reject 5.3.

Councilor Allen stated I looked at City Charters like I would a constitution. It is the key document for the City, and it should not be easily changed. It's something that requires great thought and wisdom before you change it. Now, I have been waiting for what I believed to be promised, a Work Session on this prior to getting to this point. I feel that it's being rushed for the purpose of affecting this particular upcoming election, and if it's not, then we have time before next November to ensure that the changes are properly vetted. It seems to me that it doesn't stop the free ride. You could still use the Council as a stepping stone to another position. It's not going to stop us politically disagreeing, as we do right now. We just don't need an election to disagree. If the subject is important, we naturally do. I would only support this if it was combined with a 2-year Mayor position. Council is a part-time job. You can actually do this job and run for another position. It's not that demanding, so I'm at a loss as to what we're actually trying to fix. And I don't see this actually fixing what has been presented as needing to be fixed. It's just a change to make a change that may affect the next elections.

Councilor Ripma stated I completely agree with Councilor Allen. I think the thoughtful public comment that we got was basically bringing up lots of issues that I think aren't considered in this. In a hundred years of Troutdale, more than a hundred years, I would venture almost all of the Mayors came from the Council and went to become Mayor. This, I think, has the effect of discouraging the best qualified, best prepared people from running, at least a bit. It's also overkill in that it prevents someone from running for a School Board, which I hadn't even thought

of before but Zach has a very good point on that. As you've said Mayor Daoust, it doesn't need to be rushed through for this election. Let's have a Work Session and decide, maybe refer it to a citizen committee as Councilor Morgan is talking about. I think it should be rejected and I urge your yes vote on this motion so that we can consider this in a more thoughtful way, or at least have one Work Session on it. We never have, so please, please vote yes.

Councilor White stated I appreciate the public here tonight. I think you're input was extremely valuable. I appreciate it. I'm a big fan of Work Sessions. We can cut up the rough edges before we're on camera and doing it in front of an audience and confusing the audience. I think that's what happened here tonight. I would agree with having a Work Session and not rush this and get it right. It's serious stuff. There is no free ride when you run for an office.

Mayor Daoust stated well, then you'll reject the motion on the table and we can talk about our Work Session later if it fails.

Councilor Morgan stated there are a couple of things. Councilor Allen, you would support this in totality with a caveat for a 2-year Mayor, is that what I understand?

Councilor Allen replied if I remember correctly, we had a Council meeting. I don't think I was a Councilor at the time. I was watching from the audience. I could be wrong on that, but, I remember that the discussion did come up as to whether or not the Mayor's term should remain 2 years, or whether it should be 4 years. Part of agreeing to it becoming a 4 years was that the Councilors in the off-cycle weren't disadvantaged should they decide they want to also run for Mayor. So, by having the mayorship be every 2 years, then a Councilor on either cycle can fulfill their term and run for Mayor.

Councilor Ripma stated it's a better fix.

Councilor Wilson stated back to 2010 when they had another Charter Review Committee, Matt Wand, Barbara Kyle, and Norm Thomas discussed whether or not to switch back to the 2-year Mayor and voted it down.

Councilor Ripma replied it might be the time to do it or at least consider it. Let's support this resolution to not refer this now and consider it more. We want the fix, but let's do it right.

Mayor Daoust stated I'll just make a point. We've been talking about this for years and believe me, I'm not defending my position because you don't know whether I'm going to run or not, so I'm talking about the facts. I agree with Mr. Canfield that it's an equity issue for the Council. We've been talking about it for years, people. This is not brand new. It's not fresh out of the box and we're just bringing it up now. It's been an old discussion topic and I think we need to handle this one piece. If we went ahead with a Work Session on other parts of the Charter, and we can even talk about a 2-year term for Mayor afterwards. But, I don't have any problem trying

to fix this one inequity. I agree with Mr. Canfield that it needs to be fixed, because right now it's not fair.

Councilor Allen stated I would question, how does it become fair that 3 Councilors can complete their full term and run for Mayor, and 3 other Councilors, if they ever want to run for Mayor, have to cut their term short. It's saying it's not fair, so let's make a change and make it not fair the other way. It's not a good answer.

Councilor Anderson stated for the record, I'm going to be out of here when you guys take this up. I am a proponent of the 2-year Mayor. It solves a lot of problems and I hope that you do it. I hope that you go through with whatever Work Session you'll have and go there because it is a problem and it does need to be fixed, and that's why this is in front of us tonight in this forum. It's addressing a problem.

Councilor Allen stated I'd be willing to consider this along with or after we do a 2-year Mayor.

Councilor Wilson asked if this doesn't pass, could we entertain a Work Session next Tuesday and then bring it to a vote the following week?

Mayor Daoust replied bring what to a vote.

Councilor Anderson stated whatever is decided in the Work Session.

Councilor Wilson stated that depends on how the Work Session goes, I suppose.

Sarah Skroch stated in order to get this on the May election, I believe you have to take action by the 17th, so I don't believe we'd be able to that on the 23rd.

VOTE: Council Morgan — Yes; Mayor Daoust — No; Councilor White — Yes; Councilor Allen — Yes; Councilor Wilson — No; Councilor Ripma — Yes; and Councilor Anderson: Yes.

Motion to Reject Resolution 5.3 Passed 5-2.

6. PUBLIC HEARING/RESOLUTION: A Public Hearing on a resolution declaring a vacancy on the City Council and designating a procedure to appoint a person to fill the vacancy.

Councilor White stated point of order question. We already have a procedure in place that we've been following, the past practice. I'm wondering where this is coming from or who actually wrote this resolution.

Ed Trompke replied this came about because at the last Council meeting, I mentioned to more than 1 Councilor and the Mayor that I had been at a City Council meeting the night before in the City of Brookings and they had followed an expedited procedure to take applications to consider them in a public meeting or a special meeting before their Regular meeting, and then they had all 6 of them appear. Each Councilor asked 1 question, the

same question of all the candidates, and then they were either going to reduce it to 1 or, as it worked out, they decided to reduce it to 2. There was consensus on the 2, so then they brought those 2 back in and talked to them for another 5 minutes each and they then chose 1. That person was sworn in, sat down, and voted on the next agenda item which was my agenda item. We had somebody who was brand new on Council voting on my agenda item. I sort of tucked that away and said, "That's an interesting thing. I hope I never have to do that myself." But then, the next day Councilor Anderson resigned. They just go out to the community, get interest, get the applications in, and decide. There's no use wasting time with a vacant position. Move it along and get it done, so you have a full Council.

Councilor White stated this has come up twice since I've been in office and I prefer the procedure we have in place currently over this resolution.

Ed Trompke replied I'm not aware of what the procedure is.

Councilor Morgan asked which is what?

Councilor White stated if the remaining Councilors decide whether to wait for the election and run without that Councilor or take applicants. But it doesn't involve the exiting Councilor or Mayor.

Councilor Ripma stated this might not either. Wasn't it true in Brookings that it was just 6 Councilors and the 1 who resigned didn't participate? Councilor Anderson, are you planning to participate in the selection and appointment of a replacement or not?

Councilor Anderson replied it's the role of the Council.

Councilor Ripma stated if you didn't want to participate, then I don't really have a problem with this procedure as long as it's clear that you're not participating. I think it is better that we, the ones who are staying on the Council, pick the new person, and if you're okay with that then I'm okay with that.

Ed Trompke replied there is no requirement that he abstain from it. I checked with the Secretary of State's Office because there is a specific statute.

Councilor Ripma stated I'd offer an amendment to this resolution to that effect if you're okay with it.

Mayor Daoust stated Councilor Anderson is in the position until the end of March.

Councilor Ripma replied right, but he wouldn't have to participate in the interviews and selection, in which case, I'd be okay.

Councilor Anderson stated my fear is that you aren't going to be able to agree on anybody and it's going to be a 3 to 3 gridlock. I don't think that's going to be good for the City, personally, but again, I've resigned, so I'm out. I'm not going to do something that's going to have poor optics, but I'm certainly not going to sit back and watch this thing deteriorate

into a knockdown drag-out where you've got a 3-3 gridlock and you guys have beat each other up over who to appoint.

Councilor Ripma replied think it will be better. We'll reach a consensus on somebody that we all agree on or a majority of us. I think it's a better chance of that than the 4 of you decide on somebody that the 3 of us don't like.

Councilor Wilson stated that's unfair Councilor Ripma. You're putting us in a box.

Councilor Ripma replied it's very likely what would happen.

Councilor Anderson stated let me say this about what you just said. The Charter amendment that I just voted against, by the way, was something I'm very passionate about, and I heard you. I heard the comments tonight from the public. I heard the comments tonight from the Council. And that carried the day. My determination was there is a better solution out there, so please don't think that for a minute that I'm going to go on a block because that just went out the window.

Councilor Ripma replied all right, fair enough. But you don't have to participate. State law does not require, even if you're on the Council, that you participate, and if you're willing not to I would support this procedure.

Councilor Allen stated I don't think it's a bad thing that somebody is chosen that's amenable to the majority of the Council. You were talking about 3 to 3. It's not a bad thing that you find somebody that most people like. A question for our Attorney, if Councilor Anderson were to make a decision to resign earlier, could a Councilor be picked in this upcoming election?

Ed Trompke replied I don't know the filing date cutoff.

Councilor Morgan stated its March 8th for Multnomah County.

Ed Trompke stated I believe you'd file with the City Clerk, the City's Elections Officer, and I don't have the Code in front of me. There may be a separate procedure in there. I haven't looked at that. Under the statues that would apply, if the Code doesn't govern it, then March 8th.

Councilor Allen I don't like ending Council meetings early, I just don't, but it is past 9:30. Are we going to be continuing or are we going to end?

Mayor Daoust stated well, I sense we want to continue. Is that what the Council wants to do?

Councilor Wilson replied that's fine with me.

Councilor Ripma stated we also have an Executive Session.

Mayor Daoust stated we're going to be up late anyway. We have an Executive Session after this. We'll continue I guess.

Councilor White stated I did quite a bit of research on our surrounding cities. Gresham has a mandatory 45-day waiting period. All the other Cities around us including Fairview, Wood Village... I have copies that I'd like you to read (a copy of the handouts can be found in the meeting packet). I could actually use a short break for about 5 minutes. That might give Council time to look at this.

Mayor Daoust called for a break at 10:23 pm and reconvened the meeting at 10:30 pm.

Mayor Daoust stated as we come back with Agenda Item 6, I'm going to propose that we postpone this, possibly until the 8th or 9th. We could also take it up on the 23rd.

Councilor Morgan asked are we meeting the 16th? If we're not, then we might meet the 23rd.

Ed Trompke stated I don't think that's been decided yet.

Mayor Daoust stated this topic could be brought up at the February 23rd meeting, and then we could discuss how we want to handle this rather than trying to deal with it tonight.

Councilor Anderson stated it would give us time to read this. Does that please the Council?

Several Councilors replied yes.

Councilor White stated my preference is always to let the voters pick their Councilors, and I don't know if there's any way we could get this thing in the May election.

Councilor Morgan replied we have until the 26th.

Councilor White stated okay, there is time.

Mayor Daoust stated if we meet on the 23rd we could go that route. The people that apply, the applications I think should still be open tomorrow morning, so we can get people to start to apply, so we know who's going to apply. We did say that they would be open at 8:00 tomorrow morning and would close at 4:30 on the 23rd. So, I guess I'll have to think on whether we're going to do interviews on the 23rd, maybe not. If we decide at the Council meeting on the 23rd to go with a public vote on whoever wants to run, we wouldn't have to have interviews on the 23rd. We're going to have to think that one through.

Councilor Morgan stated we can notify the applicants that they can apply to the County to run.

Councilor Anderson stated you can notify them when applying that they're under consideration for an election in May.

Mayor Daoust replied ok. I just don't want to jump to that conclusion tonight.

Councilor Allen asked, does having them apply lock us into a procedure?

Mayor Daoust replied no, but knowing who applies may simplify what we want to do. I think we should still take applications just to see who's interested in being on the Council. And then on the 23rd, we can decide which way to go. We can decide ok, we have a good crop of people, let's just interview them and go with it. Or, we could decide to put it out for public vote.

Councilor White stated I have a conflict on the 23rd myself.

Ed Trompke stated if there is a potential that you're going to be acting on these applications, it probably should be done by a formal motion to take the applications, use the form in the packet, if that's what you want, and subject to the time for filing if the people want to be considered, when the Council takes it up for possible action on the 23rd.

Councilor Allen asked on this form, can we change the word from "will" to "may" just above the signature? It's basically their understanding that they will be interviewed by the City Council at a special City Council meeting to be held on Tuesday, February 23rd at 5:30pm. Can we change that to say "may", they may be interviewed, so they're not promised an interview, in case we change the procedure?

Mayor Daoust replied actually that whole sentence should be taken out, because we're not going to interview at 5:30pm.

Councilor Allen stated all right. That would work.

Mayor Daoust stated I think we should have a motion tonight to reword that last sentence to say we're not going to interview at 5:30pm, but still have this application out there, so we know who's interested in being on the City Council.

MOTION: Councilor Anderson moved to open the application process at 8:00 am on February 10, 2016 to fill an upcoming vacancy on City Council and amending the application by removing the sentence stating, "I understand I will be interviewed by the City Council at a special City Council meeting to be held on Tuesday, February 23rd at 5:30 pm." Seconded by Councilor White. Motion passed unanimously.

Councilor Anderson stated given that we've been at this now three hours and forty minutes with an Executive Session on the back end, I'd like to get the Council's pulse and see if we can just cut to the Executive Session.

Councilor Allen stated I asked that earlier, if we were going to continue or not, but I actually have something under Councilor Concerns. Perhaps I could have the City Attorney look over what I have and present it at the next Councilor Concerns.

7. DISCUSSION: A discussion regarding Federal Legislative Priorities.

Councilor White asked are we going to have time to do the legislative priorities before they go on the trip?

Councilor Ripma stated I didn't have any problem with them.

Councilor Allen stated I didn't have any problem with them either.

Mayor Daoust stated ok that will be the list, so we're good on the Washington DC trip.

Councilor White stated I'm fine with that.

8. STAFF COMMUNICATIONS

Due to the late hour, the Council ended the meeting early to adjourn into the Executive Session

9. COUNCIL COMMUNICATIONS

Due to the late hour, the Council ended the meeting early to adjourn into the Executive Session

10. PROVISIONALLY ADJOURN WITH THE POSSIBILITY OF RECONVENING AFTER THE EXECUTIVE SESSION

MOTION: Councilor Ripma moved to adjourn into Executive Session. Seconded by Councilor Morgan. Motion passed unanimously.

Meeting adjourned at 10:43 pm to convene the Executive Session.

****AN EXECUTIVE SESSION WILL BE HELD UNDER ORS 162.660(2)(E)—REAL PROPERTY TRANSACTIONS****

11. POSSIBLE RE-OPENING OF THE PUBLIC MEETING

The Regular City Council meeting was reconvened at 11:47 pm.

12. RESOLUTION: A resolution to Adopt Real Estate Sales Agreement.

Mayor Daoust stated I think all we need to talk about is just reiterate the fact that we're going to have an Urban Renewal Agency meeting next week at 7:00 pm. My only question is, I know this will be made public tomorrow, but we're going to have to have something to move on.

Ed Trompke stated a resolution, and that resolution has been drafted, it somehow got left out of what we sent to Sarah.

Craig Ward stated I say we get that resolution with this letter attached to it. What you won't have is a staff report when we reconvene. We can publish the resolution in this.

Councilor Ripma asked and we don't necessarily have to act on it?

Craig Ward replied correct.

Mayor Daoust stated so we will have a resolution.

Ed Trompke answered yes, and the resolution, as it's now written, directs the City Manager to execute it in substantially the form delivered, but you can change a word on it.

Erich Mueller asked what other material do you anticipate wanting in the packet? Part of what I brought tonight was the existing term sheets that have already been adopted. They're on the record, but you're definitely going to get questions from people in the audience about what you adopted on the record before compared to what you're considering.

Councilor Morgan asked could you have the adopted plan with the numbers, the purchasing site, some of that? Could you compile a document?

Erich Mueller replied I guess that's what I want to clarify is what you're going to want for this discussion next Tuesday night.

Mayor Daoust asked do we need anything else?

Craig Ward stated we can bring those documents without a staff report explaining how those fit into the context of the resolution, I think it will just be confusing to people. We can always come in after the fact and do a more thorough term sheet or staff report and the like, but have all of those documents, including the Urban Renewal Plan, attached if you'd like.

Mayor Daoust stated we might ask you to do that.

Erich Mueller stated I think what you're really going to want is financials. You're going to want a process of all the various elements and we're not going to have that without the packet. Just because we're going to draw up a resolution and attach a staff report doesn't obligate you to act upon that.

Mayor Daoust stated but if time is of the essence, I would appreciate having something. We can either vote for it or not vote for it.

Councilor Allen stated I can understand the time frame you're bringing up, but if Council members strongly objecting to it, would you hold off on voting on a resolution?

Mayor Daoust replied sure.

Councilor Ripma stated it's been negotiated in secret for years, and now we have something to publish and there are going to be questions.

Mayor Daoust agreed, let there be questions.

13. ADJOURN

MOTION: Councilor Anderson moved to adjourn. Seconded by Councilor Morgan. Motion passed unanimously.

Meeting adjourned at 11:51 p.m.

Doug Daoust, Mayor

Dated: _____

DRAFT

ATTEST:

Sarah Skroch, City Recorder

CITY OF TROUTDALE
CITY COUNCIL – Regular Meeting
Tuesday, February 9, 2016

PLEASE SIGN IN

Name – Please Print	Address	Phone #
Richard Goldie	T'ongue	
Frank Wurdust	Corbett	
David Becker	Troutdale	
Lynn Turner	Troutdale	
BRITAN Sheets	Troutdale, OR	
Claude Cruz	Troutdale	
Zach Hudson	Troutdale	
Paul Wilcox	TROUTDALE	
Steve Scott	Troutdale	
Rob Canfield	Troutdale	
Bme Wm	TROUTDALE	
Shaw Castillo White	Troutdale	
Sean Lee	Troutdale	
Jon Brown	Troutdale	
DAY ELLIS	TROUTDALE	
Carol Allen	Troutdale	
TANNY STAFFORSON	TROUTDALE	

Exhibit A

February 9, 2016 Council Meeting Minutes

Comments on "Resign to run"

1. Regarding the formatting of Caption/Question – the Caption calls for resignation, the Question relates to vacancy created. These are two separate issues. Generally, the question repeats or re-phrases the caption, as in the fuel tax measure.
2. The resignation requirement applies to any other elected office, so this would have applied to Matt Wand running for Oregon House, or anyone else running for any other public office. Lake Oswego's applies strictly to Councilors running for Mayor, and Tigard's applies to any City office because they have term limits which could cause the Mayor to run for Council. Those two cities, by the way, are the only two in the entire state that I'm aware of that have a "resign to run" requirement, and I've reviewed nearly 150 City Charters. I also noticed that in the summary section of the measure there is a section which refers to "the position of any councilor who runs for mayor". So, is it "any" office, as stated in the caption and question, or just the office of Mayor, that requires resignation?
3. The question asked "Shall councilor's position become vacant upon candidacy for another office?" Is this intended to mean that the resignation is effective immediately? Both Lake Oswego and Tigard allow the effective date to be when the replacement candidate would take office.
4. I won't attempt to explain the summary portion of the measure since I think anyone who has attempted to decipher it was probably completely befuddled.
5. What I will address is the idea of "resign to run".
6. This measure will tend to thwart the half of the Council who are mid-term during the Mayor's election cycle from running for Mayor. They are being required to forfeit the remaining two years of their terms whether they win or lose. Those running at the end of their four-year term on the Mayor's election cycle are only foregoing the opportunity to run for re-election, which is their choice. They can also come back two years later, as Councilor Ripma did.

7. If this were put into effect it should be accompanied by a return to a two-year term for Mayor, as was the case prior to a 1994 Charter Amendment, so that all Councilors could run for Mayor at the end of their four-year term if they chose. This would create a level playing field.

8. The "resign to run" requirement without a mechanism for guaranteeing that the vacant seat will appear on the same ballot with a two-year term could result in a two-year appointment. The Council might not have as much "lead time" as Councilor Anderson has provided to assure there will be candidates for the open position. This scenario could occur if the Councilor running for Mayor did not file until near the deadline, leaving insufficient time to advertise the position and recruit candidates.

9. "Resign to run" creates a vacancy whether the Mayoral candidate wins or loses. Realistically speaking, how often will an off-cycle Councilor run for Mayor, especially if there is an incumbent? Councilor Kight ran mid-term, but there was no incumbent. How often have incumbent Mayors lost in Troutdale besides Mayor Kight?

10. If Councilor Kight had lost his bid for Mayor, or if Councilor Wand had lost his bid for Oregon House, they would have retained their Council seats. The voters approved them for a four-year term, so I see no basis for denying them the balance of their term.

11. Assuming that the Councilor has been forced to resign and loses, how would the remaining Council respond if he then became an "applicant" for his old seat?

12. Tigard had a reversal of "resign to run" on their ballot last fall, which lost by 5%. There was also another measure lengthening their term limits. In the Council discussion, Mayor Cook cautioned about whether the changes should apply to the current Councilors so as to not appear "self-serving". "Resign to run" didn't, but term limits did, which lost 80%-20%. I also just discovered this past weekend that "resign to run" in Tigard was instituted in 1978, when the Mayor's term was two years. The Mayor's term didn't become four years until 1990. For them, the main advantage of "resign to run" was to ensure that the open seat would appear on the same ballot,

avoiding the cost of a special election. This would of course only be an issue if a Councilor chose to run for Mayor mid-term.

13. In all fairness, I should also describe what the result is if the Councilor wins the Mayor's seat. Under the current system, there would indeed be an "unexpected" vacancy of his previous Council Position, subject to an "appointee" serving up to two years. So, bottom line is, either way there will be a "new" person in that Position, whether elected or appointed. Although I really don't like the idea of "appointed" Councilors, and would like to see an election held at the May Special Election, my over-riding preference is that a losing Councilor be allowed to retain his Council Position.

14. My final point is related to the language and placement of the changes within the City Charter. Lake Oswego created an entirely new section within Form of Government. Tigard also placed theirs in Form of Government under "Mayor and Council". Writing it into "Vacancies in Office" Section 27, seems redundant since "resignation" is already listed, and the sample language makes no reference whatsoever that the resignation is mandatory and immediate. There should be a more specific description in either Section 10 (Councilors), or Section 13 (Qualifications for elective office).

15. The only reason for this measure to be on the May ballot is so that it would apply to the Mayoral election this November. However, this measure as written is far from being ready for prime time, not to mention that I don't think it's necessary. Since Charter Amendments require voter approval, changes shouldn't be made unless they are strictly warranted because it requires another measure and election to "undo" or modify them.

Submitted by Paul Wilcox

DRAFT

**MINUTES
Joint Meeting
Troutdale City Council & Troutdale Solid Waste Community
Enhancement Program Advisory Committee – Regular Meeting
Troutdale City Hall – Council Chambers
219 E. Historic Columbia River Hwy.
Troutdale, OR 97060**

Tuesday, February 23, 2016

1. PLEDGE OF ALLEGIANCE: Lead by Boy Scout Troop 174

Mayor Daoust called the meeting to order at 7:00pm and asked for a representative from Boy Scouts Troop 174 to lead the Pledge of Allegiance.

2. ROLL CALL and AGENDA UPDATE

PRESENT: Mayor Daoust, Councilor Ripma, Councilor Anderson, Councilor Morgan, Councilor White, Councilor Allen, and Councilor Wilson.

ABSENT: None.

STAFF: Craig Ward, City Manager; Ed Trompke, City Attorney; Steve Gaschler, Public Works Director; Erich Mueller, Finance Director; Mollie King, Recreation Program Manager; and Sarah Skroch, City Recorder.

GUESTS: See Attached List.

Mayor Daoust asked are there any agenda updates?

Craig Ward replied there are none.

Mayor Daoust stated since we have our neighbors from Fairview here tonight, I'd like to move Agenda Item #8 up to follow Agenda Item #6. Also, I'd like to propose moving Agenda Item #11 to the March 8th Meeting.

Councilor Allen stated I appreciate you doing that. I looked at this agenda and thought it was going to be a long meeting. I do like to get through our agreed agendas. I'm leery of meetings that are so long that we don't make it to the end.

3. PROCLAMATION: Proclaiming February 2016 as Scout Month.

Mayor Daoust read the Proclamation.

4. PUBLIC COMMENT: Public comment is limited to comments on non-agenda items.

Chelsea Peil, Cracked Pots, stated I'm here tonight representing Cracked Pots and I wanted to give you an introduction. We are a non-profit that throws a big event every year at Edgefield and we've been doing that in your City for 16 years. We wanted to reach out because we have an interesting relationship between Metro and Recology and as a nonprofit we are expanding and growing. The time is right for us to connect with the City and begin conversations if possible for Community Enhancement. We have a big art show at Edgefield and we focus on waste reduction through art and culture. That happens in July. We also have an organization called Reclaim It which is where we have a relationship with Recology and we are able to go into the transfer station, pull goods out, clean them up, and resell them for reuse, repair, and reimagining. That is a new program in Portland. The third thing is the Green Program which is a relationship with Metro and Recology. That is where we send our artists into the transfer station, have them come out, and we throw an art show for them. These are some examples of the programming that we have going on that might be of interest to the City of Troutdale to have a further conversation about. Specifically we're here now because we realized we have more capacity and there is a transfer station in Troutdale. We wanted to introduce ourselves, myself representing the Board, and if you have any questions or would like any further information we would be happy to give a presentation. My name is Chelsea and I can be found at info@crackedpots.org. Thanks for your time.

Sam Barnett, Troutdale resident, stated I don't like digging up the past but I feel strongly about this. It's not going to change a thing but hopefully it'll give me a little satisfaction in voicing my opinion. A promise was broken last week by 4 of you that voted 4 to 3 to sell the old Sewage Treatment Plant without any regard or any consideration to advise and provide the citizens of Troutdale a plan for development of this property. That was a promise and it failed. You sold this land realizing the risks and/or knowledge that all proceeds and likely far beyond that will be spent obliging a promised thoroughfare through the middle of the Outlet Mall which we do not yet realize the financial burden that this will cost. I believe the 4 of you should take your blinders off to realize what 3 Councilors knew long ago and tried to communicate with you last week. Basically you wrote a blank check. Despite the envy, the coercion of outsiders, the excitement to have it off our hands, and something finally becoming of it, you could have and should have not given this property away. Junki (Yoshida) can laugh himself all the way to the bank. Troutdale is a patient City, I assure you of that. There's one more thing. There's a pretty good chance that we're going to end up with that property back in our laps and we'll be right back where we were 2 weeks ago. It's not the best nor the worst thing, it's just a little bit more expensive. I sure wish that we could have done this a different way. I promise you I'll never bring it up again.

Paul Wilcox, Troutdale resident, read a written statement to the Council. A copy of his statement is attached to the minutes as Exhibit A.

Ed Trompke, City Attorney, replied let me acknowledge that it was the same as the agenda. The reason it was left out, I discovered, was that I emailed it to my paralegal who had left employment with my firm at that point and I wasn't aware of it so it didn't get forwarded. That is my normal procedure to make sure everything gets documented properly. My paralegal files it in different places. It was simply that the person left employment and it fell through the cracks, that's all there was to it. It was identical to the one that was published afterwards.

5. REPORT: An update from Metro Councilor Shirley Craddick

Shirley Craddick, Metro Councilor, showed a PowerPoint Presentation (attached as Exhibit B). The presentation included the following topics: Equitable Housing, Southwest Corridor, Regional Snapshots, Moving Our Region, Regional Flexible Funds, Solid Waste Roadmap, Parks and Nature System Plan, and Metro Venues Update.

Councilor Craddick distributed handouts to the Council. Copies of the handouts can be found in the meeting packet.

Councilor Morgan asked is the BRT (Bus Rapid Transit) on the east side going to be housed at Mt. Hood?

Councilor Craddick replied in the current plan it is. These projects are always more expensive than we have money for so we are looking at what is the most efficient way and best place to put this. To me that's the most important connection, to make sure that BRT begins and ends at Mt. Hood Community College.

Councilor Morgan asked that won't necessarily come through Troutdale but it will tie in?

Councilor Craddick replied it'll skirt Troutdale. Right now it's planned to cross the Tillicum Crossing Bridge, come out Powell Blvd., the preferred choice at this moment which has not been finally decided is 82nd Ave., it would cross over 82nd to Division, come out Division into downtown Gresham to the transit center, and then at some point it'll cross over to Stark St. either on 223rd, Cleveland Ave., or Hogan and travel from Stark St. to Mt. Hood Community College. There will be a terminus on the campus.

Councilor Morgan asked the Covanta Plant, is it 200 tons of trash to be transferred from the location out here to there for waste energy?

Councilor Craddick replied it would be 20% of the Metro region's waste.

Councilor Wilson stated when you were talking about the burning of garbage, I used to take our Scouts to Cotton Butte and I understand that's where they're storing the waste at this point. That waste is very toxic and putting particles in the air. I believe when you go down there they have those white covers over the waste. My concern with that is we don't have a proper way of disposing it and we don't have a proper way of making sure that the air quality is there. I don't mind the idea but I do mind having a toxic byproduct just laying out where people can get into it. It's probably secured now. It was a beautiful area that we used to take our kids to go mineral finding. I don't think I would take my kids down there again. I would caution on the side of making sure we know what to do with the waste. It's like nuclear waste, we didn't know what to do with it so we buried it and now we have nuclear waste cans that are leaking. I would want you to move with caution there.

Councilor Craddick replied I appreciate that. I need to look into that more myself. Obviously we have to get those questions answered before we make that decision.

Councilor Wilson stated if there's a way to do it and it's all clean and if there are other alternatives. I know you support it and I'm good with that. I just want to make sure that the waste is properly taken care of.

Councilor Allen stated what is Metro's view on affordable housing?

Councilor Craddick replied we want to make sure that we have adequate affordable housing. We see our goal as a convening body that can work with cities in the region to make sure it's distributed equitably. That's one of the things that got me motivated to get involved with politics. I had this passion and a role that I can play in this region to help make sure that the east and west part of the region are equitable. That we have the same opportunities in every part of the region. Right now I don't think we have an appropriate balance. Most of the jobs are on the west side of the region, our housing over here is different, we do have more affordable housing but it's not the best quality housing. I think Metro can play a significant role in making sure that there is equitable housing throughout the region. Right now the 2 cities that have most of it are Portland and Gresham. Cities on the west side of the region haven't stepped up to help have an adequate amount of affordable housing.

Councilor Allen asked what makes up affordable housing usually?

Councilor Craddick replied there are different definitions. We're not talking about the housing that nonprofits get involved in for people with 20-30% below median income. We're really talking about housing that is available for the average citizen out there, the school teachers, the police officers, the fire fighters. So they can find good housing that they can afford. Metro's role is to work with individual cities to see that that occurs.

Councilor Allen stated it seems to me as I'm watching the supply and demand, there is more demand than there is supply. The prices have been rising quite significantly. I didn't know if Metro's intent would be to increase supply or if it's to make housing that is less desirable so it becomes cheaper.

Councilor Craddick replied one of my goals also is to make sure that we have quality housing that we're proud of and to also make sure that there is an adequate supply. One of the things that the state legislature is looking at is to allow the Cities to levy a construction excise tax, there could be a very small tax on permits that are pulled in each city that would go to support affordable housing. The challenge with that is that the City has to be willing to build affordable housing. A lot of Cities in the region, if left to their own desire, likely won't build it. The subsidy would come from this construction excise tax. You'd make money available that could buy down some of the costs of building some of that new housing.

Councilor White stated we're aware of the housing crisis. There are very few houses for sale in Troutdale and even fewer rentals available. Is part of the solution going to be expanding the urban growth boundary?

Councilor Craddick replied right now we have almost 30,000 acres available in the region for development. The Springwater area that was brought into Gresham in 2002, the first

housing is just being built now. The challenge isn't the lack of land supply, the challenge is being able to get the infrastructure to open up the land. The water, the sewer, and the roads is what makes it so expensive. Expanding the urban growth boundary right now won't help. There's land just sitting there already that isn't being developed.

Councilor White asked does Metro have any plans for a Covanta style trash burner in east County?

Councilor Craddick replied not at the moment. Covanta can take on more.

Councilor White stated it's been brought up before, that's why I asked.

Councilor Craddick replied at this moment in time there's no need. That doesn't mean that in the future we wouldn't consider that.

6. COUNCIL JOINED BY METRO COUNCILOR CRADDICK TO CONVENE AS "Troutdale Solid Waste Community Enhancement Program Advisory Committee" (CEPC)

Co-Chair Daoust called the Troutdale Solid Waste Community Enhancement Program Advisory Committee meeting to order at 7:54pm.

6A. Committee Roll Call

PRESENT: Co-Chair Daoust, Co-Chair Craddick, Committee Member Ripma, Committee Member Anderson, Committee Member Morgan, Committee Member White, Committee Member Allen, and Committee Member Wilson.

ABSENT: None.

STAFF: Craig Ward, City Manager; Ed Trompke, City Attorney; Steve Gaschler, Public Works Director; Erich Mueller, Finance Director; Mollie King, Recreation Program Manager; and Sarah Skroch, City Recorder.

GUESTS: See Attached List.

Erich Mueller, Finance Director, stated this is a follow up meeting to the work session conducted on June 30th when we walked through the various materials that were required of the Committee to adopt in order to implement the terms of the IGA between the City and Metro. Tonight's meeting is primarily to accomplish formalizing those steps that are necessary. There are 4 motions that I need action on tonight. The first 3 typically happen once and the 4th will happen on an annual basis and relates to the application. The first 3 are related to responsibilities that the Committee has under the existing IGA with Metro for the Community Enhancement Program. The 1st establishes the boundary which is what allows where projects can be that can be funded. The 2nd adopts the bylaws which also give us the working title that's less long and less of a mouthful for the Committee. The 3rd is the program guidelines which is another requirement that needs to be adopted for the IGA. The 4th is the application which I need you to approve because it also includes the calendar and

the application window which is currently scheduled to be open March 1st to be able to start receiving applications from various groups that may want to apply for funding under the Community Enhancement Program.

6B. Motion – Adopt Enhancement Area Boundary

Erich Mueller stated if there are no questions about the boundary, then my request would be that someone on the Committee would move forward with the motion.

Committee Member Ripma asked did we actually set up this CEPC?

Erich Mueller replied the CEPC was established as an obligation under the IGA that was adopted by the Council.

Committee Member Ripma asked at a Council Meeting after the June 30th Work Session?

Erich Mueller replied no it was prior to that when the IGA between the City and Metro was adopted. The Committee, the membership of the Committee, and the responsibilities of the Committee are all laid out in the IGA.

MOTION: Committee Member Anderson moved that the boundary of the Troutdale Community Enhancement Program should be the entire City of Troutdale in addition to the properties immediately adjacent to the City. Seconded by Committee Member Wilson.

Committee Member Ripma asked what does properties immediately adjacent to the City mean?

Erich Mueller replied we talked about that. It was part of our discussion at the Work Session. That goes back to the conversation that we had about if we had a situation where we wanted to put matching markers on either side of the street and one side of the street happened to be the County's, or we wanted to do something up by the Mt. Hood Community College and one side of Stark Street happens to be in Gresham. So immediately adjacent means just that. It can't be a project that's in downtown Gresham or in downtown Portland, it has to be a property that's immediately adjacent. As part of the discussion that we had it was also the mind of the Committee that you were going to have to approve every one of these grants so it's going to be clear to you where these will go. This simply gives you the flexibility but it's not a requirement.

Ed Trompke stated I've had the misfortune to have to litigate an issue in which "adjacent" was defined by the State's Supreme Court to mean a parcel of land that has at least one point in common with the City. So it has to touch the City boundary.

Committee Member Ripma stated I just noticed that the project criteria under the application process says that the grant must fund grant projects within the

boundaries within the City of Troutdale. Is that inconsistent? It's fine, I'm ok with the motion.

Co-Chair Craddick stated I had the same question. I think it can create confusion. I think it should be the boundary specific to Troutdale.

Committee Member Ripma replied I would feel a little better about it.

Committee Member Morgan stated for clarification, if we were building a sidewalk or something and it happened to be blurring Gresham and Troutdale, it would say that we would finish the sidewalk. So it would be joining the two.

Committee Member Wilson stated if we wanted to build another arch on Stark Street then it wouldn't finish the arch.

AMENDED MOTION: Committee Member Anderson moved that the boundary of the Troutdale Community Enhancement Program shall be the entire City of Troutdale. Seconded by Committee Member Wilson.

VOTE: Committee Member White – Yes; Committee Member Allen – Yes; Committee Member Wilson – Yes; Committee Member Ripma – Yes; Committee Member Anderson – Yes; Co-Chair Craddick – Aye; Committee Member Morgan – Yes; Co-Chair Daoust – Yes.

Motion Passed 8 – 0.

6C. Motion – Adopt CEPC Bylaws

Erich Mueller stated we reviewed the Bylaws during the June Work Session. They were modeled upon other successful Community Enhancement Committees around the Metro region. In reviewing the minutes from June 30th, there were no issues or discussions during that discussion. I would ask you to move to amend Article IV to eliminate the last phrase under "Boundary".

Co-Chair Daoust asked does Shirley Craddick want to be a member of this Committee?

Co-Chair Craddick replied yes please.

Committee Member White stated on page 2, item 4 says the project must not promote or inhibit religion. I'm wondering if churches are going to be eligible for this money the way that's written?

Erich Mueller replied churches are non-profits and they certainly are eligible. Funding a project that would promote a religious belief would not be an eligible project that the eligible organization for funding could bring forward.

Committee Member Wilson stated an example of what that might look like, the LDS Church coming to us looking for matching funds to do something at Columbia Park. If they were doing something on their property that promoted the LDS religion then that would not qualify.

Co-Chair Craddick asked could you clarify the definition of a non-profit? This was a question that was asked and I thought it was a really good point that I wasn't aware of that it's more than just 501(c) that's eligible for this.

Committee Member Morgan replied it's in the Guidelines, Section B(1)(a), a neighborhood association, or other non-profit organization, including but not limited to charitable and community organizations with 501(c)(3) through (7) and (10) statuses under the Internal Revenue Service.

Co-Chair Craddick stated that would include the Chamber of Commerce.

Erich Mueller stated just to clarify you are talking about the document that's in the next motion.

MOTION: Committee Member Anderson moved to adopt the Troutdale Solid Waste Community Enhancement Program Advisory Committee Bylaws in substantial conformity with Exhibit B. Co-Chair Daoust asked with the change requested by Erich Mueller? (amending the language of Article IV to reflect the boundary definition as approved by motion under Item #6B) Committee Member Anderson replied correct. Seconded by Committee Member Wilson.

VOTE: Committee Member White – Yes; Committee Member Allen – Yes; Committee Member Wilson – Yes; Committee Member Ripma – Yes; Committee Member Anderson – Yes; Co-Chair Craddick – Aye; Committee Member Morgan – Yes; Co-Chair Daoust – Yes.

Motion Passed 8 – 0.

6D. Motion – Adopt CE Program Guidelines

Erich Mueller stated to circle back to the non-profit discussion, that was a follow up question that we had with Roy Brower after the Work Session digging further into what Metro adopted into their code. This is slightly reworded to help emphasize that it's non-profit organizations and not strictly limited to 501(c)(3)'s, there is actually 501(c)(1) through (29) as different kinds of organizations. Some of them are strictly legal entities that hold insurance policies that aren't really applicable but this was expanded upon specifically to try and eliminate future questions. Service clubs are typically 501(c)(4)'s like Rotary, Kiwanis and so forth. They are clearly an organization that's not for profit that would be interested in community enhancement that are clearly one that we would want to encourage. The business leagues is where the Chamber of Commerce comes in, they are typically 501(c)(6)'s. There's lodge organizations like the Elk's which are 501(c)(8)'s. There's a whole list of them and some aren't particularly relevant given the nature of what they are. That was to try to expand and

address that issue so there wouldn't be hesitation in the future about whether an organization would be eligible. Committee Member White, you had talked about the funding allocations which is on page 4 of the program guidelines related to the art funding. I would point out that the first 3 motions would generally be done once. Certainly there's a way to amend the bylaws and certainly there would be a way to amend this. In theory, you could go back and amend the boundaries if you wanted to make it smaller. So all of it is changeable. If after a year or two of experience, you find that the way it's currently crafted is not workable and created unintended consequences or problems then certainly the committee has the ability to go back and modify the guidelines. Particularly the funding allocation related to the art allocation. Was there some other aspect of that that you wanted to pursue?

Committee Member White stated yes, I was just trying to give us greater flexibility. My wife's an artist, we have some talented artists in our City, but I was just thinking of a circumstance where we might all agree on a more worthy project and we're locked in because of our bylaws.

Erich Mueller replied I particularly remember flexibility coming up multiple times during the discussion on June 30th. That's part of why I phrased it "CEPC intends to". So that says that's your expectation, your intent, your plan but if you have a scenario where there's some outstanding project that you all want to fund but it's not artistic then you have that flexibility because ultimately the Committee decides what gets funded, not staff.

Committee Member Wilson stated when I was looking at this, I was looking at it like Forest Grove. They allocate 50% to art and 50% to other worthy projects because sometimes art can take up the whole amount for years. The intent was to help the other projects that would be needed. I talked with the City Manager in Forest Grove before presenting this and they felt that it fit really well for them. Everybody felt like they were getting part of the pot instead of some groups feeling like they weren't going to get any. If you remember the night we discussed this, one of the artists was worried that if we didn't do this then they wouldn't get any of it. I think this really helps to address that problem. The money can also roll over, we don't have to use all of the money from either side of these in any given year. Is there a time period that it has to be used in?

Erich Mueller replied the current IGA specifies that if the Committee chose not to fund a single thing for 36 months, then we'd be in violation of the IGA. I think that's highly unlikely.

Committee Member Wilson stated I think we're going to be overwhelmed, according to Oregon City and Forest Grove, on the applications that come in. I think the last we had talked, we had \$22,000 that had come in from that.

Erich Mueller replied it's remitted quarterly. We got a \$22,000 check the first quarter, a \$19,000 check the second quarter, and we're in the middle of the third quarter. If we got exactly double that then we'd get \$82,000 for the year and we budgeted \$80,000. It's seasonal so I wouldn't expect that it'll be as busy in the winter quarter.

Committee Member Allen stated under project goals ___ under the improvements in our open areas, is that a possibility or should that be stated (page 2)?

Erich Mueller replied I think both #1 and #5 would relate to projects that would fit into that kind of an objective. Potentially #6 would also depending on what kind of open area it was.

Co-Chair Daoust stated I think we're covered with those 3 goals.

Committee Member Allen asked, can we add ", and open spaces" amongst the list so there's no question in the future?

Co-Chair Daoust asked under which number?

Committee Member Allen replied under #5. Sometimes we do improvements to the open areas and sometimes its charity groups that are pushing it.

The Committee was ok with adding the words "open spaces" to page 2, C (5).

Committee Member Wilson stated on page 4, G, the second bullet states "unused funding allocation categories may carry over for use in subsequent years". I want to emphasize that we be able to use unused funding allocations for the other 50% and it may be carried over for use in subsequent years also and not just art.

Committee Member Anderson asked do you want to strike "for works of art" from the second bullet?

Committee member Wilson replied yes.

The Committee was ok with striking the words "for works of art" from the second bullet under G on page 4.

Committee Member Allen stated to expand on what Committee Member White said, I can imagine that there could be works of art that we would want to purchase and put more money towards it and there may be times when we don't want to. Do we really need to lock ourselves in?

Co-Chair Daoust replied I don't know that we lock ourselves in with the word "intends". Is that meant to lock us in or give us flexibility?

Erich Mueller replied the reason I chose that wording was to try and communicate what I perceived as the consensus of the group but also to reflect what was repeatedly said which was that the Committee wanted flexibility. Particularly since all of this is new. It's not as though we've been doing this for 10 years and have a good feel for how it works. That's why it's "intends". The Committee will discuss every project and every allocation.

Committee Member Allen stated I'd think it would be pretty easy to spend 50% in the early years but as time goes on and you get more and more, you might say whoa we have a lot.

Committee Member Wilson stated that's exactly why we should make it 50%. If there is a project from the Lions, Kiwanis, or the Rotary to do repairs to the rivers, Columbia Park, or they want to build a dog park, it gives at least some money for other things besides works of art.

MOTION: Committee Member Anderson moved to adopt the Community Enhancement Program Guidelines in substantial conformity with Exhibit C (including the changes agreed to above: page 2, C (5) adding "Open Space"; and page 4, G, second bullet, striking the words "for works of art"). Seconded by Committee Member Wilson.

VOTE: Committee Member White – Yes; Committee Member Allen – Yes; Committee Member Wilson – Yes; Committee Member Ripma – Yes; Committee Member Anderson – Yes; Co-Chair Craddick – Aye; Committee Member Morgan – Yes; Co-Chair Daoust – Yes.

Motion Passed 8 – 0.

6E. Motion – Adopt CE Application, Agreement, and Calendar

Erich Mueller stated I am expecting this to have the most changes, particularly the first few years as we roll this out. I've looked at packets used by programs that have been going for several years and they have differences in how they handle it. They tend to make revisions. I noticed one City recently changed their application to limit the number of projects that could be submitted by a City advisory committee. Apparently they got overwhelmed by their committees so they chose to limit them to being able to submit 2 per year. This is our first year and there will be things that the community doesn't understand, there will be questions that the Committee is going to ask during interviews that everyone will like and want it to be asked of everybody and we'll end up putting it in the application for the next year. These are the documents that I expect to bring back every year to the Committee with the new calendar and a redline version of the changes.

Committee Member Allen stated page 3, Section D, #16, we have the additional funding percentage. I take it that's the amount they have to kick in. It goes from 10% to 75% as you increase in project cost. This seems targeted towards charity groups and also art. It seems like charity groups don't have deep pockets and if we do buy art then we'll want to buy nice art and this seems to be a discouragement to that. Is anyone else seeing what I'm seeing here?

Committee Member Wilson stated you have an option of cash or in kind labor that goes into this. Is that correct?

Erich Mueller replied correct. The matching funding can be cash, materials, or volunteer hours. It isn't necessarily just cash.

Committee Member Wilson stated it isn't just wrapped up into one particular item. As I look at Kiwanis, the Rotary, or the Lions, I don't see them going much above \$5,000 from what I know of what they have in their income. I think the more that you ask then the more you should have to contribute to it. Someone doing a \$75,000 project or more probably has the ability of coming up with labor, materials, and cash.

Erich Mueller stated during the June 30th discussion, this was one of the lengthiest items discussed. Ultimately the conclusion was we could have something for the first year and see how it affected the application and we could certainly make changes for coming years. I believe the Mayor had said we need to make sure they have skin in the game.

Committee Member Allen asked you don't think this should be capped at 40%?

Committee Member Wilson replied I think we should leave it for now. Looking at other cities that have been under this program for awhile, these seem to be working for them. Let's give it a shot and if we run into issues then the following year we can take a look at it.

Erich Mueller stated I haven't done a scientific analysis but having reviewed packets from other cities, the majority of the grant requests tend to come in below \$15,000. A lot of them tend to come in around the \$5,000 to \$10,000 range.

Co-Chair Craddick asked isn't the City also able to apply?

Erich Mueller replied yes the City is eligible to apply.

Co-Chair Craddick stated the City would likely be the one applying for larger amounts and would have match available.

Co-Chair Daoust stated we have a question on the table. Do we want to limit the match or leave it the way it is?

Co-Chair Craddick stated I would support it as it is and this could be changed at a later date if it isn't feasible.

Co-Chair Daoust stated we could see what we get and if people are having a problem matching then we'll find out. I have a feeling we won't see that but we'll have open eyes and change it if it's too restrictive.

MOTION: Committee Member Anderson moved to adopt the Community Enhancement Project Application, Agreement, and Calendar in substantial conformity with Exhibit D. Seconded by Committee Member Wilson.

VOTE: Committee Member White – Yes; Committee Member Allen – Yes; Committee Member Wilson – Yes; Committee Member Ripma – Yes; Committee Member Anderson – Yes; Co-Chair Craddick – Aye; Committee Member Morgan – Yes; Co-Chair Daoust – Yes.

Motion Passed 8 – 0.

6F. Motion – Adjourn CEPC only and continue with Council Agenda

MOTION: Committee Member Anderson moved to adjourn the CEPC meeting only and resume with the City Council Meeting Agenda. Seconded by Committee Member White. The motion passed unanimously.

The CEPC meeting adjourned at 8:28pm.

The City Council meeting reconvened at 8:37pm.

8. MOTION: A motion authorizing the City Manager to develop agreements to create a shared Recreation Program with Fairview and Wood Village based on basic initial understandings.

Craig Ward, City Manager, stated this is mostly a status report. I know the Council and the public are curious about what progress has been made in working with Fairview and Wood Village. We have made progress and part of that progress resulted in the notion that we really need at least 2 phases before we can do an expanded program. We would need an Intergovernmental Agreement (IGA) with fiscal agreements about how we will do things, we'll have to staff it, if we staff it then someone will have to come on board and we'll have to develop a new program. It'll take some time to roll out an expanded program. In our meetings we discussed the possibility that we could amend the Recreation Guide that we send out 3 times a year. The next one coming out is the spring/summer guide that comes out in a couple of weeks. Fairview in particular wants to be able to advertise to their citizens more aggressively than has occurred in the past. To do that they would like to change the name of our Recreation Guide. They've agreed to pay for the increased postage and printing costs for sending that guide out to their residents. At this point it is sort of a gentlemen's agreement that they will reimburse us for that but I'm putting it on the record. Since it's the City of Troutdale's Recreation Program guide that we're talking about amending and we really don't have an agreement for doing any greater expansion of our existing program with Fairview and Wood Village, I didn't want to make a change like that without the Council's blessing. That's really the immediate need to bring this before you today because if you approve going ahead with this agreements that's laid out here, we will simply change the name of the Spring/Summer Recreation Guide to be a 3 Cities Recreation Guide and then proceed with the development of an IGA probably to be implemented in the fall. Fairview has prepared a proposal here. It's evolved and improved a bit from what they presented to us before with the understanding shown here for both the existing program, which are minimal, and the expanded program with the understanding that we will have to come back to you with an IGA that all 3 Cities will consider. Then I'll march away with confidence that I'm following the direction of the City Council. If you're not comfortable with that approach then this is the time to redirect our efforts. I have one other small item and that is that I highlighted 2 things in the existing agreement. The first is renaming the guide and the second is to limit registration to online registration. We have an online system that we've had going for a couple of years. Mollie King and our Finance Department did a great job of getting the software put in place and administering that. In the past we've had a form that people could fill out and bring in with a check and pay at the counter. That was a

convenience but it really does take a lot of staffing. Essentially our staff has to go into the online system and enter all of the data that registrants could have done themselves at home, if they had a computer. If we are expanding the advertising for this and many more residents of Fairview will be notified of and presumably will register for the program then that really does add to the burden of our staff on doing anything but an online. The online is very efficient. If we have to do half of it by paper and our staff has to take the time to enter that data then that's a significant burden on us and Mollie King in particular.

Mayor Daoust stated the 3 Mayors have talked about this in helping Fairview with what they've put together. We all agreed that we need to keep our kids busy. There is an initial focus of Kindergarten through 8th Grade. We're looking at a partnership with Reynolds School District (RSD) to use facilities and to keep the kids in the school district busy. The bottom line is an expanded recreation program to offer recreational opportunities to the kids. Over the long term we're looking to hire 1 more person if we agree to help run the program, that's where the 1.5 FTE's (full time equivalent) comes in, that's Mollie plus another person. Using local teachers and interested students to teach some of the classes to keep it local. We know that exercise and activities are good for our kids. We're trying to come up with a program that's more inclusive by monitoring the cost of the classes that we offer and making it low enough that lower income families can take advantage of it and to be self-sustaining over the long run, similar to our program now. The goals would be to be more inclusive, lower cost, and self-sustainable for all 3 Cities. We've talked with RSD and they are enthused about it. They think it's a good idea and are willing to participate. That's the perspective from the 3 Mayors.

Councilor Ripma stated the Mayors may have been talking about this but this is not what we were talking about at City Council that I'm aware of. What we talked about was taking the beloved and successful Troutdale Recreation Program and sharing it with Wood Village and Fairview to the extent that we could do it in some feasible way. We were not talking about including RSD which extends outside the boundaries of the Cities. I'm worried that the goals you just enunciated are not what we talked about at the Work Sessions that we've had. I would hope that before we authorize the City Manager to negotiation an MOU (memorandum of understanding) along the terms that you just mentioned, that we at least get some more clarification on Council of what this really is. What I read here wasn't the same thing that I heard. I know the Parks Committee is interested in looking at this and we should have their input. This is a big change.

Mayor Daoust replied I think you are referring to us agreeing to look at a 3 City Recreation Program. That's what we agreed to and that's what's been put together.

Councilor Ripma stated you just mentioned that RSD is cooperating now and we're going to change the cost structure and perhaps the programs. That wasn't what we talked about.

Mayor Daoust replied the near terms would maintain our recreation program just the way it is. We aren't changing our Recreation Program in Troutdale.

Councilor Ripma stated I'm not objecting to the near term the way that Craig laid it out, of expanding the boundaries of where the notice goes out. To take what you said and what's

written here as a template for a future joint Recreation Program with RSD, the 3 Cities, and all the other stakeholders that are listed in the materials....I just say whoa that is more than we talked about. I'm asking that we just do the initial things that Craig mentioned and anything beyond that should be referred to the Parks Committee and considered further by the Council.

Councilor Anderson asked aren't we using RSD mainly for their facilities? To have a Recreation Program you need recreational facilities and we don't have a lot of those in the 3 Cities.

Craig Ward replied we don't use RSD for the majority of our existing Recreation Programs. We do use them for the basketball league and there are some classes such as Mad Science that occur at the RSD school buildings. Most of the Recreation Programs are held at the CCB (City Conference Building), the Sam Cox Building, and our park facilities.

Mollie King, Recreation Program Manager, stated that is correct. We do use school facilities for about 1/4 to 1/3 of our programs.

Councilor Wilson asked do we pay for that?

Mollie King replied no.

Councilor Anderson asked by having RSD involved will that enhance the number of programs that we could offer?

Mollie King replied currently we are already working with them. When I have new ideas of things to offer, I do approach them and request a facility space. I haven't had an issue to this point.

Craig Ward stated facilities are a limiting factor for sure. We will need Reynolds if we are going to provide more sports oriented activities. It's a good thing if we are going to expand the offerings that we have.

Councilor Ripma asked could we share it with the Parks Committee and have their input?

Mayor Daoust replied I'm sure we could. This is just with the initial understandings.

Brian Cooper, Fairview City Councilor, stated to answer your concerns, Craig mentioned looking at this as soon as fall. I think the earlier roadmap that we talked about was really implementing something by summer of next year. So we have a year to work on this from our perspective. You do have a fantastic program and we're concerned if we throw all of Fairview's resources into this and Wood Village's, it will be too much. That's why we've offered to hire another director to offset the workload and work up this scaled program that would be implemented by summer of next year. What that will look like, we're not sure. A lot of this is a vision or concept of what could be accomplished when we start working on it. We know that facilities are going to be a big issue. Between the 3 Cities and all the parks we have and all the community centers that we have, I think that we should be able to

accommodate the student bodies from the combined 3 Cities. We do have grant plans. Troutdale's program has about 1,000 kids in it and that's with very little Fairview and Wood Village kids. If we're really throwing that kind of effort into getting kids engaged in physical or recreational activities then it'll be a lot. We're trying to get the City Council's to agree, pooling our resources, and working towards the goal that getting kids engaged is good and we should move forward with it. We have nothing concrete. We aren't suggesting classes. All of these models that we're basing the structure on are essentially franchise models that we see around us except we already own all the parks, all the facilities, and we already have structures in place for this type of stuff. That's why we figure we can get the cost down low enough to get the economically disadvantaged children within our area. This is what our vision is and we're hoping that you will help us out.

Councilor Wilson stated our model is self-sufficient. My discussion with you earlier was that \$140,000 was not going to be recouped by any of the Cities and if it was then it would take over 4,000 kids at \$35 apiece to make that up. That doesn't begin to take care of the coaches, the t-shirts, and all the other things. On page 3, line E of the staff report says registration to revenues are hoped to eventually match expenses such that the new program will eventually be self-sustaining. This is not going to be self-sustaining. If the 3 Cities are putting out \$140,000 today. In our discussions you wanted to absorb our Recreation Program. I would like to hang onto our own Recreation Program because it is successful. How are we going to address the \$140,000 through revenue?

Brian Cooper replied the \$140,000 was a number that the City Managers came up with. The first year of this program is probably going to be front loaded. The way we made the concept was that the Director's would not be paid for by the program itself. That would be the cost borne by the 3 Cities. The programs themselves were designed to be self-sustainable. The program was never designed to be all encompassing and pay for all aspects including the Directors. All this design is for the expense to be borne by the 3 Cities as a shared cost and all other materials were to be paid for by the program itself. The idea that Craig brought forth is that Wood Village and Fairview would hire a 2nd Director to work with Mollie and work with building something that the 3 Cities could manage using a steering committee. We started going out to the people within the community and they all want to be involved in something like this. We've talked to Reynolds Youth Soccer quite a bit, volunteers in our Parks Committee want to participate in this program, so how this program will look a year from now, I couldn't tell you. What we're asking for is the belief that the 3 Cities can do something together.

Councilor Wilson stated I believe we can do that but I'd like it to be 90-100% including this \$140,000.

Brian Cooper replied if that's what this Council wants then that's fine. You can make that a requirement and then we'd raise the fees to compensate. Then you get away from helping the economically disadvantaged kids within the area. We want to keep the fees low so more kids have access to these programs. We've asked if your program can handle 5,000 kids for a year. Right now you're doing 1,000 to 1,100.

Craig Ward replied our Recreation Program with 1 small exceptions is a program where we contract with private sector vendors whether it's an art teacher, cross fit training, it's a vendor that provides programs and wants to come under our umbrella in which we advertise for their program and help them get registrations. I asked Mollie after the 3 Cities had met to reach out to our vendors and ask if they can handle it and if they are interested in holding more classes. The answer was that most of them are prepared to in theory. We aren't ready to do that right away and that's why it's possible that by the fall we can in fact add to the number of classes under our existing model and potentially hold some of those in Fairview or Wood Village so it serves their population better. That's an option but it's not a sure thing and it relies upon our existing contracting process, formula, and management by Mollie to accomplish that.

Councilor Anderson stated if we move forward on this tonight, the first and only element that would change is the brochure would read 3 Cities Recreation Program. In essence we're taking our Recreation Program and expanding it.

Craig Ward replied I wouldn't say that we are actually. To me it's the same program. Right now Fairview, Wood Village, and Gresham residents can register for our program and they do. All it really does is change the label on the Guide.

Councilor Anderson stated we're rebranding it and Fairview is going to pay for the change in postage. That's exactly what we said we wanted in the Work Session. I think where we're getting off center here is this document that Brian has put together. It's a vision statement for where this might go from here. 90% return, that's something that can be discussed. The Parks Advisory Committee wants to weigh in and that's something that should happen.

Brian Cooper stated not all 3 Councils have signed onto this yet. You are the first, Wood Village is on Thursday, and next month is Fairview.

Craig Ward stated for the audience, under Background item 1, until modified by an executed MOU or IGA among the 3 Cities, the existing program managed by Mollie King will remain Troutdale's responsibility with minimal changes except those things that are articulated. The expanded program is item 2 and it would have to be subject to an MOU or an IGA. This does not execute the expanded program at all. It simply endorses the program description that Fairview has prepared as a model for us to work towards.

Councilor Ripma stated that's where we need public input. It isn't what was sold to us.

Mayor Daoust stated if we can agree on the initial understandings and the short term item of relabeling the Guide, then we can get our Parks Committee to give us input on the longer term stuff. That's my take on this.

Councilor Morgan stated I know this is a bit backwards. A lot of kudos to what you've done for East County. I think we're the only City in East County that has a Recreation Program. Is this something that you think can be done successfully and replicated successfully?

Mollie King replied the reason why it is possible is because we would use current vendors. When you hire a new vendor or anything new, there are a hundred steps in the process from A to Z. When you have a current vendor, it's much easier to scale up and offer more. For example, if the Tae Kwon Do instructor wanted to offer 2 days a week or an intermediate class, I already have the vendor and I have the relationship established. Adding something more is still work but it is doable because those relationships are there.

Councilor Morgan stated Fairview is expanding and growing and they're not seeing a lot of access to programs. Reynolds High School is concerned about youth activities. Is there a more effective way in your opinion to allow this program to be marketed or reached out to more youth in our area to allow access for that? We're at about 1,000 to 1,100 students registered. If we were to reach out to the other 2 Cities then that could be 3,000 eventually. Is there a better way to reach out to these entities to get them to sign up for this recreation program? I think the ultimate goal is to get more youth involved in some kind of curricular program.

Mollie King replied as far as general marketing, we have the old school ways of doing things and the new school ways and it's not one or the other. It's all of it and it's keeping up with it. Marketing is always a piece, how you tap into folks is always an ongoing discussion. Different things work for different populations and in different ways.

Brian Cooper stated in our discussions with Reynolds, they would be a facilitator to get people into these programs. They are the ones that know the students, they're the ones that know who is economically disadvantaged, who would benefit from these programs. We would be leaning on Reynolds mostly to be the ones to market this program to the kids. They have Peach Jar, they have the ability to send things home with kids, and those are some of the initial conversations that we were having with Reynolds on what they can contribute to this program.

Councilor Allen stated we raised our rates to kids outside our City to try to make our Recreation Program more self-sustainable. We talked about putting \$10,000 more into our program and didn't. Now we're talking about putting another \$56,000 into it? It confuses me.

Brian Cooper replied the way we figured it, it should cost you less because you'll have \$56,000 from Fairview and \$29,000 from Wood Village.

Councilor Allen stated no we're going to kick in more money.

Brian Cooper replied no that's not what we're proposing. \$56,000 is how much you are paying for this program and that includes Mollie.

Craig Ward replied no, it doesn't. That was 40% of the \$140,000 to start the new program. I really don't want Mollie to try to administer the new program. She's administering the program that we're doing now and she's full. The notion that she can just take on starting up an entire new program and we can somehow save money by combining her salary with the other program would come at the expense of our existing program. I don't want to do

that. If the Council says we have to do it then that's ok but that's not the assumption that I made in these numbers.

Brian Cooper stated in the original numbers the \$100,000 was for 1.5 FTE, .75 of that was Mollie and the other .75 was the second Director. That was the initial discussion that we had.

Craig Ward replied that may have been your initial proposal. It was based on her salary but it didn't assume her salary. We have plenty to talk about.

Brian Cooper stated basically the number was for 2 Director's. In our vision it included Mollie along with a second person.

Councilor Allen stated what I see is that we already have a Recreation Program that we open up to people outside our City. I don't mind putting more money into our program but this kind of thing looks like we're making what we already have more complicated. I don't mind beefing up what we have already, but I'm not interested in making it more complicated.

Mayor Daoust stated that's what this is, beefing up what we have.

Councilor Allen replied I wasn't always well off. I used to be a single parent working multiple jobs trying to raise my boys full time and my kids were very active in the school district. They were very active in school programs. My daughter did Mad Science and so forth and sports programs afterwards. First off, I don't see the problem that we're trying to solve, especially when we say we are targeting the needy kids but they need to have a computer to apply. They already can apply if they want to. I wouldn't even mind expanding our existing program for kids that fall below a certain line to have it be paid for. This doesn't look like more than just trying to say we did something and put more money into it.

Councilor White stated Brian, I want to compliment you for this but also remind you that there's quite a few youth programs besides the Troutdale Recreation Program. There is the Sandy Recreation Program, the Portland Recreation Program, the YMCA, after school classes, camps, private vendors, non-profits, leagues, youth mentoring programs, scouting, Big Brothers, Special Olympics, local churches, there's lots of stuff available. Our program is 3 weeks away from starting and I don't want to confuse the issue by changing the name until this gets further vetted, the full Council's involved, our Parks Advisory Committee's involved. Gresham had a majority of the non-Troutdale recreation participants at 130. Wood Village had 29 and Fairview had 11. I don't want to send the message that it's off limits to Gresham. I think we're so close to our season beginning that I would really hate to change the name without having more work done on this so we know what we're looking at.

Councilor Anderson asked would you be interested in the second part for Fairview paying to distribute the Troutdale Guide to Fairview?

Councilor Allen asked we want to increase advertising without increasing capacity? That doesn't make sense either.

Councilor White stated the way I understand it, we're already full this year, near capacity.

Mollie King replied it depends on the program. Some programs definitely are at capacity. Some programs is a give and take, so it depends.

Brian Cooper stated we are aware of all the programs that are available to East County. The way we viewed it was that there are what we call mosaic pieces scattered all about East County. For Fairview and Wood Village there are very little options within our Cities even with Troutdale right next door. YMCA doesn't come down here, it only comes into a little bit of Troutdale. We're looking at shifting the program to 3 Cities, not just Troutdale. You have done a magnificent job. We want to get into the recreation side of it, we want our kids engaged, and we want Wood Village's kids engaged. A lot of our problems these days are juvenile crime. It says recreation is a means to solve juvenile crime. Fairview wants to do something. We think a 3 City combined system is the best vehicle in which to do that. Not to say it's the only way or how it'll look when we get into it. What we're asking is if you believe that a 3 City IGA model of providing recreation to kids within our region is a good idea and whether it should be discussed and worked on.

Councilor Allen stated I think it's better if you start up a program similar to Troutdale's and you open it up to Cities outside.

Brian Cooper replied but you are asking me to put up a competing program to Troutdale's.

Councilor Allen stated you might have an offering that people like, it's variety.

Councilor Ripma stated when we got into this I thought it was going to be a Fairview program, a Wood Village program, and a Troutdale program cooperating and maybe having some joint classes. This idea of setting up a whole new concept with a whole new management was never what was discussed. At least I didn't understand it that way. What I suggest we do is refer this idea to the Parks Advisory Committee first. I agree with Councilor White that the Troutdale Recreation Program is quite beloved in Troutdale and even the renaming of it would be the end of the Troutdale Recreation Program and I don't think that would be a good idea with at least running it by the Parks Advisory Committee. We can do this in a deliberate way. We don't need to rush into it. If it pushes the roll out back one season, at least we'll have had a chance to have proper consideration of it. This is too different from what we've talked about originally and as I'm hearing it, I'm skeptical.

Mayor Daoust replied the Council agreed earlier to have a 3 City recreation program. So logically a 3 City recreation program would be a 3 City recreation program. Not 3 separate programs all run independently. I think that's what Brian has developed here. Staff was willing to do the simple change of making it a 3 City recreation program brochure which can easily be done. Craig just wanted to check in first to see if we're ok with that. Then the rest would follow with letting the Parks Committees get involved. I really do take issue that we don't have a problem we're trying to solve. I think we do have a problem that we're trying to solve. I think allowing more children to get involved with more activities that are available to them is a problem that we need to talk about and solve. All you need to do is look at the studies that have been done in East County and how actively involved the children are out

here. There is a need to do something to keep the kids busier so they don't involved with things that we don't want them involved in.

Councilor White stated if we're going to call it a 3 Cities program then I think we should have a program in place. The program that'll be in place this year is the same Troutdale program. I'm having a little bit of déjà vu with your arguments, it reminds me of the 6 to 1 vote where we didn't want to read the proclamation for the Springwater Parks District idea because we recognized that would be the nose of the camel in the tent and that's the way I see this. I see a lot of flaws and problems. The big one is a board would be in charge of the future of this program rather than this City Council.

Brian Cooper replied having 3 separate City Council's weighing in on any individual issue seemed over bureaucratic. If you have suggestions on how you would like that formed then I'm open to anything. It was the best kind of structure we came up with. That was really just a roadmap that we agreed on. If the 3 City Councils agreed that this concept/idea that 3 Cities could work together for 1 common goal is good then we were prepared to go and hire a person to start working together and we'd all have talks about this on a 3 City Meeting scale. I would love to have everybody in the same room to talk about it. But we can't go to the next step unless the 3 Cities agree that the concept can move forward. Plan B is that Fairview or Fairview and Wood Village goes out and starts a competitive program. Who does that serve? It doesn't help anybody.

Councilor White stated you said yourself that there's no rush.

Brian Cooper replied I'm not rushing. The roadmap that we were working with was rolling this out by summer 2017. It will take a year to develop this IGA. We aren't going to start it unless the 3 Councils agree.

Councilor Wilson stated why we're here tonight is to approve whether or not we're going to change the header of our summer flyer. I can see that. If we say that this is all that we want to do tonight, say we want to change the header of the flyer to maybe Troutdale, Fairview and Wood Village Recreation Program Summer 2016, I'm good with that, it's the rest of the stuff.

Brian Cooper asked could I get you guys to agree to move forward with the discussion so we can proceed forwarding knowing that we have a common goal?

Councilor Wilson replied tonight the only thing that I'd like to approve or not approve would be whether or not to change the header of the flyer. Then bring the rest of this back at another time.

Councilor Allen stated I don't think it's a mistake that we get more participants from Gresham and Wood Village, they're adjacent cities. I think as you move a recreation program further away from the population that it's serving then you get less participation. I don't see a Fairview program as competing but it would help add more choices to the region and provide something that's locally available for people in the area. I would love to see your program open to Troutdale residents and keep Troutdale's program open to all as it is.

Councilor Anderson asked what do you want to do? We've been talking about this for awhile. I don't think we're going to solve anything tonight.

Mayor Daoust stated what I want to do is have a motion the way it's written here with the understanding that all we're doing is the near term stuff, renaming the recreation guide, and having online registration. We get the Parks Committee involved with what we do from then on. I understand there are some reservations about the longer term stuff. Let's see if the Council wants to do the near term stuff.

Councilor Anderson stated it's misleading to change the name and not change the program.

Councilor White stated it's also an endorsement of a program that hasn't been developed yet.

Councilor Ripma stated it really isn't the Troutdale, Fairview, and Wood Village program. Why don't we just start by referring it to the Parks Committee and get their input on it? It'll give us a chance to hear public input on it from a group that cares a lot about our rec program. Then take a serious look at this and not rush into even changing the name. It's familiar and loved by people in Troutdale.

Councilor White stated we could very well change the name back the following year if this doesn't go anywhere.

Councilor Morgan stated since we're really just talking about the USPS and postage in Fairview and Wood Village, couldn't we have a flyer that says Troutdale Rec Program proudly serving East County?

Councilor Wilson and Councilor Ripma stated that sounds great.

Councilor Morgan stated then we'll let these Cities pay for it and they can work with the City Manager and Mollie on it.

MOTION: Councilor Morgan moved that we allow the 3 City Managers to work on the flyer that says Troutdale Recreation Program Proudly Serving Fairview and Wood Village. Seconded by Councilor Anderson. Motion passed unanimously.

VOTE: Councilor White – No; Councilor Allen – No; Councilor Wilson – Yes; Councilor Ripma – Yes; Councilor Anderson – Yes; Councilor Morgan – Yes; Mayor Daoust – Yes.

Motion Passed 5 – 2.

Councilor White asked Brian, does your City reimburse your participants for the difference in registration fees?

Brian Cooper replied yes. We've been doing it for awhile but for the most part Fairview residents don't know what's going on. You guys have always had your program available it's just that nobody knows about it.

Councilor Ripma asked can I recommend that we give this idea to the Parks Committee for their consideration?

Mayor Daoust replied yes.

7. RESOLUTION: A resolution declaring a vacancy on the City Council and designating a procedure to appoint a person to fill the vacancy.

Ed Trompke, City Attorney, stated there have been revisions to the packet materials which I am passing out (a copy of the handout can be found in the meeting packet). The two changes from the version that's in the packet are that Council will conduct interviews on February 23rd which we aren't going to do and there is a blank line on this which is up for discussion. The other change is in Section 4, the last 3 words were to select a successor on February 23rd and it's been changed to March 8, 2016.

Councilor Ripma stated Section 2 says we accept applications commencing at 8:00am on Wednesday, February 10th and ending at 4:30pm ending on February 23rd. That's over with. We wouldn't have even had a chance to advertise it for the public to apply.

Ed Trompke replied an announcement was put on the City's website and it was discussed at the meeting 2 weeks ago.

Councilor Ripma stated not with any kind of Council authorization. We didn't even have a procedure. The normal procedure is to wait until someone resigns and then advertise to replace them and have people apply. We did not adopt a resolution authorizing us to take applications of any kind during any particular period. It wasn't even discussed.

Councilor Wilson replied it was discussed. We agreed here that we would start it on the 10th.

Councilor Ripma stated ok well it ended at 4:30pm today so nobody else could apply.

Mayor Daoust replied we got 5 applicants and they all knew what the rules were.

Councilor Ripma stated I object. The Council has to set out authorization to accept applications and make notice. I don't think the website is good enough.

Mayor Daoust stated we did and we got 5 applications. My proposal will be to have interviews next Tuesday, March 1st and then an appointment vote on March 8th.

Councilor Ripma stated a point of order to our City Attorney. Do we not have to authorize taking applications by a vote of the Council after we adopt a resolution to select from among the applicants, we're actually saying we will accept no more applicants starting at 4:30pm

today. How is that possibly proper? People who were following things closely would have recognized that we never officially had a process for selecting the applicants. Now we are closing out the rest of the public and limiting it to only 5 who have apparently applied. That can't be proper.

Councilor Allen asked is your objection that we had a procedure before we've adopted a procedure?

Councilor Ripma stated we already have our old procedure. I raised an objection to this procedure 2 weeks ago and as I recall, we didn't vote on it. I don't even recall that we opened it up for applications. I'm perfectly willing to accept and consider the applications already made but we can't close it out before we even adopt the procedure. That gives no one else a chance to apply. That can't be right.

Ed Trompke replied there is no fixed procedure for doing this and there's no statute, ordinance, or Charter provision other than for elections.

Councilor Ripma asked do you mean that people who have already applied by guessing that we weren't going to open it up to anymore are the only ones allowed to be considered?

Ed Trompke replied all I can say is that I heard the Mayor with a general consensus at the meeting 2 weeks ago say that he was opening up the process for applications and that it would close today at 4:30pm.

Councilor Ripma asked does anyone else remember that?

Councilor Allen replied I remember the opening but I don't remember the closing.

Councilor Wilson stated I remember the closing too.

Councilor Ripma asked does it make sense that we closed it before we even adopted the procedure? It can't be fair that nobody else is allowed to apply. You can't all agree to that.

Mayor Daoust replied it was made clear 2 weeks ago that applications would be accepted according to what is written right here. I made that very clear and it was on the public record and it was put on the website saying the same identical thing.

Ed Trompke stated it was discussed that there would be a process discussed tonight for selecting the person.

Mayor Daoust stated that's what we're talking about tonight. How to go through the selection process.

Councilor Ripma asked from among people that have already applied and nobody else is allowed?

Mayor Daoust replied yes because that was the open application period that we announced.

Councilor Ripma stated I object, I don't agree.

Councilor Allen stated it was late at night, we had people that were going to apply, we allowed it to go forward that they apply, and it was my understanding that we were going to talk about it at the next meeting and come clear on the procedure. I don't remember agreeing on closing it.

Councilor White replied we didn't.

Mayor Daoust stated I made it very clear that it was closing at 4:30pm on Tuesday, February 23rd.

Councilor Ripma asked and we all agreed to that? I would never have agreed to that.

Mayor Daoust replied nobody disagreed with it.

Ed Trompke stated you may have been speaking at the time. I don't mean that facetiously.

Councilor Ripma asked does it seem fair to this Council that no one else is allowed to apply after we adopt a procedure?

Councilor Allen stated I think we're going to get a lot of people that are going to say they never knew.

Councilor Morgan stated the thing about it is that this happens every week. It's like chronic amnesia. Since there's no current procedure put in place, does the Mayor have the authority to authorize when it can open and close?

Councilor White replied this appears to be very biased for one Councilor. We've never done this in Troutdale. I asked who asked for this resolution and I never got a clear answer.

Councilor Ripma stated it's not a procedure that we've ever followed.

Mayor Daoust stated we don't need a resolution.

Councilor White replied right because we have a past practice that all of our surrounding Cities follow as well, that the remainder of the Council picks. Councilor Anderson hasn't left yet.

Ed Trompke stated there's a statute that addresses this. It says that the person would be selected prior to the time the outgoing Councilor leaves and the person takes their oath at the next meeting or at the first meeting after the resignation is effective.

Councilor Ripma asked isn't it true in Brookings that the outgoing Councilor did not participate in the interviews and selection and that there's no requirement that the outgoing Councilor participate.

Ed Trompke replied there's no requirement either way.

Councilor Ripma asked couldn't we open up to further applicants until such time we decide to discuss the applicants?

Councilor Allen stated if members of the Council didn't know that it was going to close, how do we expect the public to know?

Mayor Daoust replied we knew when it was closing. I made it clear 2 weeks ago that it closed at 4:30pm, in fact I changed it from 5:00pm to 4:30pm so Sarah would have time to make copies.

Councilor White stated I had to call Sarah today to find out if we were supposed to be here at 5:30pm for interviews because that's what it said in our packet. It was rushed through and this was biased.

Councilor Wilson asked can we eliminate this and take a vote on whether or not we want Councilor Anderson to participate or not?

Mayor Daoust stated I don't care if we open it up for additional people to apply to maybe the end of the week or something like that. What I'm proposing is that we go through the applications next Tuesday night on March 1st and make a decision on March 8th. The 5 people that applied fully understood what the process was. If we have a resolution, all we'll do is fill in the blank with March 1st. That's the only thing we need to change unless we want to extend the application deadline to Friday, February 26th. Does the Council want to extend the applications to the 26th?

Councilor Ripma and Councilor Wilson responded yes.

Councilor Allen stated that doesn't help us any. My concern is that you want people to know that it's open. There aren't a lot of people that are watching our website for any changes.

Councilor Morgan stated it was on social media, wasn't it Sarah?

Sarah Skroch replied yes.

Councilor Ripma stated normally we advertise it.

Councilor Allen asked have we done an announcement in the newspaper?

Sarah Skroch replied no.

Councilor White asked Councilor Anderson, are you going to participate in voting in your replacement?

Councilor Anderson replied sure if I'm still here.

Councilor White stated I would appeal to that you not do that.

Councilor Anderson asked why?

Councilor Ripma stated because the rest of us will pick someone that we can all work with.

Sam Barnett, Troutdale Resident, stated I'm embarrassed. Mayor, you're prejudiced against fellow Councilor's tonight. The way you shut down common sense discussion is shameful. Ed, I'm the last guy that Councilor Ripma needs to defend him. You seem to get a great deal of humor and satisfaction in telling them that he might have been speaking while you were listening to the Mayor discuss the closing.

Ed Trompke replied I recall having people talking, I think 2 people were, at that time. I would not just say that flippantly and I certainly have more respect than that to say something....

Sam Barnett interjected in that case I apologize because that's how it came off.

Councilor Allen stated I'd agree, I think there was talking going on at the time. The Mayor said something and not everybody caught it.

Sam Barnett stated I remember when you didn't need to be a politician to run this town. Now it's turned into politics and politicians. It upsets me big time. When I was talking a couple of weeks ago I was asked to keep it positive, all I said was that we're all neighbors. I think that's a positive thing that we're all neighbors. I believe that last week's meeting set a precedent with the off schedule meeting about something I promised not to bring up again. I say that because I believe that this vote tonight will set another precedent, determining whether or not to allow a resigning "lame duck" Council person to sit in on the interview process and subsequent voting to determine who fills his or her seat. I imagine what's decided tonight will go on in the future if this should come up again. I think it's going to be coming up quite a bit the way that this Council is. I think you'll have people resigning all over the place. If the tables were turned, Mayor or any of the 4 of you, and you were typically on the short end of every major 4-3 vote then you'd be suggesting and promoting the same as Councilor's Ripma, White and Allen are tonight. I would challenge you to tell me who else does this. The State Legislature, no. The Parliament, no. Even most prominent boards of directors state simply that a hold over board member may not vote. Why would we do this here in Troutdale? That answer is painfully obvious or this notion would not be entertained here tonight and I'd have been in bed hours ago. I encourage that the 6 of you minus Councilor Anderson find a means to select a new fair minded Council with no strings attached, period, and further perhaps it should be considered and maybe discussed that someone who ran in the last election should not be considered as voters clearly voiced against said candidates at the last election. Unless this goes to an election and then of course they may be included. But why would you consider somebody that the City clearly voted down during the last election? Councilor Anderson, I want to thank you for over 5 years of service on the City Council and everything that you've done with the Chamber. I know it's not an easy gig. I admire and appreciate your effort in keeping Troutdale a City to keep as our own which seems to be slipping away. I strongly believe that eliminating

Councilor Anderson from involvement in this process seems most fair. These guys can figure it out without you. It's not going to be a slug out match and I think it might be really good for them to figure it out on their own. Thank you for listening to me. I'm sorry it got a little emotional but you know I love this town as much as you do.

Rob Canfield, Troutdale Resident, stated I may be wrong but I don't think so. The provision for replacing a vacant City Council seat is laid out in the Charter which merely says the majority of the City Council appoints replacement. That's what it says. There's nothing in the Charter or the City ordinances about past practice or special circumstances. It's very clear that a majority of the City Council appoints a replacement City Councilor. Councilor Anderson is a member of the City Council therefore he is allowed and as a matter of fact required to vote for a replacement. Every one of you took an oath of office to abide by these rules. We're not talking about a corporation. You didn't agree to be on a board of a corporation or in another City to abide by their rules but these rules. You can argue all you want and try to have Councilor Anderson do a favor to you guys and withhold a vote, but he can't, he is required to vote yes or no on this. He has to do it as long as he sits there. You can blame it on electioneering or whatever. I hear every week that it's unfair that the minority gets the short end of the stick. We're a democracy and the majority always rules. Do you guys ever call each other and find out what you think about things? Do you ever talk to each other? Do you guys in the minority ever talk to each other about the majority and try to convince them of your side of things? Or do you come to the City Council meetings and get the same results because you haven't discussed your position with anybody else? The bottom line is you have to go by the Charter. Those are the rules. Not made up rules or at the last minute rules. Those are the rules and you have to abide by them.

Councilor Ripma stated the Charter provision states the majority of the Council picks to fill a vacancy. That presupposes that there's already been a vacancy. What's odd about this procedure and what's ridiculous about it is we're picking the replacement with both the ones who will be here to work with the new person and the departing Councilor. That's not happened before. It's perfectly proper for the remaining people to vote. We'd just wait until after Councilor Anderson's gone after March 31st to pick someone and that would be best because we're more likely to settle on somebody we can all get along with. I agree that majority rules. If you want to force it through, there's nothing we can do.

Councilor Morgan asked do we need a motion or can we just extend it to Friday or Monday? Then have interviews on the 1st or the 8th.

Ed Trompke replied the Council can procedurally rule by motion. You should have a motion or a consensus to do things or you can do it by resolution.

Councilor Morgan stated if Councilor Anderson wants to show up great and if he doesn't want to then he doesn't have to. I agree with extending it a couple more days until Friday. That would be my recommendation.

Councilor Ripma stated could I recommend 1 change that the meeting on the 1st which is the Tuesday that we'd be doing the interviews, that we have that at 6:30-7:00pm and not 5:30pm.

Councilor Morgan replied that's fine. If you want to work with Councilor Anderson and talk about why you think it's a good idea or not for him to participate then that's fine. I don't think making a clause or a motion for this one time is reasonable. If Councilor Anderson wants to partake then our Charter is very clear that he can and if he doesn't want to then he doesn't have to. Is that amicable and would you second that?

Councilor Ripma stated I do agree and I'll second it.

Councilor White stated we do bring up past practice quite often on Council. We were told that once we decided on a subject then we're not allowed to bring it up again. When the discussion about the Mayor writing in the Champion we relied on past practice as our example. In the history of Troutdale, the past practice has been that the remaining Councilors make the selection for the new person coming in. There's probably good reasons for that. It's not always a good thing. Sometimes a Councilor is asked to step down. Do you really want this new resolution so that person would be involved in the decision of picking their replacement? Fortunately that's not the case here tonight. That's why I was trying to appeal to Councilor Anderson to stand clear of this one and let's get some balance in this room. We also look at what our surrounding cities do. The model ordinance at the LOC says the remainder of the Council. That's what Wood Village does, City of Gresham, City of Fairview, Happy Valley, Lake Oswego, and I could go on. Nobody does it like this.

Councilor Allen stated all I'm really looking for here tonight is that people in the public know that the position is available, know that they have to get their application in, and when it's closing. I wonder if we can fill in some dates here. Are we able to put it in the paper that we're accepting applications?

Sarah Skroch replied the deadline for Friday's Outlook was today at noon.

Councilor Wilson stated you can contact Katy and see if she can put something online or if it's a budgeted item they can actually make an online ad.

Councilor Allen stated not everybody is online. I was hoping to get something in print.

Councilor Morgan replied it was in print. The Outlook ran a story about it.

Councilor Allen asked did it include the deadline? I know people know there's a vacancy but not about the process for taking applications. I'm suggesting we push this out to get a good process. I don't want to be accused of a bad process.

Councilor Morgan stated I think Friday is reasonable. You have to remember that there are 5 people that were able to navigate themselves through the channel that was available.

Councilor Allen stated out of a City of 16,000 there were 5 people, yes. There were Councilors that didn't even know about it. Let's put something in print. It's probably going to be online too. But let the public know when the closing date is, let's do the interview after

the closing date, Councilor Anderson isn't gone until April 1st. We can fit a good clean process in during that time.

Councilor Ripma replied there's no reason that we have to do the interviews on March 1st. Couldn't we do them on the 8th?

Councilor Wilson stated that's a problem because it's a City Council meeting date. You wanted it to be 6:30-7:00pm.

Councilor Ripma replied I would rather that we moved it to the 9th or another day when we could appoint at the next Council meeting and it would still be in time to have the appointment take effect on April 1st. That would allow an open process. How does everyone feel about doing interviews on Wednesday the 9th?

Councilor White stated I'd feel much better about that process.

Councilor Wilson stated Sarah, tomorrow why don't you call up the Outlook and see if you can take out a small display ad because that would have a later closing time.

Mayor Daoust asked does the Council want to close the applications on the 8th and have interviews on the 9th?

Councilor Ripma asked could we do the 15th? That is a non-meeting night although there is something we'll be discussing. I'd be willing to come in at 6:00pm.

Ed Trompke stated we were talking about the 15th for a Special Meeting on the rural fire district issue and that would have to be a single subject matter.

Councilor Morgan asked how about closing on the 4th and interviews on the 7th?

Councilor White replied I'm not available on the 7th. I'd be willing to meet early on the 8th if you can do it, Councilor Ripma.

Councilor Allen asked for the closing date, will you be able to get it in the paper by this Friday?

Sarah Skroch replied I will contact them to see if that is possible.

Councilor Allen asked what if we close it the following Friday on March 4th? That would give them 1 week to apply.

The Council concurred.

Councilor Allen asked then when are we going to conduct interviews?

Mayor Daoust replied we could do interviews on the 14th so that Councilor Morgan and Craig can be here.

The Council agreed to hold interviews on Monday, March 14th at 6:00pm.

Mayor Daoust stated we can make the decision on March 22nd.

Councilor Allen asked can you check me on this? Section 2 will become March 4th, Section 3 becomes 6:00pm on March 14th, and then Section 4 will become March 22nd, is that correct?

Mayor Daoust replied yes.

MOTION: Councilor Morgan moved to move back the date for marketing to end on March 4th at 4:30pm, to have interviews conducted on March 14th at 6:00pm, and approval at the Council's second meeting on March 22nd.
Seconded by Councilor Ripma.

VOTE: Councilor White – Yes; Councilor Allen – Yes; Councilor Wilson – Yes;
Councilor Ripma – Yes; Councilor Anderson – Yes; Councilor Morgan – Yes;
Mayor Daoust – Yes.

Motion Passed 7 – 0.

9. RESOLUTION: A resolution adjusting the Storm Sewer Utility Fee and rescinding Resolution No. 2287.

Steve Gaschler, Public Works Director, stated tonight I have a resolution for the stormwater rate cap discussion. The resolution has a stormwater cap removal and a 4% increase on the rate and would not take effect until July 1st. The reason that we're bringing it forward at this unusual time is that there's some budget implications regarding a decision on the rate cap. That's why it's here this early and separated from the other utilities. As you know there is currently a transfer from the General Fund to cover the shortfall in the stormwater fund. We're in the process of preparing budgets and we need some direction. In your packets I've given you a fair amount of information. There's a list of the capped accounts, the uncapped accounts, the study done by FCS showing the need for the rate increase, and the resolution. We've talked about the accounts that would get credits. We've had staff do a review and we've come up with a list of 26 accounts (a copy of the list can be found in the meeting packet), it's not all inclusive but our first blush through, that would receive a credit and how much of a credit as it's currently established in the resolution. I'm pretty sure that there are additional accounts out there that will be due a credit when we get farther into this. Some will probably have to bring it to our attention. I've told you that we would take care of this item for them. Whatever the decision with the cap is, we'll send a letter out showing what the rate is without the credit, show them what the credit is, and give them the opportunity to weigh in on that credit. I had a meeting with the Port regarding their storm cap. In fact 2 people from the Port are here tonight, Stephen Nagy and Emerald Bogue, and would like to address the Council regarding this. Also here tonight is the Multnomah County Drainage District and Sandy Drainage Improvement Company. They aren't going to present but are here to answer questions from the Council. The Port would be on our list and we've looked

at their drainage and they would get a full 70% credit, their water goes into the existing ditches out there. There are definitely some other properties out there that would also qualify but we don't have them tabulated at this time. The 4% increase to the rate comes to about \$.18 per month for the residents for a total of a little over \$2 per year. The big issue is the cap removal.

Councilor Anderson asked have we always had stormwater retention in Troutdale?

Steve Gaschler replied yes, in one form or another. The current ordinance, I believe, was adopted 1996.

Councilor Anderson stated so we didn't vote on it. Stormwater retention is new, it's not something that occurred in 1978. How did stormwater come along?

Steve Gaschler replied it happened through development. You have ground that hasn't been developed and the natural rain cycle is that it falls on the ground and it goes into the stream naturally. What happens when you start hardening that off due to development with streets, roofs, and driveways? That water doesn't soak into the ground, it goes somewhere and that's our stormwater system. Originally it was just designed to do flow. They didn't worry about water quality. They just took the water and dumped it into the creek. We found out that we were polluting the creeks because it picks up all the garbage on the ground and oils, metals, and everything else and takes it right into the streams because that's where it discharges. We have to have a permit to discharge into those creeks and streams. Part of our permit parameter is water quality and that's what those swales are, they're a water quality issue and not retaining the quantity which goes right through those.

Councilor Anderson asked is that from State, County, or the City?

Steve Gaschler replied it's the Federal Clean Water Act and it goes down through the States. That is State water and we have to have a permit from the State to discharge.

Councilor Anderson asked how far are we behind, in dollars, with deferred maintenance in our stormwater system?

Steve Gaschler replied we have a couple of projects. One of them is for over \$100,000 for an outfall in Beaver Creek that needs repair work and was taken out of last year's budget. That's the big item that comes to mind. If you look at the CIP which will be coming to you in a couple of weeks, there are some storm projects on there but I don't know if I'd call it deferred maintenance. The storm system doesn't really have huge deferred maintenance projects but there are line replacements that are going to come along and there are some upsizing issues but that's mostly taken care of through SDC's.

Councilor Anderson stated hypothetically, let's say we don't pass this and we continue to fund it out of the General Fund, will we not be doing projects because of this?

Steve Gaschler replied yes. For example the Evans Outfall project, unless you wanted to add another \$100,000 and transfer a total of \$300,000 out of the General Fund.

Councilor Anderson stated I would think if it's important then we should find a way to do it if we don't pass this. Don't you think?

Steve Gaschler replied we know it's going to fail.

Councilor Anderson stated then we need to do it.

Steve Gaschler replied we would if we had the money. Last year we didn't have the money, it was taken out of the budget because of a shortfall. This is one reason that we're here to try and rectify it this year.

Councilor Anderson stated regardless of there this goes tonight, I hope that if it doesn't pass for whatever reason, that we get this done and we don't hold things hostage because we don't know if the Budget Committee is going to approve it. Its infrastructure and it has to happen. I see what you're trying to do with the rate cap and we've gone back and forth on that, but I'm looking at theory and big picture here. I don't want to see the maintenance deferred in the event that this doesn't pass.

Councilor Ripma asked is the 70% discount the current rule?

Steve Gaschler replied yes that was in the original ordinance back in 1996. We've never done it because at \$25 nobody bothered and at \$50 it wasn't even raised as an issue. I'm sure it will if we remove the cap. There will be some big numbers in there. The Port for example based on their impervious area, which doesn't include the runways and taxiways, I think they had 1,500,000 square feet of impervious area and their rate without the cap would have been \$2,300 per month. With the 70% credit that would be \$750 per month.

Councilor Ripma stated the proposal is to remove the cap. We don't have the minutes yet but when we had the Work Session on January 19th the last thing we directed staff to bring back was 3 different resolutions: 1) leaving the rate cap the way it is with a simple rate increase; 2) a 3 year phase in of removing the rate cap; and 3) was total removal. What you brought today is just a total removal of the rate cap, is that right?

Steve Gaschler replied yes that's correct.

Councilor Morgan asked is your suggestion a phase in as opposed to the complete removal?

Councilor Ripma replied I was hoping we'd have a proposal that would ramp up the cap to remove it completely on the 3rd year. I'm disappointed.

Councilor White stated please don't take offense to this but I too remember the phasing in. When Councilor Anderson suggested that on the Fuel Tax that's how we got a unanimous vote. My preference would be to see something along those lines. How do we explain this to businesses when the City is probably the worst offender of runoff? What's the plan to fix that problem?

Steve Gaschler replied I guess I don't understand your question.

Councilor White stated we run our storm off the roads directly into Beaver Creek and the Sandy River. It doesn't go through any bioswale or anything but we'll turn around and hit these businesses up after they've done a bioswale. They've done everything we've asked them to do.

Steve Gaschler replied you have to remember that those systems were put in 50-60 years ago before any of this was in place. If you want to spend the money, we can fix that. But you're talking about spending tens of millions of dollars to fix that. If that's the road you want to go down then we can bring back a program to do that. But these rates will have to go way up to do that.

Councilor White asked this new money isn't going to help with that?

Steve Gaschler replied no this is just to run the program based on the information of the cost to get us through the next 20 years without doing any major capital projects. Part of the problem is that we haven't fully accounted for it to date. That's what we're changing.

Mayor Daoust asked isn't the City exempt?

Ed Trompke, City Attorney, replied you're exempt from the fees but not from the NPDES rules. Most of the runoff from roads, unless it's channeled into ditches, is nonpoint source so it would be exempt and probably grandfathered in.

Councilor Wilson stated I'm looking at the FCS presentation, page 17, the phased in reinvestment here for 2016 shows a home being charged for how many ERU's?

Steve Gaschler replied an ERU is Equivalent Resident Unit, so it would be 1.

Councilor Wilson asked between 2016 and 2024 it's going to almost double?

Steve Gaschler replied that's the rate scenarios that they laid out on this phased in reinvestment.

Councilor Wilson asked could it be higher?

Steve Gaschler replied in the notebooks we handed out at the November 17, 2015 Work Session, we showed those rates going up considerably. Having rates go up and removing the cap at the same time would be problematic. I'd like to see us get this rate cap issue resolved and then deal with moving the rates up.

Councilor Wilson asked with the adjustments that you're showing us in the document you provided us on rate adjustments, with the credits, is it still going to be equivalent to a \$202,000 transfer to the General Fund or will it be less or more?

Steve Gaschler replied we didn't factor in the credit when we did those numbers. It will impact that. Really all that will do is shift the rate pressure over to the ERU.

Councilor Wilson asked is removing the rate cap and doing this going to be greater than the \$202,000 or will it be less?

Steve Gaschler replied it'll probably be a little bit less. We haven't done that analysis. It's going to impact it. There are 27 accounts now and there's probably more out there. Until we go through the process, we won't know.

Mayor Daoust asked can the Port of Portland come forward?

Emerald Bogue, Port of Portland Regional Affairs Manager, stated we support and understand the need for a more equitable approach to stormwater fees. That's something that we deal with ourselves and we definitely understand. We were able to meet with Steve last week and it was a very good meeting. We had a detailed conversation about what this could possibly mean for the Port. We're still a little unclear on what exactly it means.

Stephen Nagy, Port of Portland Senior Manager of General Aviation, stated we support the City's efforts to have a more equitable approach to stormwater fees. That being said, there are a few considerations on our part. First much, if not all, of our stormwater from our airports discharges to conveyances to the Sandy Drainage Improvement Company (SDIC). As such, the Port is already paying our stormwater fees to SDIC for that. The Port appreciates the new rate structure and the credit that it allows but we also feel that any impervious surface that doesn't drain into the City's system should be eligible for the complete credit from the City for all stormwater fees. Secondly, I think the Port understands that operating the stormwater conveyance system is costly and requires rate payers to assist in that shared expense. We understand that because we also operate a stormwater conveyance system. That is a benefit of the City and other municipalities in this area. Stormwater from Troutdale and all the other surrounding municipalities ends up rolling downhill and crossing our property and goes down into Arata Creek with the cooperation with SDIC. We had operating and capital expenses associated with those and going forward what we'd really like to engage in is a cooperative dialog with the City and SDIC on these shared operating and capital expenses. Whatever is developed up stream ends up coming through our property at some point in the future. If it becomes an overcapacity issue it's on us to develop infrastructure that meets that capacity because it all rolls downhill. Finally, to the point that you were all just talking about, we've asked for some consideration on the implementation of these fees if they are imposed. Our operating budget for the coming fiscal year is already in process and these fees are not accounted for. Doing some quick mathematics, currently with the cap rate going up as Steve mention at 1.5 million square feet, and going up from \$50 to \$2,350, that's a 4,700% increase in rates on a monthly basis. Even the 70% discounted rate is still a 1,500% increase. You yourselves having to pay utility costs can understand that, looking at that percentage and your budget. As we talked about in the Troutdale Master Plan, the Airport continues to run in the red. We'd look at some consideration for an implementation schedule to help us budget these as they go forward. Other than that, I think we're agreeable that rate payers, ourselves being one of them, need to contribute to the overall cost and operation of the stormwater system.

Mayor Daoust asked would a 3 year implementation schedule be amenable to the Port?

Stephen Nagy replied any kind of cooperation like that would be agreeable on our part.

Councilor Allen stated you've got a lot of property under development right now that you hope to sell. I'm interested in what you think the impact might be to potential customers?

Stephen Nagy replied that's a good question. We had that discussion with our real estate development group. Honestly as long as the fees and the rate structure are equitable and it is comparable to what other development fees are then I don't think most developers that would be interested in purchasing property are going to be swayed or put off by those. That's certainly what our real estate development folks have said. As long as they are within the fee rate structure that there are in other municipalities in the surrounding area.

Councilor Allen stated when I'm buying property I look at the total package, all the fees. Are you still competitive?

Stephen Nagy replied as long as they're known up front. If you have an existing business then you're talking about reallocating or looking for those changes in fees. If you're talking about someone coming in to develop one of the properties at TRIP, they're going to be expecting to pay stormwater, sewer, and all the other types of fees associated with handling that. As long as it's equitable and up front then I don't think there'll be a problem with them.

Councilor Wilson asked have you already set your FY 2016/17 budget?

Stephen Nagy replied it hasn't been approved by the Commission but they've gone through the budgeting process and have already gotten input from all of the departments. It's already about half way through the development process and will be going to our Commission in a few months. When you roll that up into the overall expenses associated with utilities, a 1,500% increase when all other utilities are added blows past anything that you had originally anticipated as being an increase in one year. Multiple year phasing would be beneficial and help spread that out.

Councilor Wilson asked you would entertain no increases for this coming fiscal year but in FY 17/18?

Emerald Bogue replied no we're not asking that. We could live with this.

Stephen Nagy stated we would make a budget adjustment somewhere in the coming fiscal year. We'd have to transfer money from somewhere else, some other program. That doesn't mean that we can't do it. If the increase, even starting this coming fiscal year, were more phased that would make it easier for us to absorb.

Mayor Daoust asked does anyone else have any comments that they wish to make on this agenda item?

Matthew Wand, Troutdale resident, stated most of you know that the main goal and most important focus of all of my efforts in public service over the last decade have been centered around creating jobs in Troutdale. That is partly a heartfelt concern because I think families are better when they live and work in the same general vicinity. It's also economics. The fact is that the businesses that pay property taxes in Troutdale substantially overpay into the General Fund for the services that they use. You look at the FedEx facility, they're paying around \$400,000 a year in property taxes. Part of the reason for that is that they are centrally assessed. Central assessment is that the equipment that is inside their plant gets taxed as if it's real estate. None of us in our houses get taxed on our washer and dryer. The equivalent in a business gets taxed. FedEx has its own security department. They have sprinkler systems. They use less fire and police service and as an added benefit they hire people in our community. The wages that they pay to their employees pays for houses in our community that pays into our General Fund. The flip side of that is the residences underpay. I live here and that's the reality. If you look at all the economic studies you'll see that the residences consume more in services than they actually pay for in their property taxes. What I'm driving at is that I'm feeling a little bit like Charlie Brown trying to kick the football. This issue of the rate caps on stormwater has been before this Council time and time again. Up until now, every time it gets voted down. This is really a fight between the General Fund and the Utility Fund that's masquerading as something else. I think Councilor White has probably the best point that I've heard all night and that is, what does the City pay for the runoff from the streets? The answer should be funds from the General Fund because all of us use and own the streets. All of us drive on them. My concern with this situation is the effect that it has on the businesses that are already here. If I'm moving into a community then I can put together a pro forma, look at all of these different things, consider all the utilities, and I can factor all of that into the price of goods or whether I go to Texas. But if I'm a business owner that is already here then I'm going to get hit by the lifting of this cap with a dramatic increase and I haven't had an opportunity to plan for it. I think Mr. Gaschler missed one point in the answer to the question from Councilor Anderson. Years ago the Cities all required developments to dig dry wells and that's where your runoff went. We didn't have a stormwater system. Those were outlawed and we're not allowed to do them anymore. Although ironically, Portland is going back to them, I don't understand that. The businesses by the virtue of the fact that they need a place for their customers to park are invariably going to have more square footage per stormwater runoff and a higher impervious surface. We don't get reductions if we have a holding tank of our own, or if we keep a bunch of it in bioswales or a drywell on site. There is no program. Now we're faced with the lifting of a cap that's been in place for 20 years and it's going to happen all at once and they're going to budget for it and at the end of the day the real objective is going to be achieved, which is keep the General Fund for other things. If the General Fund doesn't exist to pay for the assets of our City which include the stormwater system, the sewer, the water, the streets, fire, police, parks, then what is the General Fund really there for? Shouldn't the General Fund pay some portion of all of those things in recognition of the fact that everybody in our town shares in the value of the assets? I'm asking you to please reject lifting the cap, ask for a different solution, and go back to the drawing board but please insist that the General Fund has to pay some share of the load instead of just sticking it to the business owners that I've spent more than a decade trying to get here.

Councilor Allen stated one of the things that goes through my mind is it wasn't that long ago that we were concerned about vacancies in our businesses and we had an incentive program to try to fill our stores. What I'm seeing is that they are healthier but not comfortably healthy. My concern is that if we put a large fee on them, especially all at once, and we also have the minimum wage going up at the same time, I don't want a reversal of all of that work to try and fill them. Do you have any thoughts on that?

Matthew Wand replied Councilor White and I worked on that together when I was on Council. It was a good program. I can tell you that many of the businesses pay what is called triple net leases. If there's an increase in stormwater or water rates or anything really it just gets passed on to the small business owner. At the beginning of the year we spend about 3 weeks and we tally up all the expenses from the prior year on a property, we look at how much our tenants have paid and we balance it out. If they paid too little then we bill them and if they paid too much then we send them a check. Then in January we set the triple net rate for the following year with our best guess. Certainly stormwater utility rates is one of the items that goes into the calculation of what the operating expenses are and they are charged directly to the tenant. Not all lease are triple net but many of them are. The smallest businesses frequently pay a triple net. I see businesses that are struggling and I see businesses that are doing ok. I'm not one of the people that believes that this recovery has been very good and I don't think the economy is very good. But I'm not an economist, I just read the newspaper and do the best that I can.

Tanney Staffenson, Troutdale resident, stated I serve on the Budget Committee and I also serve on the Board of the Sandy Drainage Improvement Company. We've talked about this a number of times. Reading through the resolution, one of the things that we talked about is restoring rate equity between residential and non-residential customers. What does that mean?

Councilor Morgan replied I think there is a perceived imbalance or subsidy.

Tanney Staffenson stated I've heard that a lot. I'm asking what that means because I'm not sure. The current fee structure has been in place for 20 years. We're talking about ending the subsidy. This subsidy has gone on for quite awhile. Looking at a few things, our costs are going up. Our costs will continue to go up.

Tanney Staffenson provided the Council with a handout on the Storm Sewer, Sewer, and Water funds and a map of the SDIC maintenance areas. A copy of the handouts can be found in the meeting packet.

Councilor Wilson asked for clarification, when you say our costs, are you meaning your personal cost?

Tanney Staffenson replied the City's costs. The costs to operate the system is going to continue to go up. What I did was take some numbers which adding it together...in 5 years our costs for the 3 funds is \$431,000. That is basically \$27 for every man, woman, and child. The last 2 years our costs have gone up \$1,060,000, which is basically \$66 for every man,

woman, and child. We were doing better before we broke it out than after we broke it out because in the last 2 years our costs have gone up globally for the 3 funds. The handout and numbers don't include the Street fund or capital projects. That's something that we have to address, the increase in costs. When we look at the cap and we look at that piece of it, we have businesses that are paying another agency to manage their stormwater, not all of them but a number of them and some of the larger ones. Mr. Gaschler spoke about a credit. In the resolution it said there could be a 70% credit if you applied for it. The concern that I had with that initially was if you apply for the credit, in talking with a couple businesses they were like I would apply for it but it could cost me \$20,000 to apply for the credit. I got that from 2 different businesses. I don't know if that number is accurate but I do think that if this is something that we are going to take the lead on then that's an issue where the City is really taking a step. On the handout (map), the blue areas are basically the drainage system that the SDIC handles. The reason that I bring that up is you have businesses paying the drainage district to manage that water and some of the businesses feel strongly that the drainage district is handling all of that water. I know Councilor Ripma, you've said before that the people in the drainage district are getting a great deal and I don't know if they are or not. But they're paying to have the water taken care of and along with that we dump quite a bit of water into that system ourselves, meaning the City.

Councilor Allen asked are you talking about the runoff down the hill?

Tanney Staffenson replied yes. The runoff down the hill can be as high as 2 million gallons per year.

Councilor Ripma stated I said that they were getting a great deal because it's useable land not swamp.

Tanney Staffenson stated what I'm saying is they are paying. I didn't ask people to come in and testify. Some people did write letters and I'd be willing to pass those around. I know some of the businesses are really concerned. I talked to a number of them including Walsh Trucking, Carl Diebold Lumber, and Toyo Tanso to name a few. I think what really concerned me the most when I went around and talked to businesses was that a couple of them said if I had it to do over again, I wouldn't be here. That was 2 of our largest businesses. That concerned me.

Mayor Daoust stated after all is said and done, what is your proposal? Do you have a proposal that is different from what staff is recommending?

Tanney Staffenson replied I haven't seen the list with the discounts. I think this needs to be relooked at with the discount. First of all how the amount of the discount is going to affect the income stream, we need to look at that. We also need to look at any of the costs that would be incorporated into this.

Mayor Daoust asked is that something that needs to be addressed now or is it something that needs to be addressed later in a separate process?

Tanney Staffenson replied I don't know that it needs to be addressed right now. The resolution calls for the land owner to prove where their runoff used to go, where it goes now, where it's going to go and that type of thing. I think that's an expensive process. I think that's something we can help the landowner with.

Councilor Morgan stated so the other way around, perhaps. The City has to prove that there is runoff on their property.

Tanney Staffenson replied yes. That would be reasonable versus the other way around. I definitely think there's a fund shortage and that needs to be addressed. I just don't see this as being the best way to do it although it can be done. I think legally we can do it. But just because we can, does it mean that we should? Where does it put us with the business community?

Mayor Daoust asked what would you do with the rate cap?

Tanney Staffenson replied I would look at a creative solution.

Councilor Morgan asked do you think the phased in approach in addition to the City confirming the runoff is an amicable solution or a good start?

Tanney Staffenson replied I would look at some other things. I think Mr. Wand had a very good point which was if you are in the drainage district, you pay a fee but if you came in with a development knowing that this is going to be your cost then that's one thing versus getting the cost added to you. We're saying that you've got a benefit for this which may or may not be the case. But when you go to a businesses and say you have to start paying this now the first question they have is, what am I getting that I wasn't getting before? Or why am I now paying this fee?

Mayor Daoust stated what we have in front of us is the 4% base rate increase and the rate cap. Is everybody ok with the 4% base rate increase or is that something we need to talk about?

Councilor Wilson replied I think I'm ok with that.

Councilor Ripma asked Steve, didn't you mention there was some issue with dealing with both the cap and a rate increase at the same time?

Steve Gaschler replied a rate increase of 4% is what we've done for the last 3 years as kind of a cost of living adjustment so we don't keep losing more ground. In my mind it really isn't a significant rate increase. When we are playing around with the cap and starting to talk about a significant rate increase, which is what is coming down the road with not only this utility but the rest of the utilities, we're going to have to do something. That's what I meant by that.

Councilor Ripma asked so you would be ok with keeping the 4% increase and whatever we decide to do about the cap?

Steve Gaschler replied last year we raised everything across the board 4%, we doubled the cap, and sent the letter out. I didn't get any push back from that. In fact that included a lot of the smaller businesses which I thought would be the hardest group to deal with. If you look at the list that would be affected by this, it's not the little businesses, it's the big businesses. Our rates are half of what everyone else's rates are, even if we remove the cap. Fairview is around \$8 per ERU, Gresham is around \$9 per ERU and they don't even offer a credit. We do offer the credit and staff will figure out the credit amount for them, apply it to their rate, and they can let us know if they disagree with what we've done to get ahold of us and we'll negotiate something that is agreeable.

Councilor Ripma stated if we did a 4% increase and doubled the cap again, that would be doable. This could be handled and not beyond the ability of Public Works to handle?

Steve Gaschler replied no it wouldn't. That would put the cap at \$100 and that would probably take 30 to 40 off of our list of 99. One of the problems with coming in with a phase is what are we phasing and what does it look like. Are you phasing out the transfer, are you phasing in the number of accounts, are you phasing in the rate cap increase, I could come up with a dozen different ways to do that.

Mayor Daoust stated I just assumed it was phasing in the rate cap amount.

Steve Gaschler asked what would that look like? Where would you make those cuts? We're 1 year into whatever phasing we do. If we do this then it's been a 2 year phase in from start to finish. If we do part of it this year and part of it next year then this will be a 3 year phase in and if you go out another year then it's 4 years. What do you want that phase to look like?

Councilor Morgan stated I don't want to make the mistake of shooting first and aiming later. I understand that we have punted on this and to Matt's point, is this the best approach to not only being business friendly but not just to spend money because we have money coming in. I agree with Councilor White and Councilor Ripma on the point that whatever we have to do it has to strike a balance between business and taking care of this inequity or perceived inequity. The question I have is, those top rate payers that have the highest utility cost or fees, are you saying that nobody had concerns with the letter about the rate increasing?

Steve Gaschler replied that's what occurred but I'll put this caveat in there. The smaller end guys have a big increase, they went from \$25 to \$50. The bigger businesses, all the letter told them was that the Council is looking at this issue and for this year the rate cap was doubled but we told them that the discussion wasn't over and that we could be looking at removing the rate cap. I didn't get any inquires back about what that looked like or what that meant. I went out and talked to 3 big businesses. I've talked to FedEx, they were not concerned at all. I talked to Travel America, not an issue. I talked to Pilot, not an issue. Those are the managers of those facilities there but they said in the scheme of things it's just peanuts to them.

Councilor Morgan asked could we look at what Portland is doing, at least what Matt was talking about with drywells or other options?

Steve Gaschler replied we have drywells and we can put in drywells. I'm going to have to take issue with that. Some of the accounts on the list, that's why they get the credit, because they discharge to a drywell that they installed. That doesn't work everywhere. You have to test the ground and the ground has to be pervious to take that otherwise they don't work.

Councilor Anderson stated I get that there's a problem and the points that are made are wonderful. I can get behind a 4% increase, I could also consider for any new business that they are charged the uncapped rate so that they know when they come into the door what their rate will be. What I have to take issue with is that I believe that Steve has talked to FedEx, Travel America, but Tanney has talked to others. I think you should send a letter out and tell them what their new rate will be, showing them what their rate is today and what it will be if we remove the cap. We have to solve this together and we will work with you, how do you want to do it? Show them in writing what their uncapped rate will be. I have to think that Diebold Lumber might take issue, according to Tanney, and Toyo Tanso. I don't want people thinking that they want to go somewhere else. I'm not saying we have the magic bullet tonight. I've also heard from people that if 1 drop of water hits our system that we charge them the full load. Is that true?

Steve Gaschler replied we haven't been through that so I don't know where that came from.

Councilor Anderson stated these are things that I'm hearing in the community so I just want to bring them to your attention. If you haven't been through it yet then I'd sure feel better about having some certainty on that end to make sure that isn't happening. I don't want to defer maintenance and I don't think that we are and I don't want to start. I'm not going to be here when this comes back before us. I don't see it getting passed tonight. I'd like a phased in approach and showing people what their new rate is going to be. To go from \$50 to \$4,000, that's sticker shock.

Steve Gaschler asked so I send a letter out saying this is going to be your new rate, not really, just kidding?

Councilor Anderson replied no, proposed new rate if we did it all at once.

Steve Gaschler stated ok so proposed new rate. And we want your feedback?

Councilor Anderson replied yes and you'll get it.

Steve Gaschler stated if I ask for it then they'll say don't do it.

Councilor Anderson replied well we have to do it and that's when you have the discussion with them. You say what's palatable. It's not our decision. Our decision is simple, our decision is whether or not we want to continue funding the stormwater utility out of the General Fund or not. That's what we should be deciding here. If we don't want to do that then how we get there is up to you. If we do want to do it then we keep going as we have been.

Mayor Daoust stated I'd say we lower the list of businesses that we need to check in with, with this letter. What I'm thinking of falls in line with what Councilor Ripma brought up. If we go with the 4% base rate increase and we double the cap to \$100 which would take about 35 businesses off the list, then address the rest of the businesses with a letter like this. I agree with Councilor Ripma, we should do something tonight. Maybe bumping it up to \$100 is reasonable. There seems to be a bit of a discussion that's needed between SDIC, the City, and the Port on this issue of where does the water go. I think that needs to happen next and how the discounts apply. That whole conversation is not gelled good enough for me tonight and I think that can come later. Tonight I'm willing to propose that we go with the 4% and increase the cap to \$100. Not a phased in approach just one step at a time and then enter into these discussions to clarify some of these loose ends that we have. That's what I would propose to get us off center and to get us to do something rather than nothing.

MOTION: Councilor Anderson moved to adopt a 4% increase and raise the cap to \$100. Seconded by Mayor Daoust.

Councilor Allen stated I was shown a letter from one of the business people and they were thinking the letter you sent was just a utility increase and it wasn't a big deal. They didn't realize the numbers that we were talking about and that was more shocking to them. I think if you send a letter out saying what the cost will be then you will get quite a backlash. Maybe you need to have that backlash discussion with them. The first letter didn't alarm them at all because they didn't realize what kind of numbers we were talking about. I wanted to throw an idea out there to think about. I don't know if I agree with it but I figured let's think about it. What if you did a percentage of the difference between what their normal rate would be uncapped and what the capped rate is today, instead of going from 0 to 60 in 1 second. I think the highest listed is \$4,180, what if you did a percentage of that. I'm just trying to alleviate shock.

Steve Gaschler replied I understand. That is part of my dilemma. There are all different ways of phasing and moving up. At Council's direction we could do that. At 4% that'll take a long time to get there.

Councilor Allen stated in business we have multiyear plans, it's not just 1 year. It's easier for a government entity to absorb a tax increase but sometimes you make a commitments towards a direction in your business based on what you think you can afford. If you get hit with an expense that you weren't expecting. The smaller your profit margin is the more you're going to say ouch. You mentioned a few businesses that you've talked to but you have to admit that they tend to have the larger profit margin.

Steve Gaschler replied those are the ones that we're leaving alone, the bigger ones, by the way that we're doing this. We have to come up with a system that's fair, simple, and applies to everyone. I can't go out to each property and figure out how much water we're dealing with for each one of them. That's impractical and an unmanageable system.

Councilor Allen stated you have a problem here that says what they're supposed to be paying. So you obviously know.

Steve Gaschler replied yes. That's just mathematical on the rate cap.

Mayor Daoust stated the motion on the table doesn't preclude that conversation of how to deal with the people that are the most impacted. We can still have that conversation and approve the motion on the table.

VOTE: Councilor White – Yes; Councilor Allen – Yes; Councilor Wilson – Yes; Councilor Ripma – Yes; Councilor Anderson – No; Councilor Morgan – No; Mayor Daoust – Yes.

Motion Passed 5 – 2.

Councilor Anderson stated we've been at this for 4 hours and 15 minutes. I'd like to move to adjourn unless the Council wants to keep going. If the Council wants to keep going, that's fine, but I would like to ask to be excused at this point.

Councilor Wilson agreed.

Mayor Daoust stated the only thing left is the City's financial statements.

Councilor Wilson replied that's not the only thing left, there is still Staff Communication and Council Communications. We could be here until 12:30am. I can't stay.

Councilor Wilson left the meeting at 11:22pm.

10. RESOLUTIONS: Resolutions approving City financial statements and receiving Annual Audit Report:

10.1 A resolution approving the City's financial statements and Comprehensive Annual Financial Report (CAFR) for the Fiscal Year ended June 30, 2015.

10.2 A resolution accepting the Report of Independent Certified Public Accountants on the audited financial statements of the City for the Fiscal Year ended June 30, 2015, the Auditor's Communication to the Governing Body (SAS No. 114), and the OAR 162.10.000 required communication.

This item was moved to the March 8, 2016 City Council Meeting.

11. RESOLUTION: A resolution approving the use of not less than \$150,000 of the lease revenue from Multnomah County to reduce property tax levy for the police facility bond.

This item was moved to the March 8, 2016 City Council Meeting.

12. STAFF COMMUNICATIONS

Craig Ward stated I have one more item and I'll keep it brief. Our art acquisition policy is bad. First off, we haven't followed it very consistently. It requires any acquisition or

accepting a loan of art to go to the Parks Advisory Committee who forms a selection committee who gives a recommendation to the Parks Advisory Committee, who makes a recommendation to the City Council, it is just overly bureaucratic. We need to fix it because we are going to be talking about acquiring art through the Community Enhancement Program and we also have some other art projects. What I am asking is for the Council's permission to repeal the existing policy on the March 8th Consent Agenda and then we will improve that with a replacement policy. But right now, the current policy is blocking us from accepting art that the Troutdale Historical Society is offering for us to locate in the Police Community Room. It would have gotten in the way of the Trout sculpture if we would have followed it more deliberately. It will get in the way of at least 2 other art pieces including Visionary Park and potentially art for the Bike Hub. We don't have a replacement to bring to you right away so I would expect that you would simply delegate to me the responsibility to make those decisions until such time as we replace it with a better art policy.

Mayor Daoust stated I agree.

Ed Trompke stated you will need a resolution to repeal the policy and that will be brought forward at the next meeting.

Councilor Allen asked we didn't have enough time implement our current policy?

Ed Trompke replied yes, it's so bureaucratic.

Craig Ward stated let me give you an example, the Trout statue. That came to us in a meeting and the Council said Craig, buy it. That clearly did not follow our acquisition policy. These paintings that we could install in the Police Community Room are being offered to us and they are going to need to go somewhere and that's a great location for them but my guess is that it could easily take us several weeks or a month in order to make a decision to simply accept that art and place it. My preference would be to have an agreement with them to deal with our liability issues and just get it done. We could always change our mind unless we are going out and buying art. It's a bad, overly bureaucratic policy in my opinion and we can do better. Doing better is going to take some conversation and some work and with the Community Enhancement Fund that we have, we really need to fix it. The sooner we get it out of the way the happier I think we all will be.

Mayor Daoust replied I agree. We'll have to develop a new art policy after we revoke the old one which is getting in the way. Is Council ok with that?

The Council agreed.

13. COUNCIL COMMUNICATIONS

Councilor Ripma stated I do have something to bring up about Fire District 14 double taxation east of the Sandy River. It's direction to staff. Mayor Daoust and I met with the Chief of Gresham. The fix for the double taxation issue that I've been working on for the people east of the Sandy River is to deannex part of Troutdale east of the Sandy River from Fire District 14. Gresham Fire and Fire District 14 agree that it will not have any effect on

the service provided to that part of the City. But we do need to do a first reading of an ordinance deannexing that part of Troutdale from Fire District 14 at the March 8th Council meeting. The Board of Fire District 14 is going to take it up on March 9th but we've been told that they agree that double taxation isn't fair. We also need to do a second reading of the ordinance at a March 15th Special meeting that we're calling just for this purpose. I ask the Council if it's ok to do that and I would like to direct staff that notice of this be sent to the property owners east of the Sandy River because that's the only area in the City effected. They are getting the removal of double taxation but they are also very fond of Fire District 14. In order to fully disclose what's going on, I propose that staff send out a notice that on March 8th we'll be having this hearing and the proposal is to deannex from Fire District 14.

Craig Ward stated to elaborate briefly, if we don't act on this by the end of March then we will not be able to affect their property taxes to their benefit for the next year. That's the necessity for us to act in the month of March in order to provide the benefits and lower taxes to the property owners who are currently being double taxed.

Ed Trompke replied it's going to be difficult and we're not 100% sure we can make it but we're going to do everything that we can.

Councilor Ripma stated this will have to be passed as an emergency ordinance. So we have to be unanimous.

Mayor Daoust stated I was planning a consent agenda for March 8th to have a resolution in support of the Mt. Hood Community College bond measure.

Councilor Ripma asked can we endorse bonds? Is it ok for us to do that?

Ed Trompke replied a Council can endorse but every Councilor must agree. I believe the form has to be signed personally by each Councilor.

Mayor Daoust stated I think these are 2 separate things. A resolution is just a resolution saying we like the bond and please vote for it. The endorsement forms is a second separate thing which we don't have to do those.

Craig Ward stated we could bring you those forms and you can individually choose to sign them and it doesn't require a Council action and a resolution would. If the Council is comfortable saying it's a non-controversial issue for you, then put it on the Consent Agenda. If it is controversial then it shouldn't go on the Consent Agenda and you can put it on the regular Agenda.

Mayor Daoust stated I just wanted to sense the feeling of the Council. If that is something that they want to discuss or not.

Councilor Ripma asked you're talking about bringing forward a resolution in support of the bond measure?

Mayor Daoust replied yes.

Councilor Ripma stated I'm intending to vote for it personally and I think it's a good thing for Troutdale. I don't know.

Councilor Anderson stated I'm with Councilor Ripma. I'm going to vote for it personally and I'll back it personally but....

Councilor Allen stated there are parts of it that I like and would like to see it go forward.

Councilor Morgan stated you're the Mayor and per the Charter you can put it on the Agenda or the Consent Agenda. Any Councilor has the opportunity to pull it off.

Councilor Ripma stated that would almost be more negative. It might be better not to bring it forward if we're not going to pass it.

Mayor Daoust stated that's what I thought. I brought it up tonight to see if I even wanted to bother with it or not.

14. ADJOURNMENT

MOTION: Councilor Anderson moved to adjourn. Seconded by Councilor Morgan. Motion passed unanimously.

Meeting adjourned at 11:32pm.

DRAFT

Doug Daoust, Mayor

Dated: _____

DRAFT

ATTEST:

Sarah Skroch, City Recorder

CITY OF TROUTDALE

JOINT MEETING - CITY COUNCIL & TROUTDALE SOLID WASTE COMMUNITY
ENHANCMENT PROGRAM ADVISORY COMMITTEE
REGULAR MEETING
7:00PM

Tuesday, February 23, 2016

PLEASE SIGN IN

Name – Please Print	Address	Phone #
Cynthia + Mark Jacobsen	1422 SW 25th St	503-674-7890
Bruce Jacobsen	" " " "	" "
Elijah Carley	SW 27th Cir	503-803-2424
Garnet Osborn		503-890-1765
JERILEE DAVE	2430 SE BEAVER CREEK LN.	503 320 0125
Becky Bancroft	1347 SE Evans Ln	503-665-8700
Sam Barnett		
Carm's Luck	1542 S Hist Col Rur	503-475-1890
PAUL WILCOX	TROUTDALE	
Nicholas Leonard	3025 SW Chestnut Ave.	971-325-8993
BRUCE WASSON	TROUTDALE	503-661-1042
Rob Canfield	Troutdale	503-995-5527
Doug + Brandon Jensen	2213 SE Lenellyn Ave	503 250 3649
Diane Castillo White	Troutdale	503-808-1405
Chelsea Peil	1 N. Killingsworth ⁹⁷²¹⁷	503-260-9232
Emerald Bogue	Port of Portland	503-415-6571
Matt Ward	Troutdale	503 680-8180
Joel Schoening	MCD	(503) 281-5675
TANNY STAFFORSON	TROUTDALE	503-319-7732

Exhibit A

February 23, 2016 Council Meeting Minutes

My comments are related to an agenda item, but not one on tonight's agenda. New information has been provided regarding agenda item #12 from the Feb. 9 Council meeting, which read : "RESOLUTION: A resolution to Adopt Real Estate Sales Agreement". I won't even get into the inadequacy of that description according to public meeting requirements. As you recall, this agenda item was scheduled after the Executive Session on that date. When the Council re-convened in regular session for 4 1/2 minutes, it was revealed by Mr. Trompke, I believe, since there was audio, but no video, that the text of Agenda Item #12's Resolution "somehow got left out of what we sent to Sarah".

Agendas are generally posted online the Thursday before the meeting, followed by the full packet on Friday. I find it pretty incredible that no Councilor or staff noticed that there was nothing in the packet providing additional information on Agenda Item #12. Also, I would question whether an "unpublished" resolution could be acted upon. I doubt that it would be legal for the city attorney to just show up at the meeting with a resolution in his pocket. In any case, I would like to publicly request that the full text of Agenda Item #12's Resolution be published. Since no one has acknowledged that it was the same as Agenda Item #3.2 at the Feb. 16 joint URA/Council meeting, the public would be free to draw their own conclusion as to what the intent was in scheduling Agenda Item #12 where it was.

All of the preceding actually leads to my #1 priority for speaking tonight, which is to publicly commend Councilor Ripma for challenging the scheduling of Agenda Item #12, and being persistent in opposing it. I wish other Councilors wouldn't be so reticent when something doesn't pass the "smell test".

Submitted by: Paul Wilcox



District 1 Metro update

Troutdale City Council

Councilor Craddick
February 23, 2016

Exhibit B

February 23, 2016 Council Meeting Minutes

MAKING A
GREAT
PLACE



District 1 Metro update

- Equitable Housing
- Southwest Corridor
- Regional Snapshots
- Moving Our Region
- Regional Flexible Funds
- Solid Waste Roadmap
- Parks and Nature System Plan
- Metro Venues Update

Equitable Housing



- Working together to address our region's affordability crisis
- A variety of tools from a variety of partners
- Metro is investing in a solution

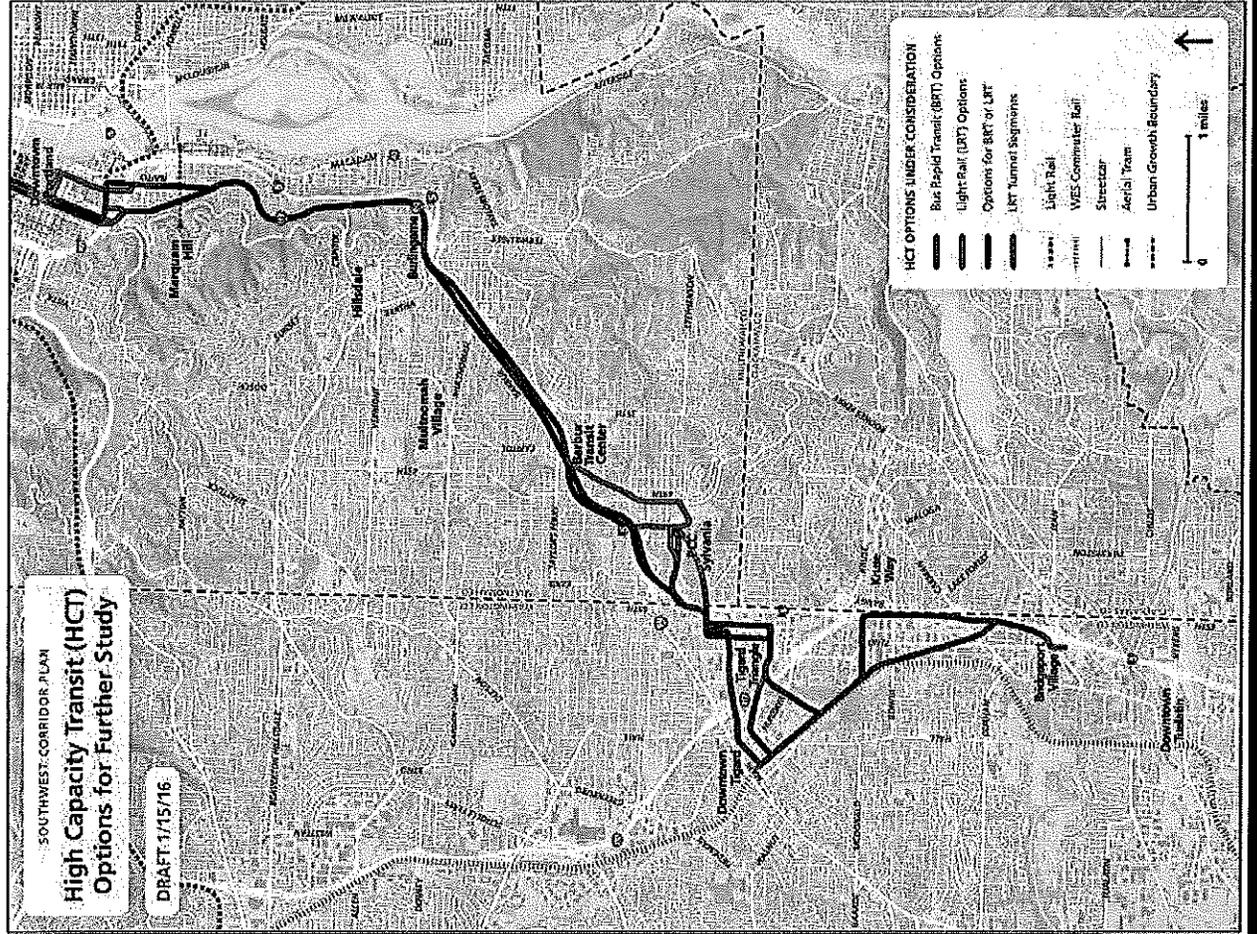
Southwest Corridor

- Steering committee recommended a terminus at Bridgeport Village
- Still evaluating service to Sylvania
- Decision coming soon on light rail or bus rapid transit



Southwest Corridor

- Steering committee recommended a terminus at Bridgeport Village
- Still evaluating service to Sylvania
- Decision coming soon on light rail or bus rapid transit



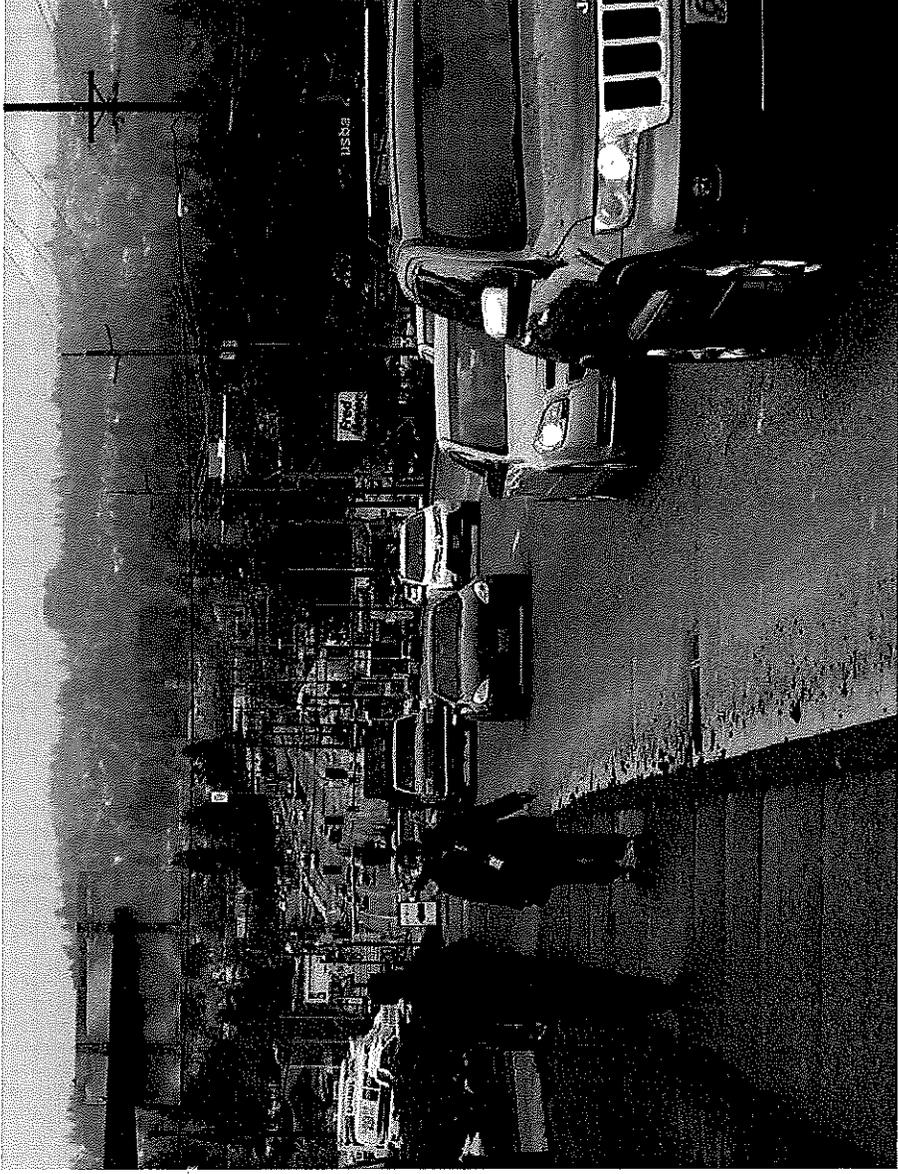
Regional Snapshots



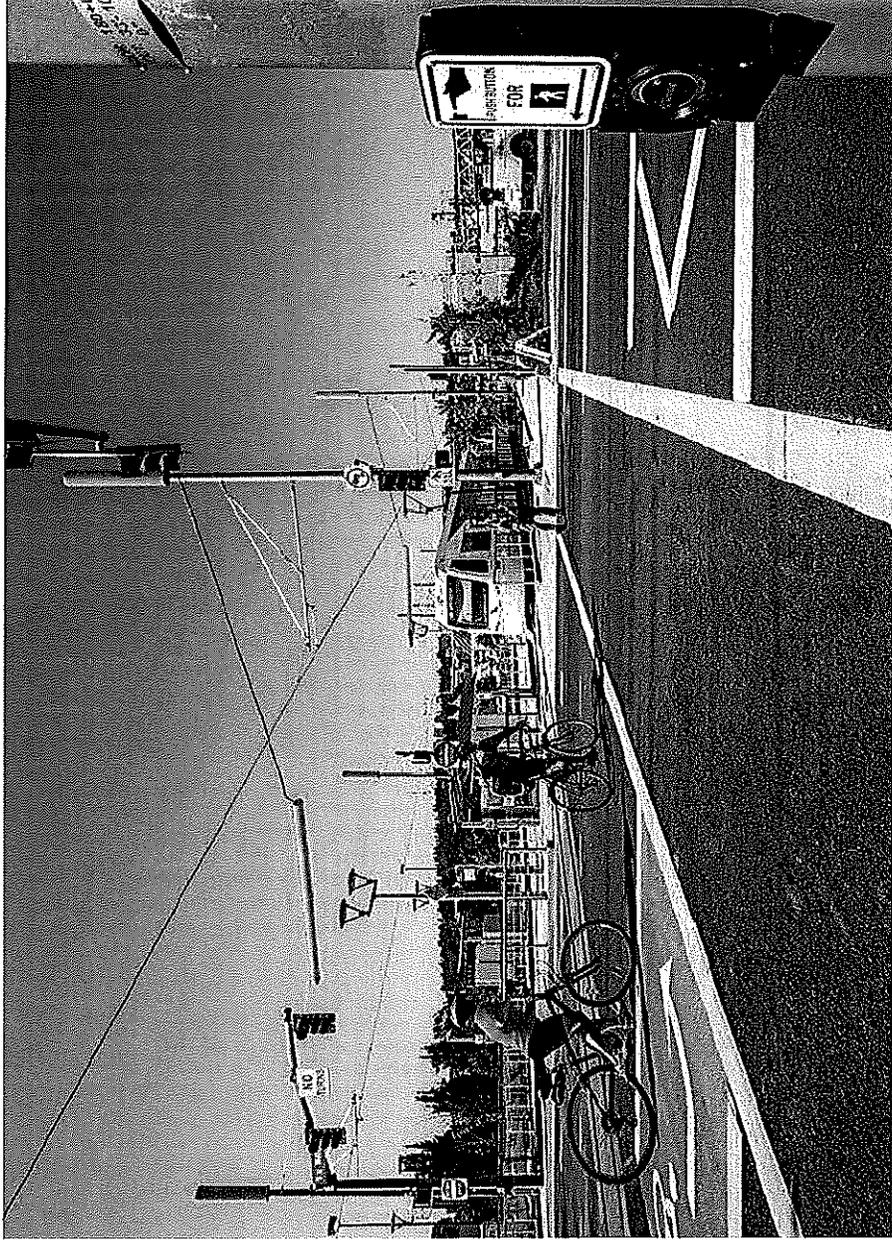
- Data + stories + conversations
- Online + paper + events
- Find it all at oregonmetro.gov/snapshot

Moving Our Region

- An economy that moves, a transportation system that connects.
- Safe, reliable and affordable travel throughout the region.
- Focus this spring: Where we are now.
- 1st of 3 Regional Leadership Forums in 2016: April 22



Flexible Funds



- Metro, JPACT and partners working to allocate next cycle of these federal transportation funds.
- At least \$38 million will be available for local projects
- Setting funding priorities this spring; allocations in fall.

Solid Waste Roadmap



- Discussions with Covanta to create energy from waste
- Looking at ways to get more recyclables out of garbage
- Choosing our landfills wisely
- Engaging businesses to keep food scraps out of garbage

PARKSIDE PLANTURF SYSTEM PLAN

DRAFT



URBAN

NATURAL

NATIONAL PARKS

USFWS

STATE PARKS

BLM

METRO

PARKS DISTRICT

COUNTY PARKS

SPECIAL DISTRICTS

CITY PARKS

STENOVEER GOLF COURSE

GRAHAM OAKS NATURE PARK

ONBOW REGIONAL PARK

STATE/FEDERAL PROVIDER

METRO PROVIDER

LOCAL PROVIDER



NATUREHOODS

Dairy, McKay and
Rock Creeks

Upper
Tualatin

North Tualatin
Mountains

Columbia River and
Willamette Lowlands

Lower
Tualatin

Mid-
Tualatin

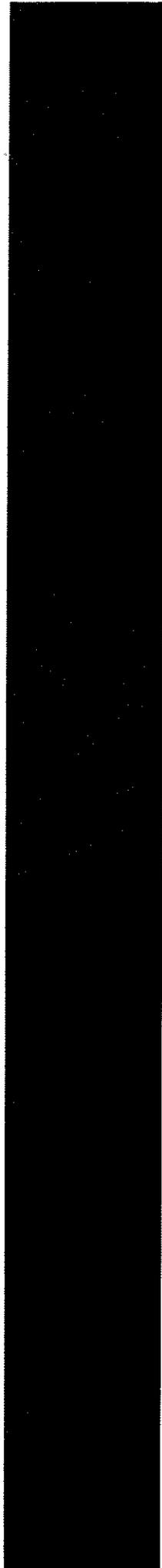
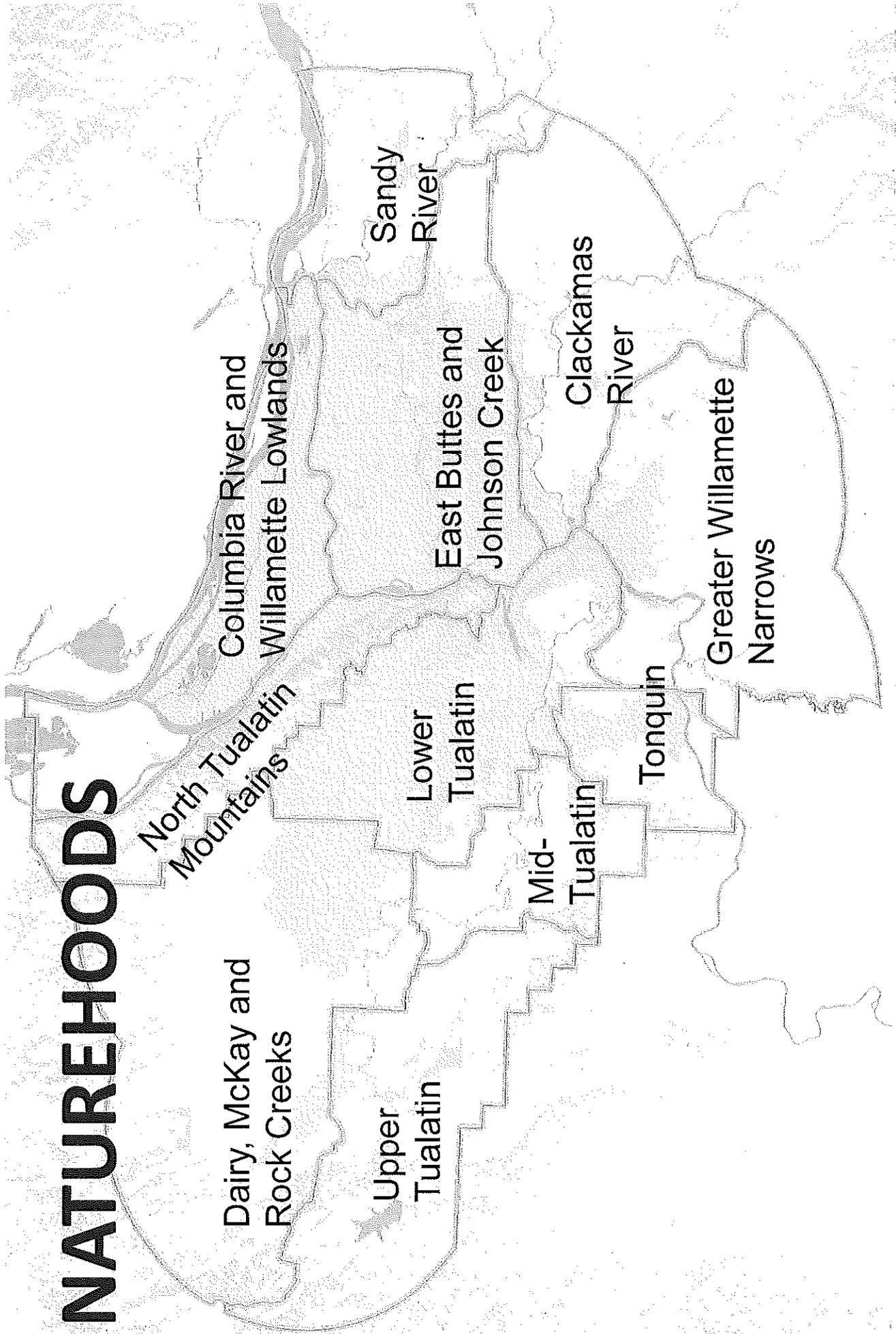
East Buttes and
Johnson Creek

Sandy
River

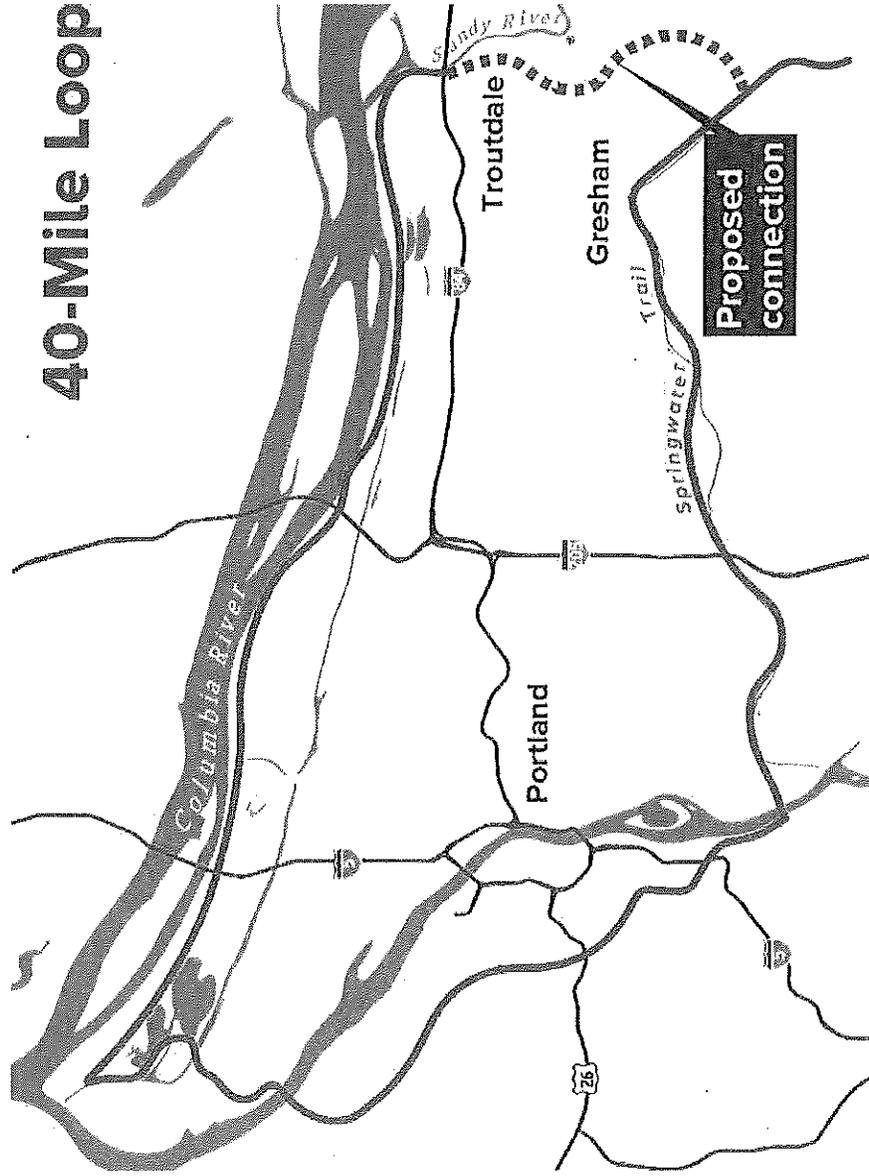
Clackamas
River

Tonquin

Greater Willamette
Narrows

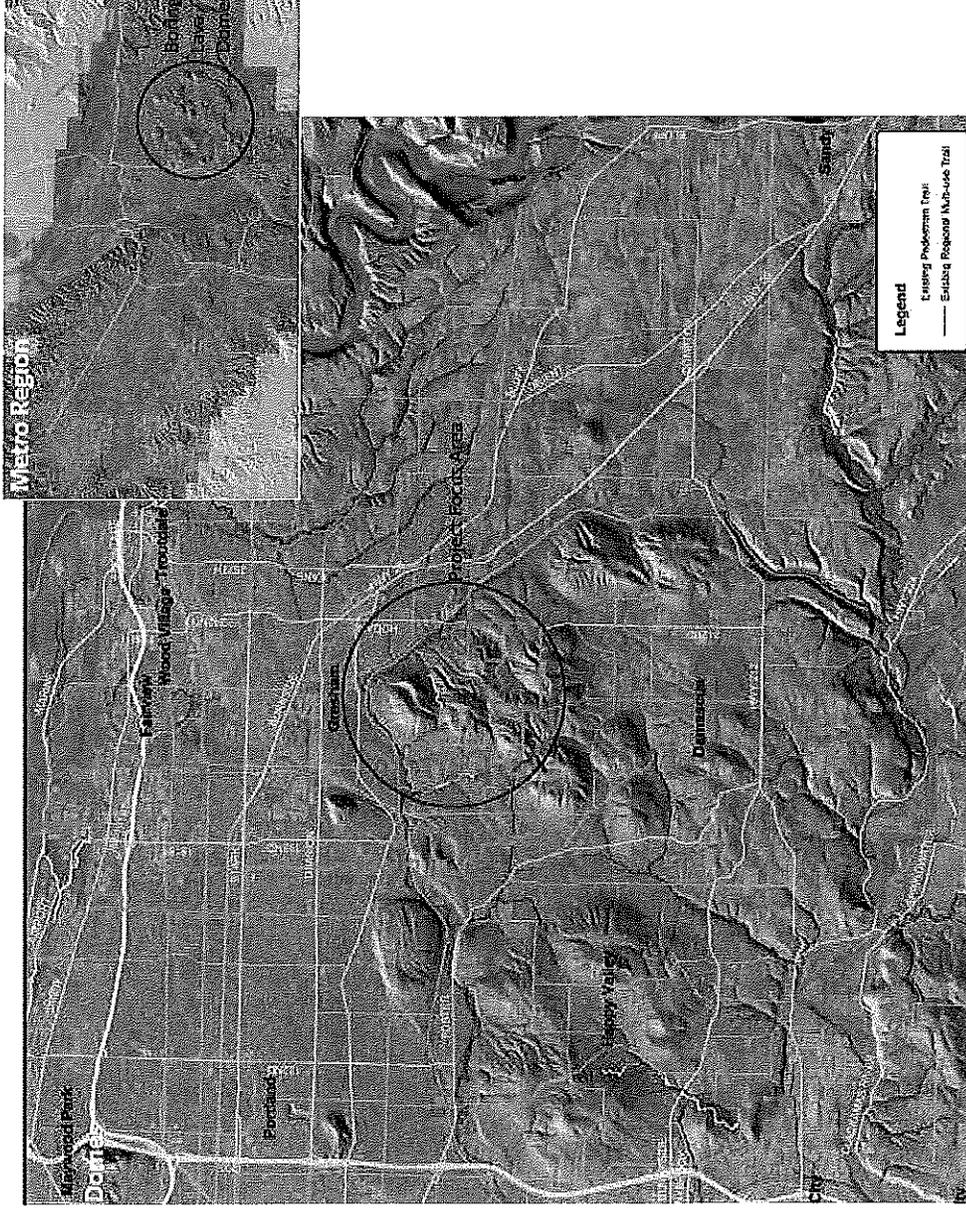


Troutdale to Springwater Trail Master Plan



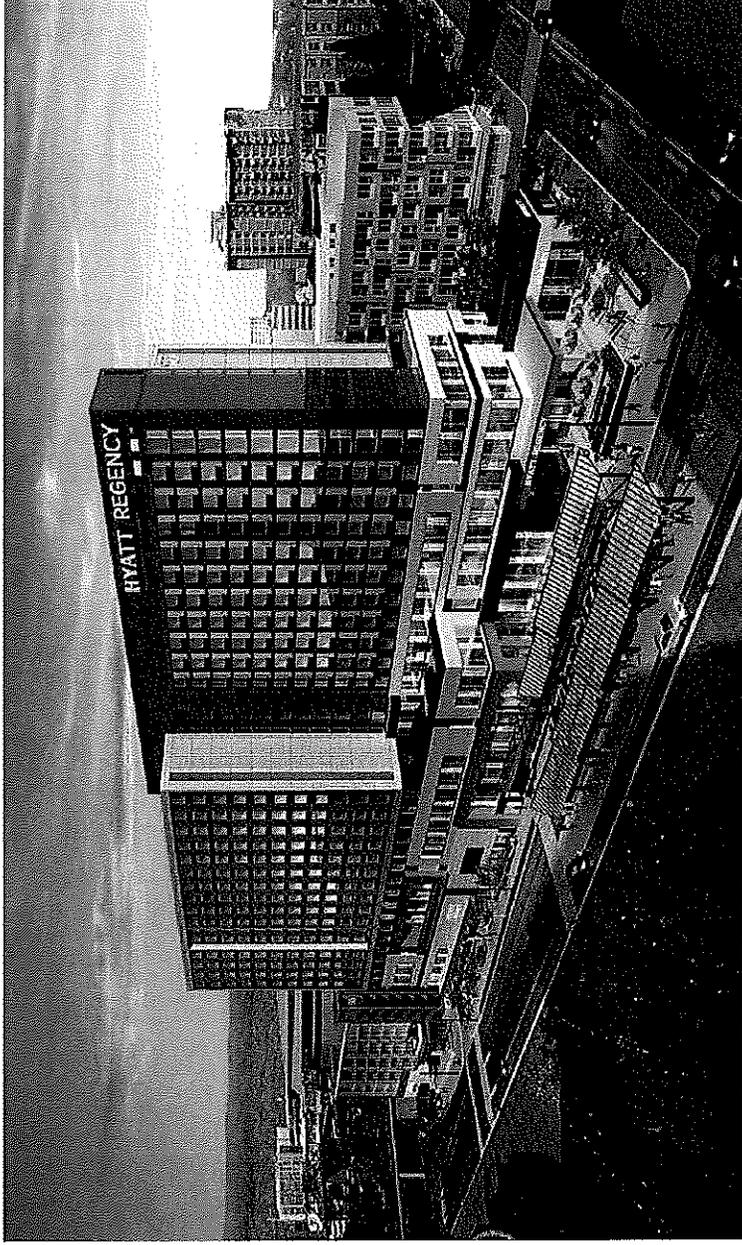
- Joint effort w/ Metro, Gresham, Troutdale
- Goal is to identify preferred route for last major gap in 40-mile Loop Trail
- Spring/summer engagement w/ draft plan in fall

East Buttes Access Master Plan Project



- Long-term vision for network of natural areas
- Includes Hogan Butte, Gresham Butte, and Gabbert Hill
- Kick-off to engagement process in June

Convention Center Hotel



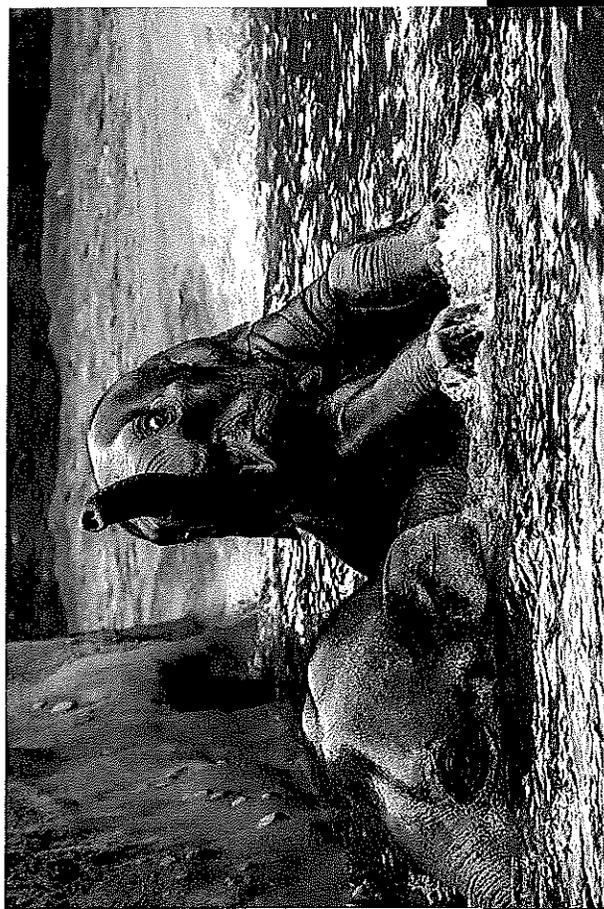
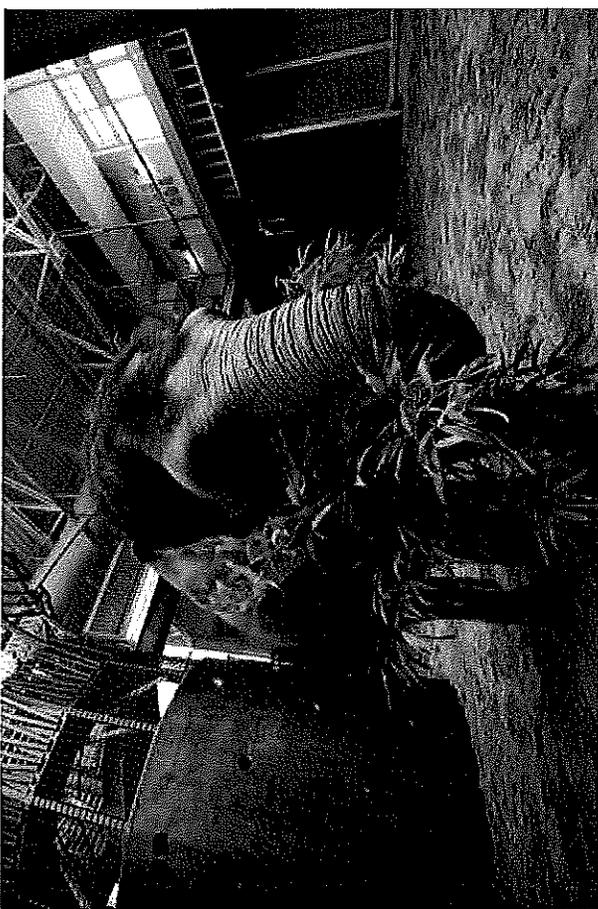
- Agreement reached to end years of litigation
- Project ready to proceed
- Will bring thousands of new visitors to our region

Oregon Zoo

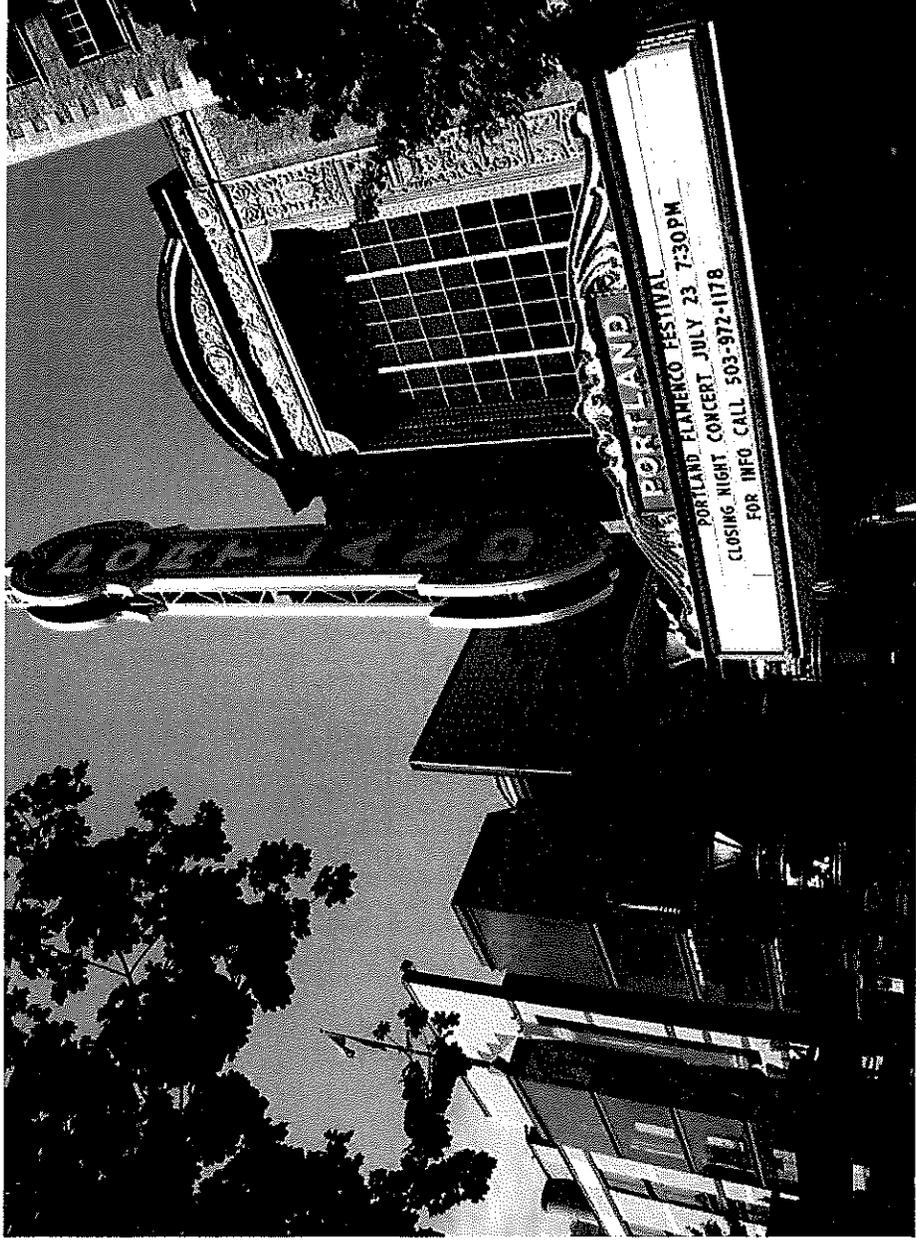


- Elephant Lands opened in December
- \$57 million from 2008 zoo improvement bond
- 33,000-square-feet of indoor space, 6 acres total

Oregon Zoo



Portland's Centers for Arts



- Guitarist José González 3/7 at Arlene Schnitzer C.H.
- The Wizard of Oz at the Keller 3/8-13
- Star Trek: The Ultimate Voyage at the Schnitz 4/6
- Shen Yun at the Keller 4/12-14

Expo Center



- Spring Home & Garden Show Feb 25-28
- Portland Roadster Show March 18-20
- Portland Swap Meet April 1-3

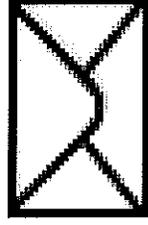
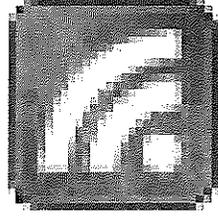
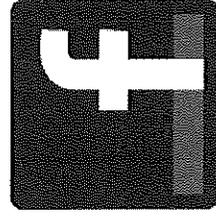
.....

Your questions...

Shirley Craddick
Metro Councilor, District 1
503-797-1547
shirley.craddick@oregonmetro.gov

Optin

PORTLAND-VANCOUVER AREA ONLINE PANEL



www.oregonmetro.gov/connect

DRAFT

MINUTES

**Troutdale City Council – Regular Meeting
Troutdale City Hall – Council Chambers
219 E. Historic Columbia River Hwy.
Troutdale, OR 97060**

Tuesday, May 24, 2016 – 7:00PM

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE.

Mayor Daoust called the meeting to order at 7:00pm.

PRESENT: Mayor Daoust, Councilor Ripma, Councilor Brooks, Councilor White, Councilor Allen, Councilor Morgan and Councilor Wilson.

ABSENT: None.

STAFF: Craig Ward, City Manager; Sarah Skroch, City Recorder; Steve Gaschler, Public Works Director; Amy Pepper, Civil Engineer; and Travis Hultin, Chief Engineer.

GUESTS: See Attached List.

Craig Ward states there are no amendments to the published agenda.

Councilor Ripma states Item #5, discussion of the storm sewer fee, is something we dealt with 3 months ago after a long meeting and a compromised decision. I'm wondering why it's on the agenda tonight. It's too late to reconsider and it seems improper.

Councilor Wilson responds I asked for it to be on the agenda. We had discussed this at a Budget meeting about removing the caps. The Committee decided that they would rather the City Council take care of it instead of voting on it there. I asked Mayor Daoust to put it on here.

Councilor Ripma states let's take care of it at next year's budget. How soon can we come back and reconsider something we considered and decided on so recently?

Councilor Wilson asks, can I explain why I wanted it on there? During our Budget meetings we brought down our starting budget to \$2 million dollars because of \$196,000 in add-ons we put on. The only way to fix that is to remove the caps so that we start out a budget at \$2.2 million dollars which is where Erich felt most comfortable. I asked for this to be brought back on so I can show the Council some of the issues that we're going to have with it in the future if we don't address it now.

Councilor Ripma asks, is there a rule about reconsidering something three months later? I object. I don't believe one Councilor can put something on the agenda. I'm asking you to pull it, please.

Mayor Daoust responds it's legitimately on the agenda because when we were at our Budget Committee meetings the Budget Committee asked us to take this up again. It's not just Councilor Wilson that wanted this on the agenda. Since we're talking about the utility rates at the same time for all three utility's tonight, it made sense to also talk about the rate cap.

Councilor Ripma states the rate increases were built into the budget. Adjusting the storm sewer rate cap wasn't in the budget. This would change the budget. Frankly, we did deal with it at great length with a lot of public comment just three months ago.

Councilor Wilson states this effects all the people in Troutdale. It's a very important subject. I want us to take one last look at it before we kick the can down the road again.

Councilor Morgan asks Sarah, do we have the minutes from the Budget Committee meeting?

Sarah Skroch responds no, not yet.

Councilor Ripma states the Budget Committee said it's a Council matter. We agreed 3 months ago what we we're going to do to this year's budget. I took that directive to mean we should reconsider it next year. We already said we were going to gradually deal with that cap over the years. That was our compromise after a lengthy and heavily discussed item at a meeting in February. Are we going to see this every three months from now on until you're satisfied?

Councilor Wilson responds I want to address it one last time to show what is going to happen in the near future if we keep going down the same path.

Councilor White states I wanted to remind Councilor Wilson that the Port came in and spoke and Steve Nagy, Senior Manager of Aviation, said it would affect their budget and they've already done their budget for this year as well. We gave our word.

Councilor Allen states I wanted to clarify two things. One, I did not expect to reconsider for this year. I was thinking it was going to be a Council matter for the future. Also, if our budget is too bloated we could always spend less.

2. CONSENT AGENDA:

2.1 MINUTES: November 17, 2015 Regular Meeting, December 15, 2015 Work Session and March 22, 2016 Regular Meeting.

2.2 RESOLUTION: A resolution granting a permanent easement to Multnomah County adjacent to SE Stark Street for road purpose.

2.3 RESOLUTION: A resolution authorizing the Mayor to execute an intergovernmental agreement with the Port of Portland guaranteeing performance of the public

improvements associated with the Troutdale Reynolds Industrial Park Phases II and III.

Councilor Allen states I would like to pull Item 2.3.

Mayor Daoust states we'll pull agenda Item 2.3 and talk about it after we get through the consent agenda items.

Councilor White states I have a question on Item 2.2. I'm not familiar with that situation.

Mayor Daoust states we'll pull Item 2.2.

MOTION: Councilor White moved to approve Consent Agenda Item 2.1 November 17, 2015, Regular Meeting, December 15, 2015 Work Session and March 22, 2016 Regular Meeting minutes. Seconded by Councilor Morgan. The motion passed unanimously.

Mayor Daoust states Item 2.3 was pulled by Councilor Allen.

Councilor Allen asks Travis Hultin, you're fine with this?

Travis Hultin, Chief Engineer, states the IGA with the Port is basically a substitution for a performance bond. It guarantees that they're going to continue the improvements. That would allow them to record the plat for the subdivision before the improvements are completed. In the case of the Port, they requested it because of the nature of the Port itself that they be allowed to execute an IGA with City. We allowed the Port to do that for the warranty. They're asking to do a performance guarantee instead of the warranty guarantee. I'm okay with it. I reviewed it and I worked with the Port's staff on it and Ed Trompke reviewed it.

Councilor Allen states this IGA, at the sign off page, is the Mayor instead of our City Manager which is unusual these days. I would prefer the City Manager signing for city business.

Travis Hultin responds I think we did this before we changed the rules.

MOTION: Councilor Ripma moved to approve Consent Agenda Item 2.3. Seconded by Councilor Morgan. The motion passed unanimously.

Councilor White states I have a question on Item 2.2. Does this have anything to do with any new rules that we might base this situation with other similar areas in our road?

Travis Hultin responds the County found out they needed a little more space on the north side. It's an easement to provide the additional space. It's not a rule or regulation change.

MOTION: Councilor White moved to approve Consent Agenda Item 2.2. Seconded by Councilor Morgan. The motion passed unanimously.

3. PUBLIC COMMENT:

Ted Tosterud, Mayor of Fairview, states I am here tonight on behalf of the citizens of Fairview and the Fairview City Council to give you a check for \$1,000 to help you in the rebuilding of Imagination Station. This was unanimously approved by our Council. We have a lot of volunteers when you're ready to rebuild.

Peter Van Arkens, Troutdale resident, states the reason I'm here tonight is I want to bring something to your attention an article that was written in the Northwest Connection. I sent a message to Councilor Ripma a week and half ago without a response to this point. The question I have is the article written about a decision that was made to sell some land to Eastwinds Development, LLC. It was I believe 12 acres of land that was sold for \$1.4 million dollars with a condemnation clause according to this article. The concerning item for me as a citizen is the fact that the Council and the Mayor agreed to sell the land that is to the east of this property behind the Outlet Mall for \$1.4 million dollars with a condemnation clause. The City has apparently agreed to take care of the condemnation and build a direct access road to this property. If the City fails in doing so and they fail the condemnation clause, according to this article, you will be buying back this property for \$2.1 million dollars which is a difference of \$700,000. It says that the City would purchase back 8 acres from Eastwinds for \$2.1 million dollars. Either way you look at it, it's a \$700,000 deficit and we're talking about increasing utility and sewer rates. Can anyone explain to me what the rationale was behind this thinking in regards to basically no risk to Mr. Yoshida? All the risk is to the City. To me, as a citizen, not a very wise decision.

Mayor Daoust asks, who wrote that article?

Peter Van Arkens responds this is out of the Northwest Connection, the May 20, 2016 edition. It doesn't have an author. I checked with the editor and the editor confirmed the article.

Mayor Daoust responds normally we don't respond to public comment because we could get into a lengthy discussion. That is our Urban Renewal Area that you're talking about. There was a written agreement between the City and Eastwinds that Eastwinds would purchase the 12 acres for \$1.5 million. If they road condemnation did not go through then the whole development would be called off and we in turn would buy Eastwinds' property which is a different piece of property for \$2.1 million. Which is \$1.5 million, an equal amount, plus the \$600,000 that they had already invested in cleaning up the sheep pit. That's where the \$2.1 comes from. For now, that's the best we can do to respond to your question since we normally don't respond.

Peter Van Arkens states to me it doesn't make any sense to expend \$600,000 when the City, as small as it is, is scrambling for dollars to begin with. Fiscally, it doesn't make any sense to me. If I ran my house that way it would be very irresponsible.

Mayor Daoust responds if the deal doesn't go through we would not have to pay that \$600,000.

Peter Van Arkens states there is a cost to that as well to the City. Somebody is gaining here and it's not the citizens of Troutdale.

Councilor Ripma responds I apologize for not getting back to you. I will be in touch. It was not a unanimous vote on this Council to do that and that article does not sound quite correct in some ways.

Councilor Allen states to clarify further it's approximately 12 acres of City property and approximately 8 acres of Eastwinds property that is part of this deal. As you may know, I was against the deal myself. I think asking whether it makes financial sense is something we should be asking now and going forward. I'm also concerned.

Peter Van Arkens asks, what was the reason why you were against it?

Councilor Allen responds our previous negotiating plan was better thought out by the Council. We weren't very well briefed on the pros and cons and it felt rushed through for me. Too many unknowns.

Trevor David, Troutdale resident, states I'm here on behalf of my neighbors and myself to oppose and voice the opinions and concerns regarding the re-addressing of our residences due to new construction off of SW Halsey Street. This re-addressing of the four current houses along with the addition of three new residents poses a negative impact of time, monetary value and communication risk for all involved. This is an issue that has been known for over a year with no action taken by the City of Troutdale to come to a resolution or obtain public comment from all parties. This situation has been presented to the residents by the City of Troutdale as a black or white resolution. This is not in the spirit of community building and should not affect the residents due to lack of planning and action on behalf of the offices of the City of Troutdale. I am here today to make a proposition to the City of Troutdale that the addresses of the residents at 1016, 1018, 1020 and 1022 SW Halsey St not be changed. This proposition is mutually agreed upon by all current residents. If this request is not able to be met the current residents, as well as the contractor for the new properties, are requesting that the City of Troutdale grant the private drive of SW Halsey Lane so that all residents may keep their current numbering. This proposition has been approved by the Postmaster of the Troutdale Post Office since there would be no disruption of postal delivery or services. When the benefits of a solution are so great that it outweighs any negative implications and there is no harm done to existing residents it makes good sense to support your fellow community members and the continuing building and growth of our wonderful community. Thank you for your time.

Councilor Morgan asks, these are new construction, right?

Trevor David responds correct. There is three properties on the first page. Addresses 1010, 1014 and 1024 are the new properties.

Mayor Daoust states we talked about this at the last Council meeting. How does this situation fit into what we agreed to at the last meeting?

Craig Ward responds the Council directed that you wanted more flexibility given to the Building Official who makes the unilateral decision in this situation. That's partially because our code is overly rigid. We will prepare edits to that code. Your proposal will be provided to the Building Official, Steve Winstead. You can reach out to him and I think you will find him supportive of your proposal.

Trevor David states I did meet with Steve Winstead last week regarding this for a lengthy amount of time. It was mentioned that the discretion was given to him but the time frame of being able to map that was unknown.

Councilor Ripma states we should be able to accommodate your request and I'm sorry that this happened. He did not have any flexibility under a very rigid code. We are going to fix it and make it right.

Trevor David states thank you. In the outlined proposal I am requesting feedback from the Council this evening regarding the safety along that corridor. There is currently no sidewalks and with the increase of residents living there, there is an increased safety risk of more residents with no current sidewalks or safety lanes on that stretch of road.

Bruce Wasson, Troutdale resident, states I'm here to talk about the final Budget meeting. As the alternate and the only non-voting member of the Budget Committee I was personally put off by some of the personal charges that were leveled against Chairman Tanney Staffenson. I was embarrassed for him and I need to apologize to him for not sticking up for him because he is a very honest man and he does a very good job in a very difficult situation. Running a budget in any City no matter how small or large is extremely difficult. He does an excellent job and I think we're fortunate as a City to have him doing this. I think the entire City Council should thank him for what he does. I am proud of what Tanney does for us and I appreciate it.

4. REPORT: A response to the report of the Citizen's Advisory Committee at the April 12, 2016 meeting.

Mayor Daoust states the Citizen's Advisory Committee (CAC) came up with three recommendations that have to do with how the agenda states rules about public comment. The first suggestion was to put the public comment period at Council meetings before the Consent Agenda so that if a member of the public wishes to comment on the consent agenda before it is passed he/she can. Second, to clarify the fact that public comment on agenda items is welcome but should be reserved until that time during the meeting. Last, clarify the phrase when appropriate as it applies to Council making decisions during Work Sessions. Ed Trompke, City Attorney, wrote a response to those three recommendations which the Council has in front of them as a report. This is what it says and how it addresses all three of the CAC's suggestions.

Mayor Daoust reviewed the report which can be found in the Council meeting packet.

Councilor Ripma asks, why don't we put this public comment between #1 and #2? We could do it before the Consent Agenda.

Mayor Daoust responds because we would have to redo the Council rules.

Councilor Ripma states that is perfectly doable. Instead of adopting a Consent Agenda and then we welcome comment on the Consent Agenda, why don't we just have the public comment before we do the Consent Agenda and that would take care of it.

Mayor Daoust states I suppose another option would be that if someone does have a concern about a Consent Agenda they can approach anybody on the Council prior to the meeting starting.

Councilor Wilson states the public can ask one of us to pull a Consent Agenda item, can't we just note if you feel a consent agenda item needs to be pulled, please ask one of the Councilors?

Councilor Morgan asks, couldn't we change the Council rules? I would be in favor of that. We can vote whether it needs to be a Charter change or whether it can be a simple resolution that changes immediately following the agenda update prior to Consent Agenda.

Councilor Allen states I would be fine with changing the Council rules.

Councilor White states when I saw this report on the Consent Agenda I assumed we would be hearing from the CAC. Is that going to occur?

Mayor Daoust responds yes. I'm guessing there will be an upfront statement by myself of what would be done that evening. It's worded in a way to clarify that we have 4 different options in a Work Session. Is there anybody who wishes to speak to us about that?

Jay Ellis, Gresham resident, states I appreciate all the time you have spent thinking about this. This is an important situation. Sometimes as a concerned citizen I think sometimes there are decisions made in other rooms. But we come into this room and decisions are already made. It doesn't matter what anybody says because people already made their decision. Even though this is a public forum where, theoretically, we should have the ability to voice our concerns and expectations. The reason I'm standing here now is because the more transparent the situation is the more public input is a way to get to a better resolution.

Diane Castillo, Troutdale resident, states I am a member of the CAC and these are my thoughts. I propose that the CAC gets to look at this and have a discussion because there's a few items I'm looking at. In the discussion you were talking about having the opportunity to speak to all items that are on an agenda. On number 2, staff or public may or may not be consulted on any given item which is not another opportunity to speak. I feel that direction is given at a Work Session and a lot of times there's citizens and experts on the subject that would like to participate. We discussed in CAC the option of maybe 2

minutes to decide if it's relevant or not relevant. As I'm looking at this, this is not the intent of the CAC. So instead of passing this along to staff I would like the CAC to have the opportunity to look at this and discuss it and see if this does meet the objectives we were trying to submit to you.

Paul Wilcox, Troutdale resident, states I am a member of the CAC and I speak for myself as a member of the Committee. My preference would be to change the order of business and change the sequence of items. The first paragraph looks good to me personally. It provides a lot of opportunity for public input. I wanted to point out on the Planning Commission public hearings in particular, quasi-judicial, at the last CAC meeting Chris Damgen emphasized that public comment should be discouraged outside of the actual public hearing. As far as section 2 on Work Sessions, the part about may or may not be consulted on any given item that bothered me also. I think, especially in light of the fact that Municipal Code does specifically allow decisions to be made in Work Sessions that the decision is going to be made or considered and there should always be public input no matter what. And then on the first sentence under item 1 it talks about public comment on non-agenda and Consent Agenda items, on past instruction on the agenda sheet Consent Agenda has never been listed. So most people have never been aware that they can comment on Consent Agenda. I think that's another reason that the order of business should be sequenced differently. The way Ed wrote this description of a Work Session it makes it sound like the Council is kind of getting a get together and talk about whatever. It reads too loosely.

Mayor Daoust states those are good comments and I will talk to Ed Trompke about all of these comments and see what we can come up with.

Councilor Ripma states I suggest we refer it back to the CAC. Discuss it with Ed and see if he wants to change anything. We've had this current language for 20 or 30 years and another couple months won't matter.

Councilor Allen states I think we changed it 7 or 8 years ago. I have a question for the Council. On Agenda Item #4 it says that comments on resolutions is welcome as the Mayor permits. Should some number of Councilors be able to request public comment? It's something to think about.

Mayor Daoust states I'll talk to Ed about rewording that so that it's more open to input from the Council.

5. RESOLUTION: A resolution adjusting the storm sewer utility fee and rescinding Resolution No. 2287 and 2324.

MOTION: Councilor Ripma moved to table Item 5 until February 2017. Seconded by Councilor Allen.

Mayor Daoust states I think we have an obligation as Council to deal with the utility rate now.

Councilor Ripma responds no, the rate is set.

Mayor Daoust states I'm not talking about the rate cap. I'm talking about the storm water utility rate. Isn't there a 4% increase?

Councilor Ripma responds that's another agenda item.

Mayor Daoust asks, what do we need to talk about tonight, Steve? I thought we had to cover the increase of the rate itself.

Steve Gaschler, Public Works Director, responds no, the resolution that was adopted in February had a 4% rate increase and it takes effect July 1, 2016. The main issue we're dealing with in this resolution is the rate cap issue.

Councilor Ripma states which I'm moving to table until February 2017.

VOTE: Councilor White – Yes; Councilor Allen – Yes; Councilor Wilson – No; Councilor Ripma – Yes; Councilor Brooks – Yes; Councilor Morgan – Yes; and Mayor Daoust – No.

Motion Passed 5 - 2.

Mayor Daoust states the other 2 resolutions do have the rate discussion that we need to have tonight.

Councilor Morgan asks, is this saying there will be a \$343,000 budget transfer from the General Fund to sustain these funds for this next fiscal year?

Mayor Daoust responds that is correct.

Councilor White states we need to work on who is going to have the burden of determining who is in or out of the storm system. I would like to see us work on something that spells that out.

Councilor Wilson states one of the things we discussed several months ago was if and when the storm water rates are lifted that we would be proactive in going to those customers and telling them what their discount was going to be. Is that correct?

Steve Gaschler responds that is correct.

Councilor Wilson states I'm looking at Option A and Option B and it still says that the responsible party must request in writing the reduction in the storm water sewer utility fee based on litigation action taken.

Steve Gaschler responds that is language added out of the existing ordinance. We haven't changed the ordinance but I've told the Council on several occasions that I'm more than willing to have our staff go in and address that issue and make it a non-issue.

I've also tried to make clear that we don't think we've listed all of them. This is what we've been able to pull out. When the time comes and we go through this we're going to put in the letter that if you believe that you're due a credit because of some on-site retention issues to please contact us and we'll work with you and figure it out. When new development comes in we'll calculate it at the time the development comes in and when we issue the billing department what to bill them we will have this credit calculated for them. I'm 100% committed to doing that and it's not that big of a burden to do.

Councilor Wilson asks, can we re-write this so when it comes back to us in February of 2017 the language will already be re-written?

Steve Gaschler responds we'll change it.

Councilor White states I would like to see that language tightened up and spelled out clearly. If we could do it before any future changes in the rate cap.

Steve Gaschler responds we will take care of it.

6. RESOLUTION: A resolution adjusting the water commodity fee and the water installation charge, confirming other water related fees and rescinding Resolution No. 2286.

Steve Gaschler, Public Works Director, states we are here tonight to talk about utility fees. Plans are going to change but I have some information I would like to run by here. I'm going to talk about everything that has to do with water.

Steve Gaschler showed the Council a PowerPoint Presentation handout which outlined the overview for the resolution adjusting the water commodity fee and the water installation charge, confirming other water related fees and rescinding Resolution No. 2286 (attached as Exhibit A to these minutes).

Steve Gaschler states we'll move to the drinking water next in your handout. On the water it's a 4% increase. This is the 4th time that we've asked for a 4% increase. The water increase went from \$3.09 to \$3.21 per 1,000 gallons. We are the low rate provider of the region and one of them around the state. I think it's a modest increase to a modest rate.

Councilor Wilson states before we get off of this page I would like to comment. In the case of some of the Clackamas County cities, is there a reason why rates in other areas are higher?

Steve Gaschler responds everybody is interested in knowing how we compare to everybody else. In this particular case we're lower than everybody else. We should probably be on the lower side but I don't know that we should be down there at the bottom. If we look at our cost analysis on a cost of providing the service it's considerably more than what we're charging.

Mayor Daoust asks, where should we be?

Steve Gaschler responds I don't have those numbers with me but in 10 years, if I remember right, we should almost double. But look at Fairview who we really should compare fairly well against because they pump their water out of wells just like we do. They're considerably higher than us.

Mayor Daoust states so the 4% is really conservative.

Councilor Allen asks, do you know what Portland's rates are?

Steve Gaschler replies they are some of the highest in the region. I think their water rate is up over \$60 a month for an average house.

Councilor White states this is the second time we've doubled it. Are we going to use any of that money to see improvements?

Steve Gaschler responds I would like to see that. Over time we'll get there. It's a transition.

Councilor White states I hear a lot of people moving from Portland to Troutdale because utility fees are less here. It makes us competitive and helps people looking at industrial uses for their heavy water demands. 4% may not sound like much but it is.

Steve Gaschler states if you look at what we're spending this money on it's going into the systems. We're trying to maintain and provide that service. We've all heard of Flint, Michigan and they got in trouble trying to squeeze a penny and switch water sources to save some money and look what happened to them. I'm not saying saving money is a bad thing but it carried to a point that gets you in a disaster.

Councilor White states I want to compliment you and your staff.

Councilor Allen states I know that we have some deferred maintenance that we actually should have taken care of. Is the goal to increase 4% per year until you get to a point where you can maintain infrastructure?

Steve Gaschler responds the rates were all about 6 to 8% for 10 years to get to where we needed to be. One thing I don't want to do is try to change the rate when you're trying to deal with that cap and have that all going on at the same time. It's confusing. It's why I want to get this cap settled and taken care of so that we can figure out where that system sits and what all those credits look like to be able to come back and give you some good numbers.

Councilor Morgan asks, is the cost of the utility as a whole bringing in money or is it hemorrhaging funds?

Steve Gaschler responds we're bringing in enough to barely operate and maintain it. I would like to do more with operations and maintenance and improve that. We're

struggling to keep up. What is doesn't account for is there is nothing in there right now for replacements.

Councilor Wilson states I think we need to look at this. The City of Gladstone hasn't done anything for years and years. There was an article written by The Oregonian in the Clackamas review that they're in for \$50 million worth of replacement of their water and sewer lines because they did nothing. They didn't save for it and didn't adjust their rates. I would hate for us to get in that same situation. I understand people on fixed incomes or low income but the pipes don't care.

MOTION: Councilor Ripma moved to adopt the resolution adjusting the water commodity fee and confirming other water related fees and rescind Resolution No. 2286. Seconded by Councilor Wilson.

VOTE: Councilor White – Yes; Councilor Allen – Yes; Councilor Wilson – Yes; Councilor Ripma – Yes; Councilor Brooks – Yes; Councilor Morgan – Yes; and Mayor Daoust – Yes.

Motion Passed 7 - 0.

Mayor Daoust calls for a break at 8:38pm and reconvened the meeting at 8:45pm.

7. RESOLUTION: A resolution adjusting the sanitary sewer utility fee, confirming the average flow rate for an equivalent residential unit and rescinding Resolution No. 2285.

Steve Gaschler, Public Works Director, states this is the sewer rate increase and it's a modest 4% and the same that we've done for the last 4 years. It would increase a monthly bill by \$1.43 to residents which is \$17.16 a year with that increase. As you know we replaced and upgraded the Beaver Creek pump station. That project was around \$700,000 including engineering and construction.

Councilor Morgan states I have a question to the Council. Would the Council be interested in looking at a proposal from Steve if we're going to increase rates over a period for a senior citizen/low income assistance program?

Councilor Allen responds I would be willing to do that at a Work Session.

Steve Gaschler states I think it's an important thing if we are going to move these rates then it's something the Council should look at and consider. There are some programs I think we can go out and fairly copy and talk to the people who run them and how they run them. We wouldn't be qualifying people. We would be finding out what programs they qualify for and then basically say they qualify for our drinking water assistance program. It's hard to find out an estimate upfront of how much that will cost us.

Councilor White states PGE has a program that assists people in paying their energy bill. I know St. Vincent De Paul has programs for low income.

Councilor Wilson states maybe we could do it prior to February of 2017 when we take a look at some of the other rates to get some breathing room. I know other Cities and Counties have programs for low income and seniors.

MOTION: Councilor Wilson moved to approve a resolution adjusting the sanitary sewer utility fee, confirming the average flow rate for an equivalent residential unit and rescinding Resolution No. 2285. Seconded by Councilor Brooks.

VOTE: Councilor White – Yes; Councilor Allen – Yes; Councilor Wilson – Yes; Councilor Ripma – Yes; Councilor Brooks – Yes; Councilor Morgan – Yes; and Mayor Daoust – Yes.

Motion Passed 7 - 0.

8. STAFF COMMUNICATIONS

Craig Ward states I have a few scheduling announcements for the Council and the public. Next Monday is the Memorial Day holiday and non-emergency facilities will be closed. May 31st the Council has scheduled a Work Session on the Port of Portland's preferred alternative for the Troutdale Airport Master Plan. Also on May the 31st the Reynolds School District has an open house that evening on their plan for Troutdale Elementary School replacement. Then on June 7th, there is the dedication of Visionary Park at 3:00 and then on June 7th and 8th there will be NW Regional series of exercises called Cascadia Rising on earthquake preparedness. I will be participating both days.

Steve Gaschler states to clarify on Visionary Park, we're just unveiling the statue. The park won't be done yet.

9. COUNCIL COMMUNICATIONS

Councilor White asks Craig, do we have a date for the open house for the flood mapping?

Craig Ward responds no. I emailed the Council about that on Friday. You attended the same meeting that I attended. It was very clear in that meeting that FEMA Region 10 out of Seattle needs to participate. They had proposed at that meeting to conduct one meeting for East County. It's not a Troutdale specific meeting. It will be one meeting with Gresham and others. We are responsible for enforcing the flood maps so we need to coordinate with Gresham to send out the notices to the affected property owners. We will do that but we don't have that date yet.

Councilor White states my reason for asking is I was going to request that Troutdale has its own meeting. I know the Port is going to want to be involved and I think ODOT should be there and we have a geographically much different situation than Gresham.

Craig Ward responds I'll be happy to send out that request on behalf of the Council if that's the Council's preference. Unless somebody objects I will send out, on behalf of the

Mayor and Council, requesting that we have a meeting in Troutdale specific to the maps that effect our properties.

Councilor Wilson states I know the Council has turned down the Springwater Parks and Recreation District in the first proposal from Brian Cooper for his idea of what the program is but I've been approached by one of the other City Councilors from Fairview wanting to keep the conversation open with us in developing a program that all three Cities can work with. We can walk away at any time. I'm wanting the Council's approval to have two of us attend those meetings until we determine that they're not a benefit to the City. It's Wood Village, Fairview and they're wanting Troutdale to participate. I hate to close the door before I find out what it is. I want the Council's permission to hear what they have to say.

Councilor White states I think we've eaten up a lot of staff time and we've burdened our parks. I think it's a dead issue at this point.

Councilor Allen states I like to work well with the neighbors and so forth but my concern is that it's always just the few Cities and then it's the four Cities and this other jurisdiction and then it's the region. There's a constant drive to take over our natural resources in Troutdale and we cherish our natural resources.

Councilor Wilson states it's a recreation program. It's not a takeover of our parks or involving Gresham or involving anybody else. I just want to hear what they have to say. If I can't go as a City Council then I'll go as a citizen.

Councilor Ripma states you do that then. The last proposal was a takeover of our Rec Program.

Mayor Daoust states it is fine, Councilor Wilson. The way I see what is going on now is Wood Village and Fairview are working on their part of the program. If all we're doing is sitting in a room and seeing how that discussion's going I don't see a problem. We're talking about a recreation program for the kids. We're not talking about a park district. It is just a recreation program for the kids.

Councilor Ripma states I want to wish everyone a good Memorial Day holiday and that's all I have.

Councilor Morgan states I wanted to thank Council and staff for your emails and phone calls for my mom. I really appreciate that.

Mayor Daoust states we already heard about the Columbia Gorge Transit Study. This weekend starting on Friday there's going to be a bus heading out to Multnomah Falls. They're going to start a Gateway Transit Center and it will only cost \$5.00 for people that want to go to Gateway Transit Center and take a 20 person bus to different stops. Stops to Rooster Rock State Park in case people want to park there and ride for free from Rooster Rock and then take the bus to Multnomah Falls. There will be room on the front of the bus for bicycles. That is starting this weekend Friday, Saturday and Sunday and will go all summer. That is a result of a study that was done by ODOT that said we need

to do something about the Multnomah Falls parking. Next, I want to read a thank you note from Scott Anderson. Dear Mayor Daoust and Council members, thank you very much for the wonderful retirement gift, which was the trout sculpture, it has a very prominent spot in our den that will be a constant reminder of how fortunate I was to serve our community with you. I wish you all the very best in the years ahead. Sincerely, Scott. This Thursday there is a job fair at McMenamins Edgefield if you know of anybody who wants to work at Edgefield. I was on a call about the biological opinion that Natural Marine Fisheries put forward to FEMA on the flood mapping. I have notes that I can type up and send out. Basically FEMA and DLCD with the State of Oregon are going to hold seven regional workshops this summer. The Portland Metro area will have one of those seven workshops. They didn't say when. There is a lot going on with this and a lot of unanswered questions. I asked a question on the phone call about our Urban Renewal Area, will there be some form of grandfathering in of developments that get started before two to three years from now. They said to contact DLCD or FEMA about grandfathering. Another question I asked was about the conditional letter of maps revisions. If we submit a conditional letter of map revisions, FEMA will require a habitat assessment. We have conditional changes or map revisions that we're requesting we have to have a habitat assessment done with activities we're planning along the rivers and streams before the project happens. Recently, we held two Town Hall meetings on Imagination Station on May 18th and May 21st. We only had 26 people attend and we were hoping we would have a lot more. We had a consultant fly out here from New York from a company named Play By Design who is willing to handle the volunteer build of the reconstruction of the burnt part. We also had Game Time there who makes metal play structures. There's some decisions that we have to make here soon. What we are most likely going to do is go to Troutdale Elementary School and Sweetbriar Elementary and talk to the kids about what they want to see put back in Imagination Station. We're going to call it Design Day. A lot of the public input and some of the thoughts of the Subcommittee was that the community wants to be involved in rebuilding.

Councilor Wilson states I think from attending that meeting I found out that the condition of the rest of the structure is 22 years old so there is going to have to be some decisions in the long run of what we're going to do.

Mayor Daoust states Tim Seery was tentatively thinking the middle of September as a build date. I'm not pushing any particular alternative. I'm here to facilitate the discussion and make sure it keeps going. Tim and a small group of us are trying to make the best decisions we can.

Councilor Allen states I would think that we would want to replace the burnt part as quickly as possible and then refurbish later.

Councilor White asks, did we fly this consultant out from New York?

Mayor Daoust replies no, they came out on their own.

Councilor White states I thought it was going to be more of a staff decision based on insurance and donated money. I know we have offers of materials from Home Depot. I

know a finishing carpenter looked at the site and it is 22 years old and he said it looked to have another 10 years of life left. The only suggestion he had was capping the tops of the wood beams so they don't split. I think we can get this thing done and get started on it right away. It sounds like it's getting a life of its own by making it bigger and better than it was.

Mayor Daoust states we're taking all of that into account. We're talking rebuilding the burnt part either close to the way it was or completely different. That needs to be done and that is what the insurance will cover. The second part is using volunteers to refurbish what is remaining. That can go as far as we want it to go if we have donated money to do it. Those are the two components we need to address.

Councilor Ripma states I'll just say that what you're doing seems right and given your heavy involvement in the original construction you're taking this on and I thank you. I think we should do it right. I personally don't think we should try to rush it. If it can be done by mid-September that is good and realistic.

Mayor Daoust states I'm on the Urban Growth Task Force with Metro and we had our first meeting. There are eight Mayors on that meeting, all three County Chairs, Metro staff and the Homeowners Association. We're talking about the Urban Growth Boundary (UGB) and the steps that will be done in the future because the Urban Growth report has already written and approved. Metro is willing to entertain the conversation immediately for next go around and not wait for six years. That is why this group was pulled together, for people who have a say. If Cities want to consider an urban growth expansion we have to demonstrate that a governments the infrastructure financing the market conditions will result in housing development in a requested UGB expansionary. That is only one thing. The second is the City has taken action to increase housing choices and affordability in our jurisdiction. The third is that the requesting UGB expansion would support regional and local goals. It's not a simple thing to say we have 700 acres we would like to expand the UGB. We are behind a lot of rules waiting for Gresham's urban reserve that already exists but is not getting developed. We're going to sit behind them in a waiting list. I'm doing my best on this committee to keep us engaged in the discussion so we don't get left behind. Tomorrow there is a Public Works Appreciation BBQ at Glenn Otto Park. On May 26th there is a homeless luncheon with the faith leaders in East Multnomah County. All of the churches were invited to a discussion about homelessness in East Multnomah County and what we're going to do about it. That is Thursday at Fairview City Hall at 12:00pm. Also Thursday there is an East County Elected Officials Emergency Preparedness training at Gresham City Hall at 5:30pm. You're all invited. I know we have this Work Session on May 31st with the Troutdale Airport business people. It appears there is another meeting scheduled June 3rd at Gorge Winds Aviation organized by Mike Rhodes. It sound similar to what we're going to talk about on the 31st. Evidently there is a movement amongst the business people and the pilots to engage us and others before it goes to the Port Commission. The Port will be at our May 31st meeting.

10. ADJOURNMENT

Councilor Ripma moves to adjourn. Seconded by Councilor Wilson. The motion passed unanimously.

The meeting adjourned 9:28pm.

Doug Daoust, Mayor

Dated: _____

DRAFT

ATTEST:

Kenda Schlaht, Deputy City Recorder

CITY OF TROUTDALE
 City Council – Regular Meeting
 7:00PM

Tuesday, May 24, 2016
PLEASE SIGN IN

Name – Please Print	Address	Phone #
Trevor David	1018 SW Halsey St.	707-599-4002
Jonathan Nagle		
Shayda Nagle		
Carol Allen		
Sam Barnett		
DAN BROWN		
ANLEA BROWN		
PAUL WILCOX Peter van Arken	TROUTDALE Troutdale	
Kelsey Morgan	1016 SW Halsey St	503-740-2927
BRUCE WISSER	TROUTDALE	
Diana Castillo JAY GUIS	GRESHAM	503-88-1405 (503) 818-8100
TANVY STAFFINSON	TROUTDALE	503-319-7732

2016-17 UTILITY FEE RESOLUTIONS

TROUTDALE CITY COUNCIL MEETING MAY 24, 2016

THE VALUE OF UTILITY SERVICES TO OUR COMMUNITY

- SAFE DRINKING WATER
- PROPERLY TREATED AND DISPOSAL OF WASTEWATER
- PROPERLY TREATED, CONVEYED AND DISPOSAL OF STORMWATER

HOW IMPORTANT IS SAFE DRINKING WATER

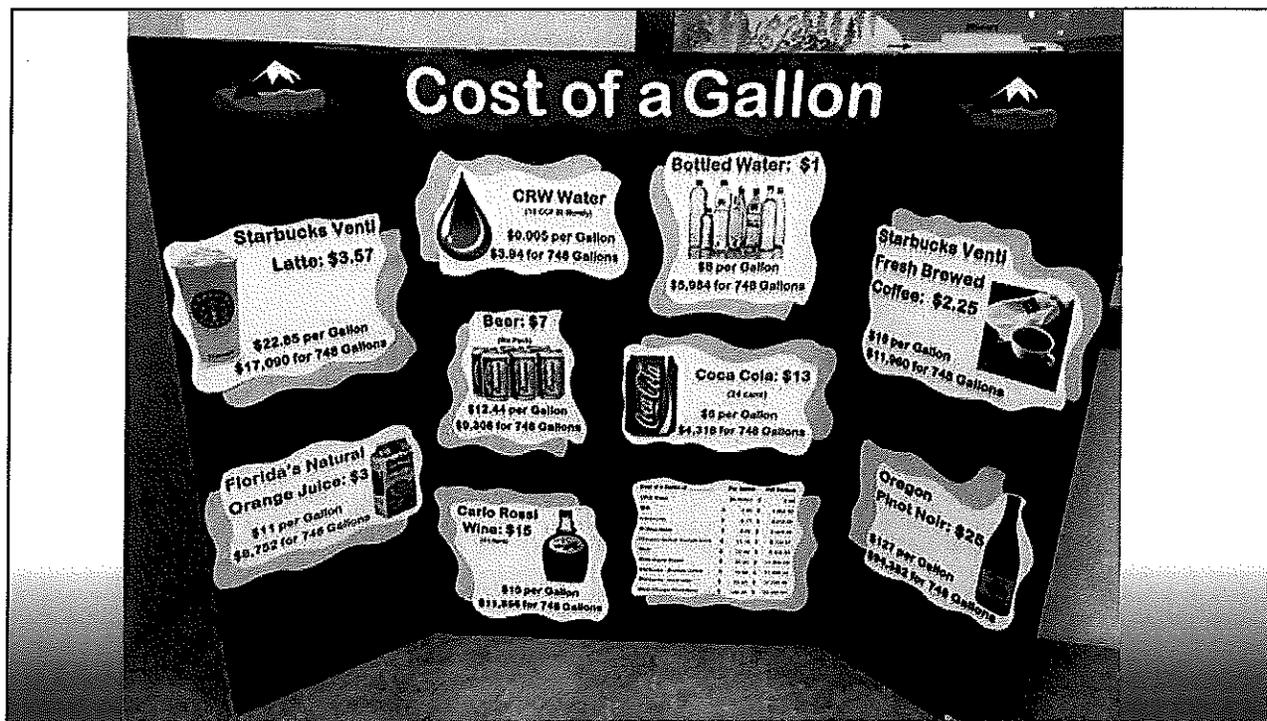
- The citizens of Troutdale depend on us to deliver good tasting clean water
- When they want it and how much they want.
- A certain percent of our population is considered vulnerable or at risk for water that is otherwise not considered a health risk to a normal healthy person



Troutdale Water Service

- 7 deep well pumps
- 4 storage reservoirs
- 64 miles of distribution pipe
- 4700 customer accounts
- Average day production 1.7 million gallons
- Annual production over 600 million gallons
- 4.8 full time equivalent employees





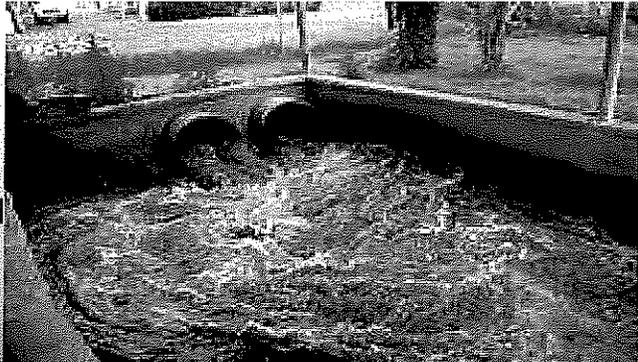
Wastewater

- Integral to public health, environmental protection and quality of life
- The Clean Water Act (CWA) prohibits discharges of pollutants to waters of the U.S. unless authorized by a National Pollution Discharge Elimination System (NPDES) permit.
- Unpermitted discharges from the sanitary sewer system to the waters of the U.S. constitute a violation of the CWA

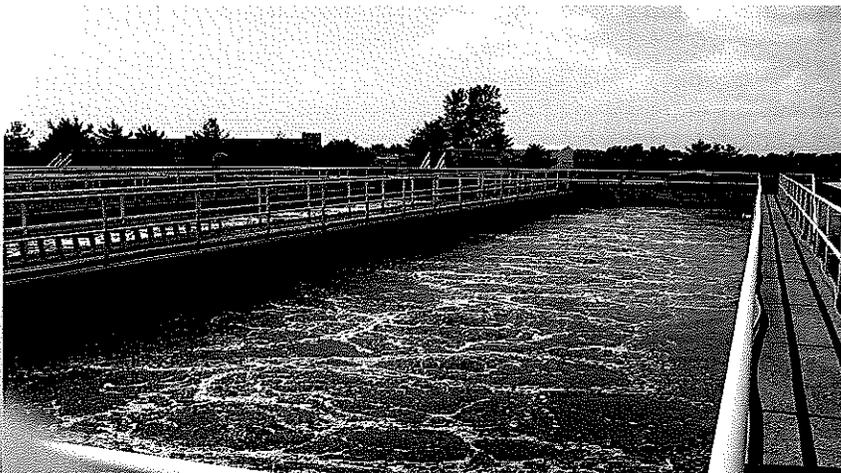


Troutdale Wastewater Service

- 4700 customer accounts
- 53 miles of gravity pipelines, ranging in size from approximately 4 to 30 inches in diameter
- 1,340 manholes
- 10 lift stations
- 4 miles of sanitary force mains.
- Over 600 million gallons treated last year

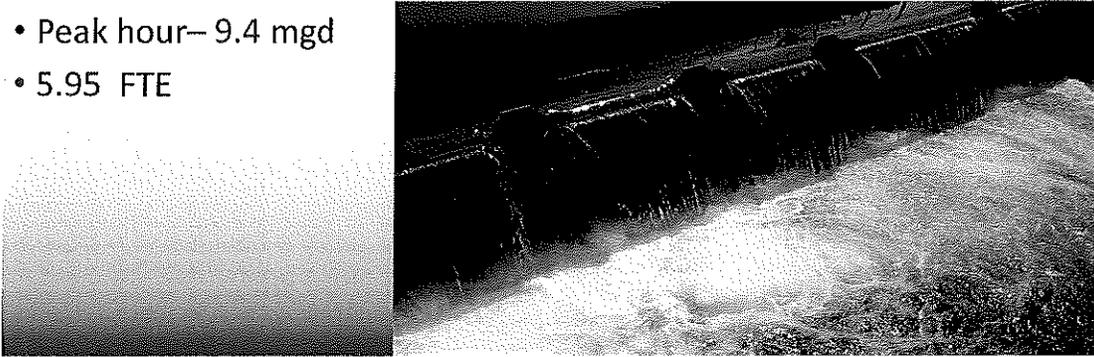


Aeration Basin



Troutdale Wastewater Service

- Dry weather average day– 2.4 million gallons per day (mgd)
- Wet weather maximum day– 6.3 mgd
- Peak hour– 9.4 mgd
- 5.95 FTE



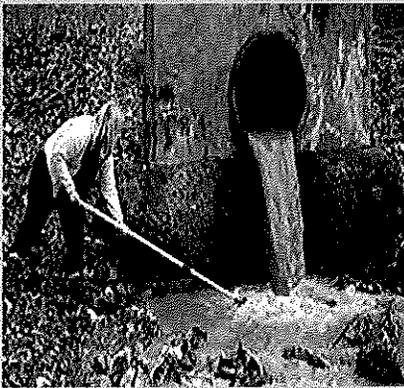
STORMWATER SERVICE



STORMWATER EROSION CONTROL

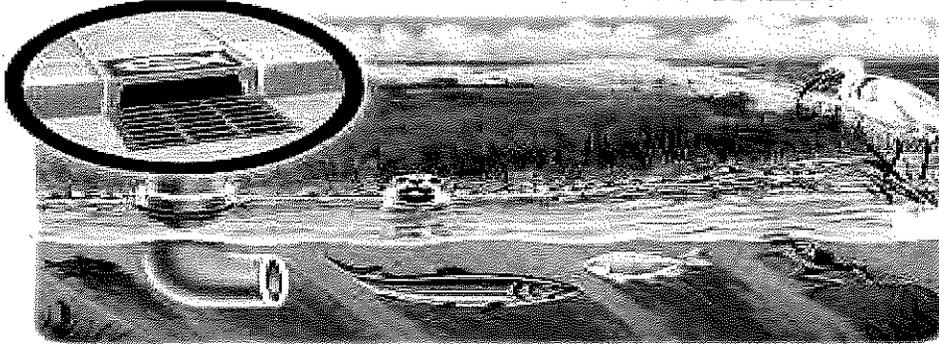


PROBLEMATIC STORMWATER DISCHARGE



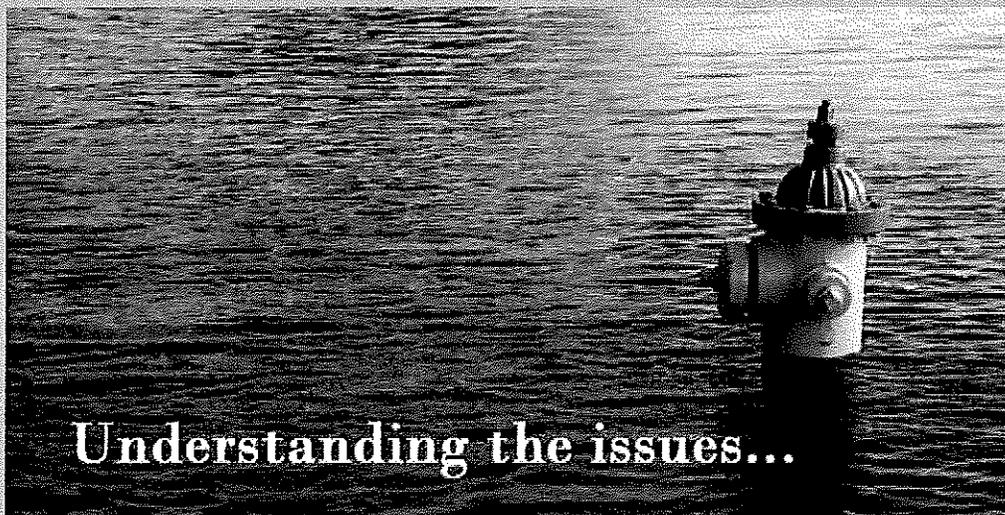
STORMWATER WHERE IT GOES

**ALL STORMDRAINS LEAD DIRECTLY
TO OUR PONDS, RIVERS & BAYS**



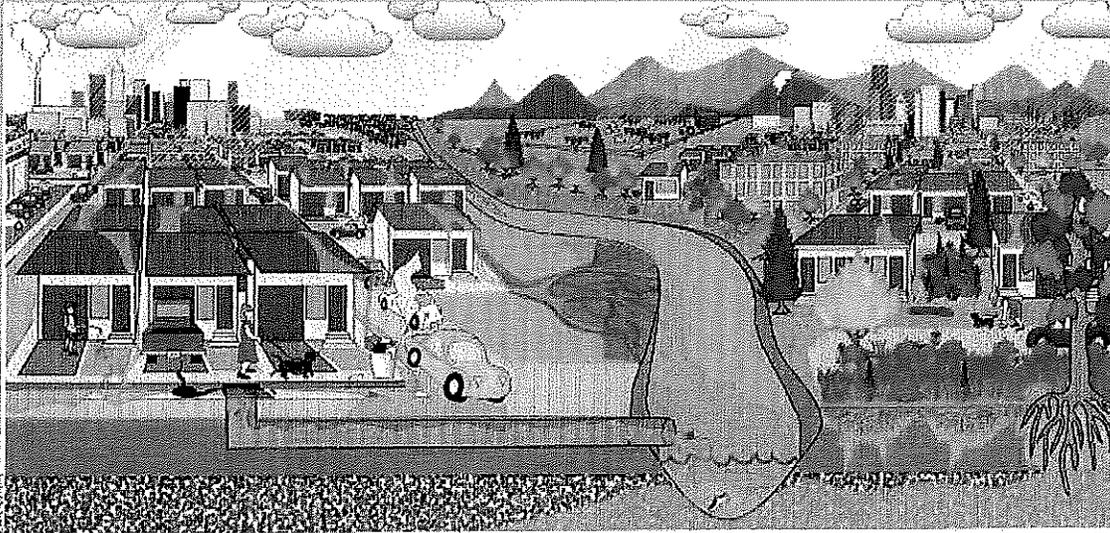
To learn how to be a part of the solution to stormwater pollution, visit www.nsrwa.org

STORMWATER FLOOD MANAGEMENT



Understanding the issues...

STORMWATER GRAY VS GREEN



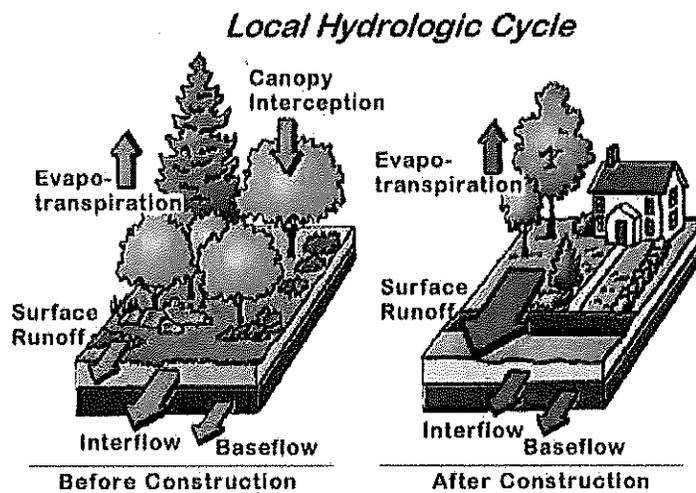
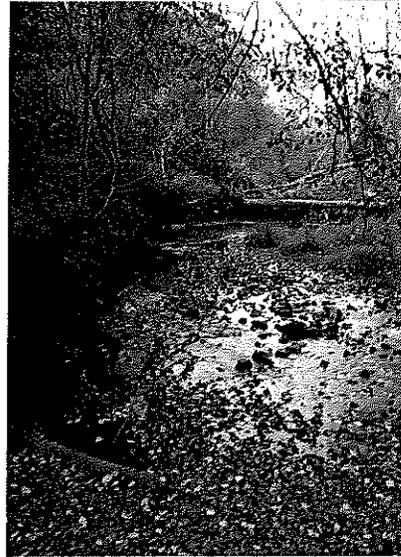
STORMWATER ONSITE RETENTION AND TREATMENT

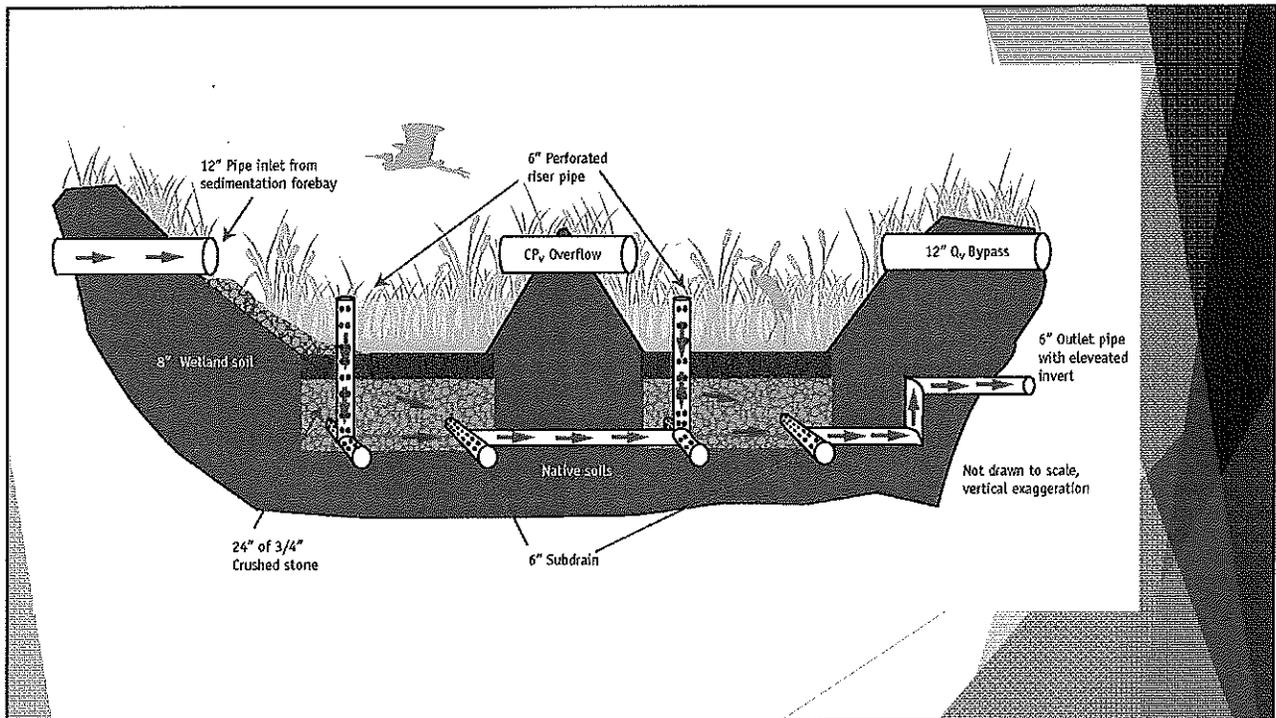
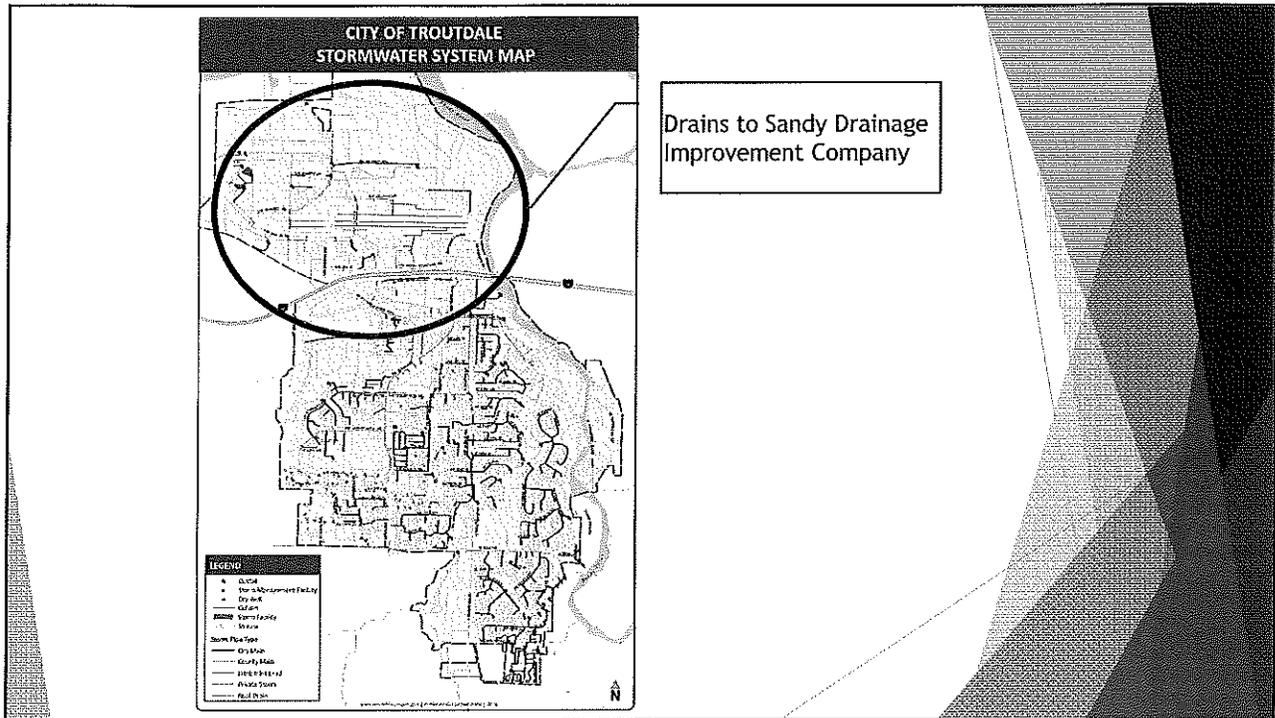


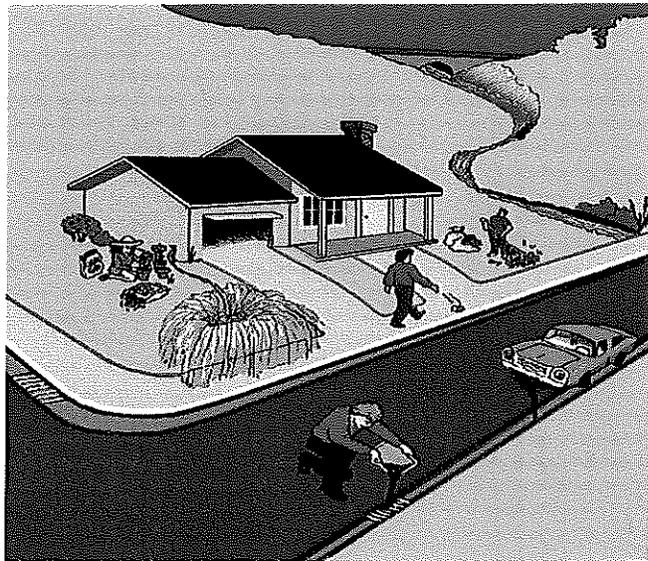
Troutdale's Stormwater Program

System Overview

- Combination of open (channels/ditches) and closed (piped) systems
- Mixed ownership of system components
- 32 miles of closed pipe system, 32 outfalls
- 123 drywells (underground injection controls aka "UIC's")
- Water quality facilities – Bioswales, Stormfilters™, pollution control manholes, and oil/water separators
- 2.05 full time equivalent staffing







FCS RATE REPORT 2014

STORM SEWER RATE AND SDC STUDY

This report provides a storm sewer utility financial plan that will allow the City of Troutdale ("City") to implement the capital improvement program (CIP) provided in the North and South Troutdale Storm Drainage Master Plans while meeting its other financial obligations, including policy objectives. The two components of this plan are (1) the computation of system development charges ("SDCs") and (2) a revenue requirement analysis.

SYSTEM DEVELOPMENT CHARGES

SDCs are one-time fees imposed on new and increased development to recover the cost of system facilities needed to serve that growth. This section provides the rationale and calculations for a proposed storm sewer SDC.

Methodology

An SDC can include two components: (1) a reimbursement fee and (2) an improvement fee.

Reimbursement Fee

The reimbursement fee is based on the cost of available capacity per unit of growth that such available capacity will serve. In order for a reimbursement fee to be calculated, unused capacity must be available to serve future growth. For facility types that do not have available capacity, no reimbursement fee may be charged.

Improvement Fee

The improvement fee is based on the cost of capacity-increasing capital projects per unit of growth that those projects will serve. In reality, the capacity added by many projects serves a dual purpose of both meeting existing demand and serving future growth. To compute a compliant improvement fee, growth-related costs must be isolated, and costs related to current demand must be excluded.

We have used the capacity approach to allocate costs to the improvement fee base. Under this approach, the cost of a given project is allocated to growth in proportion to the growth-related capacity that projects of a similar type will create.

Growth should be measured in units that most directly reflect the source of demand. For the City's storm sewer utility, growth is measured in equivalent residential units (ERUs). One ERU represents 2,700 square feet of impervious surface area, which is the average impervious surface area of a single-family residence in Troutdale.

Adjustments

Oregon Revised Statutes ("ORS") 223.107(5) authorizes the expenditure of SDCs on "the costs of complying with the provisions of ORS 223.107 to 223.314, including the costs of developing system development charge methodologies and providing an annual accounting of system development

Financial Analysis

Storm Sewer Utility Financial
Analysis completed in 2014

FCS Group - independent utility
rates and finance consultant

FCS Group report delivered in April
2014

Report based on in-depth, holistic
financial modelling of the storm
sewer utility

Included both operating and capital
funding

“ The current rate structure—specifically, capping billable impervious surface area at 6.2 ERUs—produces two undesirable effects. Not only does this structure subsidize large commercial customers at the expense of residential customers; it also limits the marginal revenue provided by a rate increase. ”

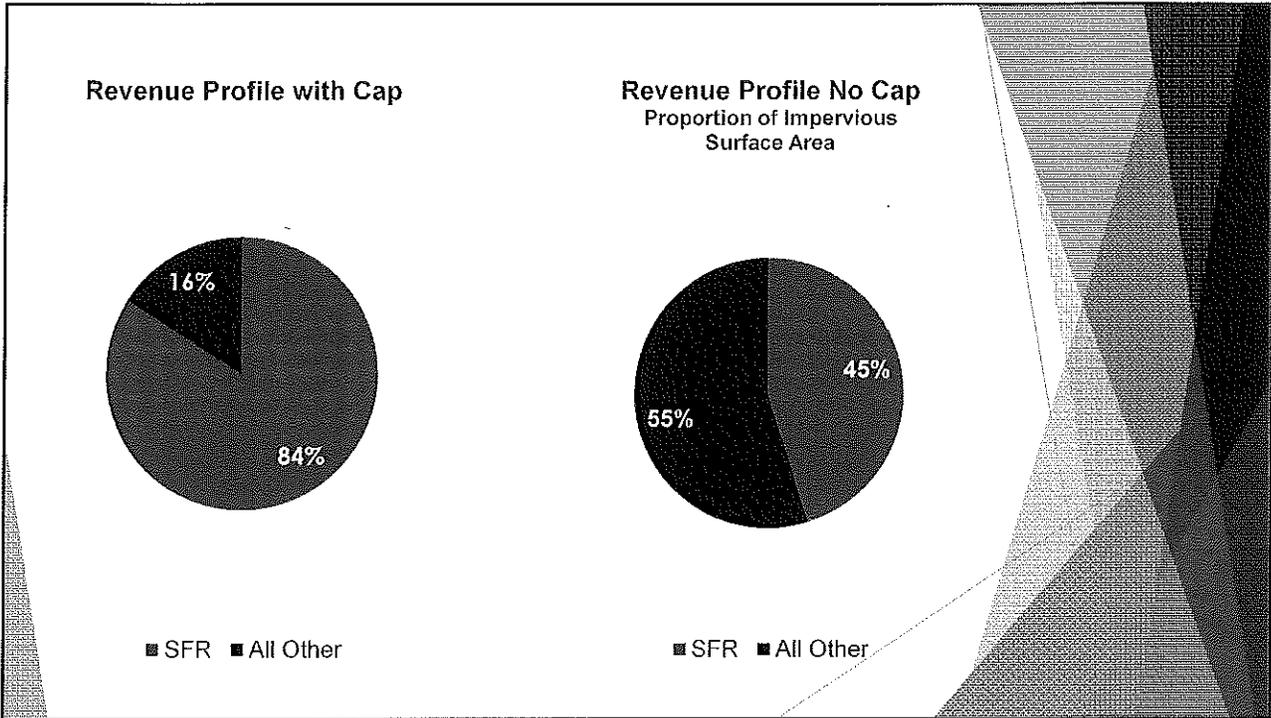
FCS Storm Sewer Rate and SDC Study, April 2014

FCS concluded that significant negative consequences are resulting from maintaining the storm sewer rate cap.

Subsidizing large commercial comes at the expense of small businesses in addition to residential customers when the base rate is increased to compensate.

Presently, subsidizing large commercial comes at the expense of all property tax payers, of all types and sizes

To put it another way, small local businesses like the General Store are picking up part of FedEx's tab under the current rate structure



“

We [FCS] recommend that the City eliminate the rate cap.

”

FCS Storm Sewer Rate and SDC Study, April 2014

FCS concluded that the cap clearly needs to be eliminated. FCS provided two proposed scenarios for removing the cap beginning in 2014:

1. Immediate elimination (more modest base rate increases)
2. Phased rate cap removal over three years (Transitional period for large commercial, but higher base rate increases)

Both scenarios were fully modeled and rate plans/projections were provided

“ It is important to note that, other things equal, keeping the rate cap in place will make required [base] rate increases much larger. ”

FCS Storm Sewer Rate and SDC Study, April 2014

Even with removal of the cap, base rate increases are needed;

However,

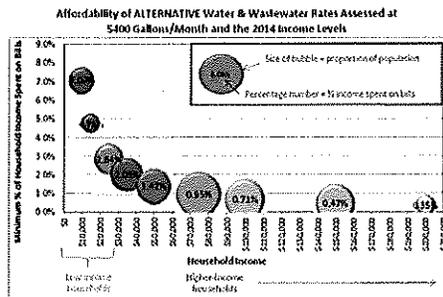
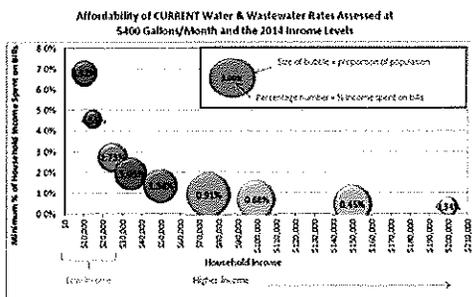
The longer the rate cap is kept in place to benefit the largest users, the greater the total impact on residential users and small businesses.

Affordability Analysis

Water & Wastewater Residential Rates Affordability Assessment Tool
 Environmental Finance Center, UNC, Chapel Hill
 Smart Management For Small Water Systems project, USEPA

The most commonly accepted benchmark in the industry is 2.5% of Median Household Income

	Current rates	Alternative rates
Monthly water & wastewater bill at 5400 gallons/month	\$56.85	\$59.10
Annual bills at same level of use	\$682.15	\$709.25
Median Household income in 2014 for Troutdale city, Oregon	\$58,790	
Water & Wastewater %MHI	1.16%	1.21%



DRINKING WATER RATE RESOLUTION

UTILITY RATE COMPARISON 2015		
SUNSHINE/INDEPENDENT		
CITY	POPULATION	WATER
THE DALLES	14,400	\$57.94
SHERWOOD	18,771	\$44.24
CORNELIUS	12,161	\$42.02
GRESHAM	106,000	\$34.74
WILSONVILLE	21,550	\$32.01
OREGON CITY	33,390	\$30.27
FAIRVIEW	9,153	\$30.02
HOOD RIVER	7,167	\$28.74
WOOD VILLAGE	3,885	\$28.59
CANBY	16,866	\$28.36
MILWAUKIE	20,500	\$27.46
FOREST GROVE	22,000	\$23.00
HAPPY VALLEY	16,321	\$22.03
WEST LINN	25,425	\$18.55
GLADSTONE	11,495	\$16.80
TROUTDALE	16,015	\$15.45
Average	22,194	\$30.01

All cities except Troutdale, Hood River and Forest Grove charge water based on Cubic Feet
 Comparisons are based on assumed equivalent water consumption of 5,000 gal per month

SANITARY SEWER RATE RESOLUTION

UTILITY RATE COMPARISON 2013		
Single Family Residential		
CITY	POPULATION	SANITARY SEWER
WILSONVILLE	21,550	\$55.24
MILWAUKIE	20,500	\$51.21
WOOD VILLAGE	3,885	\$49.80
HOOD RIVER	7,167	\$48.00
OREGON CITY	33,390	\$45.66
THE DALLES	14,400	\$44.76
CORNELIUS	12,161	\$44.08
CANBY	16,866	\$43.99
HAPPY VALLEY	16,321	\$43.50
SHERWOOD	18,771	\$37.99
TROUTDALE	16,015	\$35.74
WEST LINN	25,425	\$33.62
FAIRVIEW	9,153	\$31.98
FOREST GROVE	22,000	\$30.80
GLADSTONE	11,495	\$27.79
GRESHAM	106,000	\$26.30
Average	22,151	\$40.66

All cities except Troutdale, Hood River and Forest Grove charge water based on Cubic Feet
Comparisons are based on assumed equivalent water consumption of 5,000 gal per month

DRAFT

MINUTES
Troutdale City Council – Regular Meeting
Troutdale City Hall – Council Chambers
219 E. Historic Columbia River Hwy.
Troutdale, OR 97060

Tuesday, June 28, 2016 – 7:00PM

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE.

Mayor Daoust called the meeting to order at 7:00pm.

PRESENT: Mayor Daoust, Councilor Ripma, Councilor Brooks, Councilor Morgan, Councilor White, Councilor Allen and Councilor Wilson.

ABSENT: None.

STAFF: Craig Ward, City Manager; Ed Trompke, City Attorney; and Sarah Skroch, City Recorder.

GUESTS: See Attached List.

Mayor Daoust asks, are there any agenda updates?

Craig Ward, City Manager, responds yes to Item #5, the presentation of the annual report for the West Columbia Gorge Chamber of Commerce. They requested that item be deferred to the July 12th meeting. That item will not come forward tonight.

Councilor White states I have a request for alterations to the agenda. Is it possible to hear the progress report on the Urban Renewal prior to voting on the budget and then not repeating it in the Urban Renewal Agency (URA) meeting?

Councilor Wilson states the Budget Committee has already approved this resolution of the budget and City Council has already approved it. I don't see any reason.

Councilor White states Council will be approving it tonight. Council always has a second opportunity to chime in.

Councilor Wilson states I think we should leave the agenda the way it is.

Mayor Daoust states whether it's on this agenda or the URA agenda, they're both public meetings.

Councilor Ripma states I think it's a good idea.

Councilor Wilson states we've all voted on this in the budget meeting already. We've already been informed.

Mayor Daoust asks, Ed is there a connection between the update and the budget? Or is it two separate items?

Ed Trompke, City Attorney, responds the better way to deal with it might be to ask questions during the Council matter that would be relevant rather than risk having something added to the agenda that is different enough that could raise some issues. I don't know what issues might rise other than I was at one Budget Committee meeting where the City portion of the URA budget was questioned, discussed and moved on. Knowing what I know about the URA I don't know that there will be that many new items brought up in the update. I think it would be better to do it as questions when you get to Item #6 resolution. Council can ask staff questions at that point in time about any updates.

Mayor Daoust states we'll leave the agendas the way they are.

**2. CONSENT AGENDA:
2.1 MINUTES: May 31, 2016 Work Session.**

MOTION: Councilor Ripma moved to approve the consent agenda. Seconded by Councilor Wilson. The motion passed unanimously 7-0.

3. PUBLIC COMMENT:

Rob Canfield, Troutdale resident, states I'm also a member of the Troutdale Budget Committee. At a previous City Council meeting during the public comment section, a citizen made a comment criticizing my injections to certain Budget Committee meeting members who met outside of the budget meeting to discuss changes of cuts in a proposed budget. The citizen said that someone like myself doesn't deserve to be on the Budget Committee or any committee because I objected to the budget proposals that were created in secret out of the public budget meeting. I don't blame or harbor any ill will towards anyone who thinks that. I don't wish any ill will toward any of the Budget Committee members that were involved. I do ask that in the future that education and training for the Budget Committee regarding Oregon public meetings law and Oregon budget law be a requirement. We have a choice, we have the choice of secrecy or transparency. We have a choice of backing deals and open meetings and I would like to choose transparency. If you have a question about what I'm talking about I would like to quote some of the laws. This is from the local budget in Oregon which we all got in the budget meeting. On questions about to consult with other Budget Committee members about details in the budget other than the Budget Committee meetings, this is what the manual says, "Discussions of the Budget Committee must always take place in the forum of a public meeting. One of the reasons Oregon uses the Budget Committee process is to ensure public comment and full disclosure of budget deliberations is much better to abide by the spirit of the law." Also a quote from Oregon Open Meetings Law, "A gathering of less than a quorum of a committee, subcommittee, advisory group or other government body is not a meeting under the public meetings law, however, while a gathering of less than a quorum is not a meeting, members of a governing body should not gather as a

group or groups composed of less than a quorum for purpose of conducting business outside the public meeting law. Such a gathering creates the appearance of a propriety, runs contrary to the policy of public meetings law, which supports keeping the public informed of the deliberation governing body." Again, I don't harbor any ill will about what happened in the budget process or anybody who spoke negatively about me but I do believe we do have a choice as openness, transparency or secret meetings and breaking the law. It's a matter of education. I am in favor of openness.

Sharon Ezzell, Troutdale resident, states I would like to respond to one of the things that Mr. Canfield just said. I am the citizen that he is referring to. I don't believe that I stated that he had no business being on the committee or that he shouldn't be on the committee. My comment was that a comment stating, "If I don't know who said it I'm going to vote no," bothers me because it comes across as it doesn't matter what the idea is, what's behind it, it could be the best thing in the world, but his comment indicates that if he doesn't know who said it he's going to say no. That's what my concern was and that's what I was stating. It was nothing against him personally. If he felt that, I apologize to him. It wasn't just him. If there's anybody on any committees that we have that has that kind of an attitude that's a concern that I have. At the last Council meeting during the agenda item 7.1, which was the resolution to adopt the 2016-17 annual budget, I requested permission to ask Mr. Trompke a question to get Mayor Daoust's and the Council's attention. I said, "Doug, can I ask Ed a question?" Mr. Mayor, I owe you an apology. I should not have used your first name. I should have referred to you as Mr. Mayor or Mayor Daoust. I would like to go on record that I'm acknowledging that that was inappropriate of me to do that and I do extend an apology to you. If I'm going to hold you guys accountable I'm also going to hold myself accountable. I would also like to thank you, Mayor Daoust, for allowing me to ask that question. I guess I thank Ed Trompke for his non-answer. During agenda item 7.1 there was much discussion and a couple of times the comment was made to check the minutes. Referring to the minutes of the Budget Committee meetings. Yet those minutes were not available here. It would seem that having those minutes available at this Council meeting would have helped to shorten the length of the discussion. More importantly, I would like to ask the Council, how you can pass a recommended budget when you don't have the minutes available to refer? There were several times when that would have been advantageous to have that happen. I welcome any response from you. Another item that caused a lot of discussion was the hiring of the part-time HR person for \$70,000. That was eventually removed from the budget. Through that discussion and other comments that had been made at other meetings, it has become very obvious that Erich Mueller wears many hats and that staff is stretched thin and they have requested additional help. Before this subject is brought up again I would like to recommend that a review of the staff responsibilities be made so that you as a Council can fully understand where the needs are and where, if any, there may be a little bit of slack. I'm referring to, say Sarah, what is your job responsibility? What is expected of you and what is it that you really do? That's truly the only way that you can find out where the problems are within the workings of the actual employees. Also at the meeting there was some negative comments made by Councilor Wilson stating that Councilor Allen was not at the last budget meeting. How that came across was like you were wanting to point out that Councilor Allen was not where he should have been and yet at the previous budget meeting Councilor Allen stated that he would not be available as he had a scheduling

conflict. Councilor Morgan was neither at that same meeting nor at the second Budget Committee meeting and yet that was not pointed out. That's a concern to me. Councilor Wilson also made a comment directed to Councilor White stating that using the FEMA money for a consultant was self-serving. As Councilor Allen stated Troutdale is surrounded on two sides by water. I would like to ask how a consultant for a study that benefits the City can be self-serving. I have not been attending City Council meetings for very long but comments like these are made at every meeting that I have been to. They are non-productive and they seem to only put division among the Council. The first meeting that I attended was the March 22, 2016 meeting which was Councilor Anderson's last meeting prior to his resignation. I read an exit interview in the Gresham Outlook that referred to the division of the Council. Mayor Daoust was quoted in an article created on Thursday, March 24th in the Outlook referring to Councilor Brooks as nomination of subsequent election and I quote, "This is not easy but I think it's the best thing we can do as a divided Council." This is from a statement that Mayor Daoust made at that March 22nd meeting. It saddens me that there is division among the Council but making the comments towards each other can only foster further division. There are 7 people and 7 personalities and there are going to be differences of opinion. That makes a good Council. Please, have your discussions and voice your opinions. That's why we elected you. Please, keep your catty comments and innuendos that are meant to be a personal attack to yourself. Liking each other is not a requirement but working together respectfully should be. We have a great City. Let's have a great Council that works together to keep it that way.

Mayor Daoust calls for a break 7:21pm and reconvenes the meeting at 7:28pm.

4. REPORT: Troutdale to Springwater Trail Route Alternatives.

Robert Spurlock, Metro Senior Regional Planner, states I have an update for you on the Troutdale Springwater Trail Master Plan project in advance of tomorrow night's public meeting at Mt. Hood Community College at 6:00pm. We will be showing the public 3 conceptual trail route options. This project is a partnership between Metro, Troutdale and Gresham and it's guided by an advisory committee that's made up of community members including Councilor Wilson as well as Shirley Prickett from the Troutdale Planning Committee and Charlie Foss from the Troutdale Parks Advisory Committee. I have some background information that gives important context for the work that we're doing on this project.

Robert Spurlock presented the Troutdale to Springwater Trail Route alternatives PowerPoint Presentation to the Council. (A copy of the PowerPoint Presentation containing the Trail Route alternatives is attached to the minutes as Exhibit A).

Robert Spurlock states we're coming up with conceptual images of what the trail would look like and how it would fit into the landscape. We're looking at 3 potential alignments and what we're telling people is that the word "conceptual" is key. These are ideas that we're starting with and there are many things we haven't thought about so the community members and the neighbors in this area have just as much as expertise as we have. We

want to ask everyone if we've missed anything or if there's anything we haven't thought of yet.

Mayor Daoust states the Homestead brothers who started this way back in 1903 are the same architects that designed Central Park in New York City. The fact that it's also East Metro Connections Plan says a lot to me. I know that all 4 Cities agreed to the plan. It's always good that we implement things that we all agree on.

Councilor Allen states if you want a good cross section of the groups of people that are between here and the Springwater you might want to consider the Gresham Farmer's Market and Troutdale's First Friday. And are we talking about taking over people's property here or existing property?

Robert Spurlock responds that is a really important question. As I mentioned, private property is important to everyone so we want to be really sensitive. These maps do show the conceptual lines going through some private property and because of that those were the first people we reached out to. We sent personalized letters to all those property owners. We explained to them that none of this is a done deal and this is part of our thinking process. We want to use their input to shape where the trail goes. If through the end of this process there are already private properties that seems like the trail has to go through there then the agencies that actually implement the trail, Troutdale and Gresham... Metro is really doing the planning work so that is up to the local Cities on how they want to handle that. One thing we're also telling land owners is there will be chances for more input.

Councilor Allen states you mentioned security. We currently have trails where we do sweeps from time to time. We also have regional contracts where we're donated an officer. Are you thinking about that type of security? Or are you thinking about a Metro group?

Robert Spurlock responds we've been talking about it a lot. We're going to have representatives from the Multnomah County Sheriff's Office and Gresham Police at the open house to talk about the efforts that they currently make around the homeless and security issues. I think it's an ongoing conversation. Since we're working on the planning and the conceptual design for the trail at this point I think our main objective is to do everything we can within the scope of our project to make sure we wouldn't be planning or designing anything that would attract illicit uses. We're not that far along to have a plan for the security. It would just follow protocol with local law enforcement.

Craig Ward states our current segment of the 40 Mile Loop is along the levee out by TRIP (Troutdale Reynolds Industrial Park) and the relationship we have there sets a model for the rest of the 40 Mile Loop and the City of Troutdale is responsible for policing and maintenance of the trail.

Councilor Wilson states having taken the tour with you, I do have some concerns about people's property around Beaver Creek. I would say that they have to be willing sellers in order to make that route if that's the preferred route. The other concern I have along the

Beaver Creek area is that a lot of those people that bought homes there thought they were backing up to a greenway. That area and 2nd Street where you're going to need to widen the sidewalks and take out part of the property owner's property to make them wider. I ask that those two neighborhoods be involved and know what's going on and having personalized meetings for those neighborhoods.

Robert Spurlock states meetings with the neighborhoods is an excellent idea.

Councilor Wilson states we need to make a meeting at Glenn Otto Park for the neighborhoods so they can express their support or non-support.

Robert Spurlock states the typical response is they don't want it in their backyard. But we do have several examples of trails that once it's built the tone changes. We very genuinely want to come up with something they're okay with. We want to listen to their concerns and come up with something that works for them.

Councilor Allen states in all fairness people may not attend a meeting unless they know it directly affects them.

Shirley Craddick, Metro Councilor, states I wanted to reply to your comment about properties. If you walk the Springwater Trail in Gresham, most of the trail in the downtown area backs right up to people's backyards. When you walk through it you can see people have created their own path from their yard to the trail. It's very common that trails are right in the backyard. People become comfortable with that. You might want to use the process Metro has used to purchase land for trail construction.

Robert Spurlock states I mentioned the Beaver Creek area from the 1995 bond measure so several properties and several acres were purchased in the late 90s and early 2000. It was always willing sellers. Metro is not allowed to use eminent domain to purchase property for trails. We have a long history of good relationships with land owners through that program. That is Metro and Metro does purchase land for trails and has purchased land for trails in this area.

Councilor Wilson states okay, Metro is always a willing seller but you're saying that it's up to Troutdale to get the acquisition of property. We're going to have to buy it, is that correct?

Robert Spurlock responds that hasn't been decided yet.

Shirley Craddick states there is a possibility there may be regional funds available to purchase land.

Councilor White asks, is grant funding going to be pursued?

Robert Spurlock responds that is exactly why the vast majority of the trails are built with Federal transportation money that's obtained through grants. There is a requirement from the feds that it be built to that width.

Councilor White asks, is this the end of the trail system once it's completed? Or is it the beginning?

Robert Spurlock responds the 40 Mile Loop trail has some small gaps along the Marine Drive trail where we're making steady progress. The Marine Drive trail is almost finished. Everything on the west side is more or less finished and Springwater Trail is more or less finished with the exception of one or two tiny gaps that we're making steady progress on. This is the last major gap where we still don't know where the trail will go.

Councilor White asks, when is our next date for input?

Robert Spurlock responds after tomorrow there will be a comment card at the open house meeting. It will also be online for 2 ½ weeks until Friday the 15th. Then after that it would be at the Farmer's Markets and other events and an open house in October. People can contact me or anybody else on the committee with ideas and suggestions.

Councilor Ripma asks, who makes the final recommended alignment?

Robert Spurlock responds the way we have everything planned out is we hope that the plan that we bring to you in the fall, possibly in November or December, will reflect what you all want to see in it already. We will work through your staff and through the public process. The Troutdale City Council would be making the final decision.

Sharon Ezzell, Troutdale resident, asks, in regards to Beaver Creek canyon are you just looking at the east side of Beaver Creek? Or are you looking at the west side? There are already some trails. Is there a way that can be utilized rather than having to go through a whole new layout?

Robert Spurlock responds absolutely. We've been looking at both sides and the lines are showing the east side but there haven't been any decisions made yet. We're going to learn a lot tomorrow at the open house.

Zane Sparling, The Gresham Outlook, states my question is regarding eminent domain. If I understand it right, it sounds like Metro purchases land but then after the plan is approved it's going to be up to the individual Cities to get access to the land that the trail is going to be on. It seems sort of impossible to do that without using eminent domain and it seems like it would be the City that has to do that because Metro isn't involved in that stage. I suppose in some world everyone could be a willing seller but it doesn't seem like most worlds.

Robert Spurlock responds the willing seller approach is really a long term approach.

Shirley Craddick states I wanted to respond to Councilor Wilson's comment regarding the trail going in front of the school. Actually it's quite desirable. We want to have as many trails as we can that come near schools so they have more routes to get to school and school programs.

Robert Spurlock states that would come with safety improvements.

Councilor Morgan states I wanted to thank you for your work on this and representing our town and Shirley, especially, thank you. I think you're here today on your wedding anniversary.

5. REPORT: ~~West Columbia Gorge Chamber of Commerce Annual Report.~~

This item was moved to the July 12th City Council Meeting.

6. RESOLUTION: A resolution providing for current FY 2015-16 budget transfers and appropriation changes.

Erich Mueller, Finance Director, states this is the traditional year-end last meeting of the fiscal year transactions. In the staff report there's a few transfers that we are trying to maintain compliance with the local budget law. This does not increase appropriations overall. Quite a few of them in this particular batch happen to be things we're getting reimbursed for from somewhere else. The IGA that was entered into related to the levee preparedness and a portion of that Troutdale was responsible for but also in those IGAs the Port was paying half of our share and Multnomah County was paying half of our share. Part of this budget transfer provides for that which wasn't included in the budget from a year ago. We've already received the reimbursement from it. Code Specialties is something that we've talked about each year. That is a challenge since we're running so close to the edge in terms of trying to balance the revenues that come into that fund that are supposed to be self-sustaining and trying to accommodate the expenditure side. I'm happy to answer any questions Council may have.

MOTION: Councilor Wilson moved to approve a resolution providing for current FY 2015-16 budget transfers and appropriation changes. Seconded by Councilor Morgan.

VOTE: Councilor Ripma – Yes; Councilor Brooks – Yes; Councilor Morgan – Yes; Mayor Daoust – Yes; Councilor White – Yes; Councilor Allen – Yes; and Councilor Wilson – Yes.

Motion Passed 7 - 0.

7. STAFF COMMUNICATIONS

Craig Ward states I want to note that we are going to be discussing recommendations for a public involvement process for the off-leash dog park at the next meeting on the 12th of July. Also, we will need some Council direction for the date for the follow-up meeting for the Community Enhancement Program.

Erich Mueller states as the committee discussed on the 21st they would decide at this meeting when the next committee meeting would be. In talking to Co-Chair Craddick's

scheduler she would be available 7:00pm on Monday, July 11th, Wednesday, July 13th or Thursday, July 14th. The 12th is your next Council meeting.

Mayor Daoust states Monday, July 11th at 7:00pm will be the next Community Enhancement Program meeting.

8. COUNCIL COMMUNICATIONS

Councilor Morgan states I am intending to bring forward both an ordinance and potentially a resolution for the Council to consider. There had been discussion about an ordinance electoral change but that is my intent.

Councilor White asks, is this something you're trying to get for the November election?

Councilor Morgan responds yes.

Mayor Daoust states I'm still getting asked about the Halsey Corridor Community Advisory Committee which I have not assigned to anybody. The Cities of Wood Village and Fairview are filling in the gaps of Committee members and combination of business people and maybe one elected official from each City. If anybody wants to be on that Committee I would acknowledge your raised hand this evening. This is for Fairview getting the \$100,000 grant and an additional \$12,000 so they're trying to get a Committee together to deal with the grant. The other point I have is I talked with Zach Hudson about the Citizens Advisory Committee (CAC position #10 that's open and I'm going to assign Victoria Rizzo to the CAC and that will be for position #10 which is vacant right now. Danny Stoddard resigned and they don't have an alternate on the CAC. That position expires December 31, 2018 so she'll takeover Danny Stoddard's position. If you could notify her, Sarah.

Councilor Ripma states as a point of order on that I think appointing on a City Committee like that you do have to make an appointment. That could be on the next Consent Agenda.

Councilor White states there is also the alternate that is vacant. Will Knight was actually pursuing a spot and it was full. To me, that was the next person in line.

Mayor Daoust states I did talk to Zach about Will Knight. What I would like to do is leave Victoria Rizzo filling position #10 but if you could contact Will Knight and put him in the alternate position.

Councilor Morgan asks, is that a motion?

Ed Trompke responds he is nominating for those positions and telling you about it so that it will be presumably on the Consent Agenda unless someone gets a hold of the Mayor and tells him not to put it on the Consent Agenda.

Mayor Daoust states so it can be put on the consent agenda July 12th.

Councilor White states just another thought back to Councilor Morgan. Are you saying this is an agenda item for your election idea?

Councilor Morgan responds I am open to whatever is needed.

Councilor White states I thought it took three councilors to get something on the agenda. We also as a body agreed that we would be holding off until after the election for any Charter type changes.

Councilor Ripma states this isn't a Charter change. Charter amendments require the Charter amendments be approved by the majority of the electoral of the City rather than the simple majority of those who vote. I think it's a good idea.

Councilor White states I want to congratulate the City of Wood Village and the Grand Ronde Tribe. They had their ground breaking ceremony for the old Multnomah Greyhound Park and starting to tear it down. They did a ceremony over the 30 acre site that was purchased for \$10 million with a million dollars of clean up that the tribe is going to be conducting. The big question on everybody's mind is whether it's going to be a casino or not. Right now it wouldn't be allowed as a casino. It looks like it might be a retail center. I want to remind everybody that got a FEMA notice that the clock is ticking and there is a short window for an appeal. There is going to be additional regulations tied to the floodplain that are forthcoming. This time it means more than it used to in the past.

Craig Ward states we are working with Dr. Huber to analyze the maps. The problem we have is that they made it clear at the meeting that the maps they currently presented are known to have some deficiencies. We've already pointed out deficiencies. They've agreed that they need to revise the maps. The 90 day appeal period is not started until the revised maps have been placed into Federal registers. That will take them a couple of months. Typically the appeal period begins with the meeting we just had yesterday. In this case that 90 day appeal period will not start for another couple of months. Dr. Huber can't start his review until there's the next version.

Councilor Wilson states I want to compliment Councilor Ripma on what a great job you did on the Community Enhancement meeting.

Sharon Ezzell asks, why is there a recommendation that when there's a resolution on the agenda to vote on a recommended item that comes from a Committee such as the budget why it's not a requirement that the minutes to those meetings be here at Council meetings so that you can look at those if there's any questions?

Mayor Daoust states sometimes they're not ready in written form. We'll consider that.

9. ADJOURNMENT

MOTION: Councilor Ripma moved to adjourn. Seconded by Councilor Morgan. The motion passed unanimously 7-0.

Meeting adjourned at 8:44pm.

Doug Daoust, Mayor

Dated: _____

DRAFT

ATTEST:

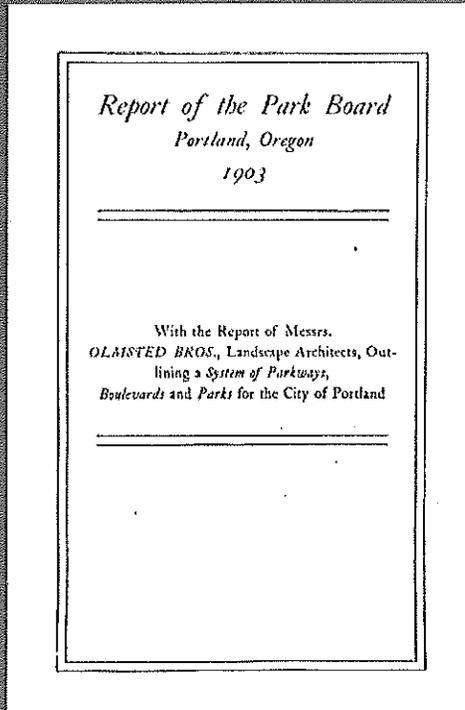
Kenda Schlaht, Deputy City Recorder

40 MILE LOOP: TROUTDALE TO SPRINGWATER TRAIL MASTER PLAN



40 MILE LOOP: TROUTDALE TO SPRINGWATER TRAIL MASTER PLAN

BASIC PLANNING

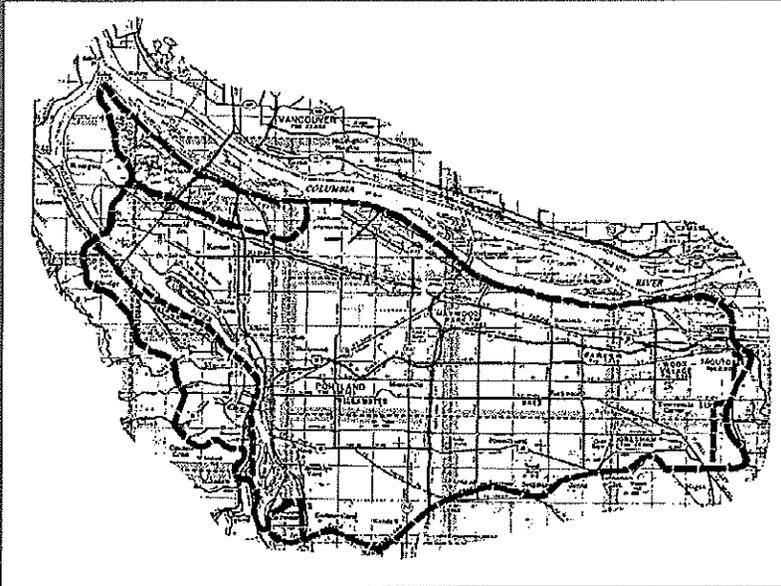


Olmsted Report: 1903



40 MILE LOOP:
TROUTDALE TO SPRINGWATER
TRAIL MASTER PLAN

EAST PLANNING

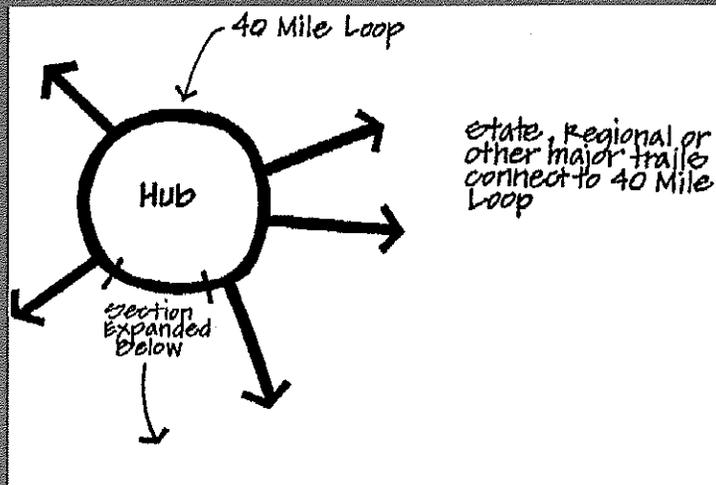


40 Mile Loop Master Plan - 1983



40 MILE LOOP:
TROUTDALE TO SPRINGWATER
TRAIL MASTER PLAN

EAST PLANNING

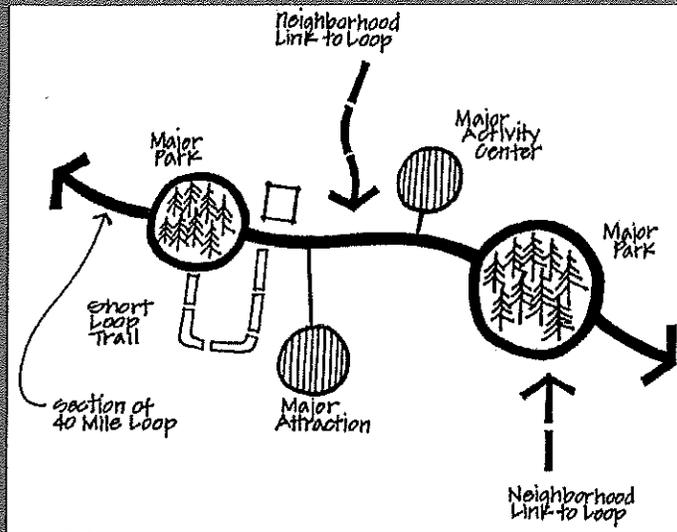


40 Mile Loop Master Plan - 1983



40 MILE LOOP: TROUTDALE TO SPRINGWATER TRAIL MASTER PLAN

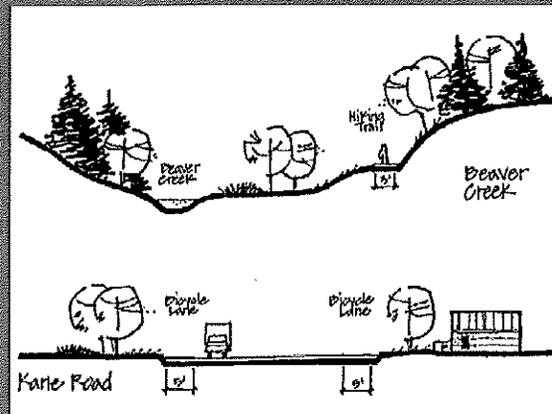
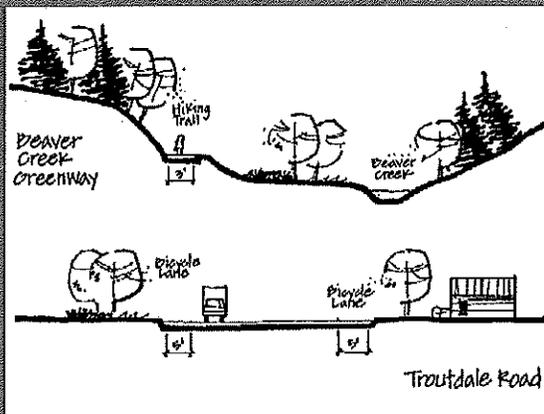
PAST PLANNING



40 Mile Loop Master Plan - 1983

40 MILE LOOP: TROUTDALE TO SPRINGWATER TRAIL MASTER PLAN

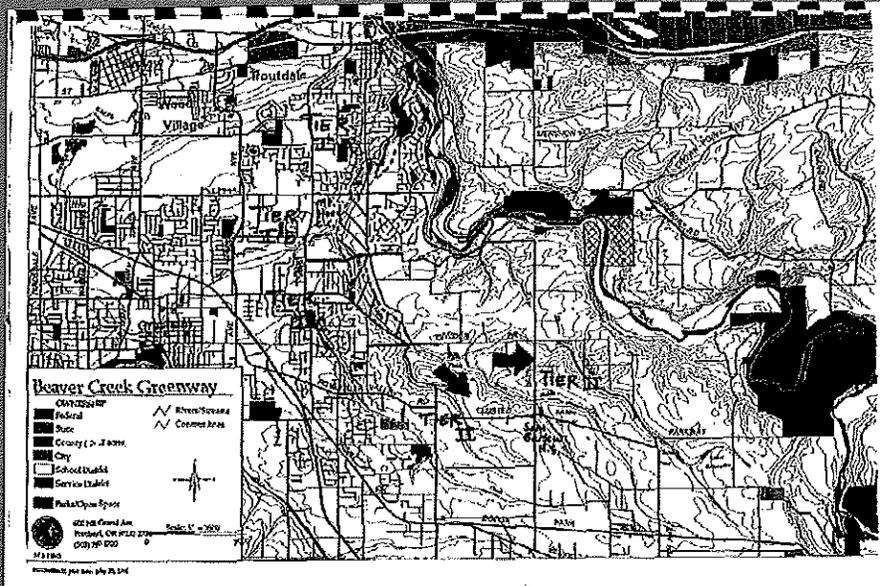
PAST PLANNING



40 Mile Loop Master Plan - 1983

40 MILE LOOP:
TROUTDALE TO SPRINGWATER
TRAIL MASTER PLAN

PAST PLANNING

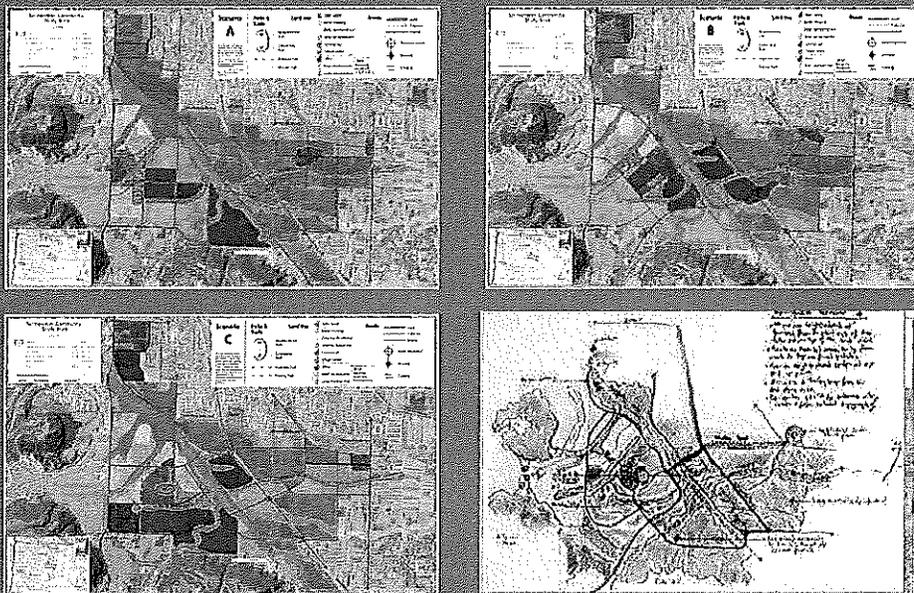


Beaver Creek Canyon Greenway Refinement Plan - 1995



40 MILE LOOP:
TROUTDALE TO SPRINGWATER
TRAIL MASTER PLAN

PAST PLANNING

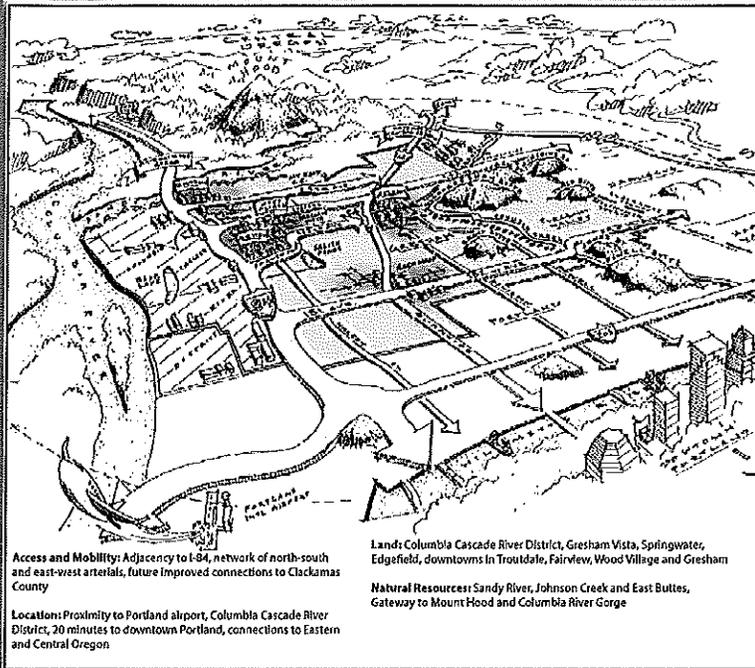


Springwater Community Plan - 2005

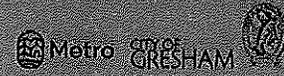


40 MILE LOOP: TROUTDALE TO SPRINGWATER TRAIL MASTER PLAN

PAST PLANNING

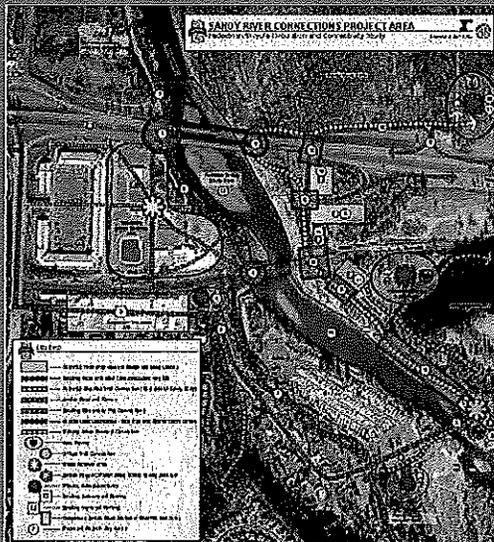


East Metro Connections Plan - 2012



40 MILE LOOP: TROUTDALE TO SPRINGWATER TRAIL MASTER PLAN

PAST PLANNING



Sandy River Connections

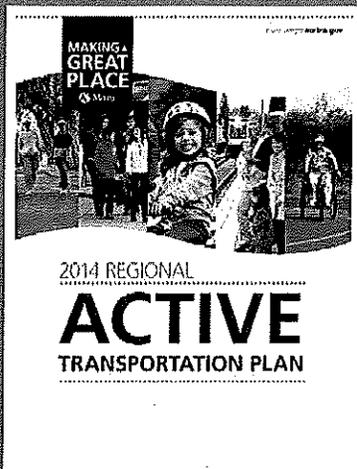


Paths and Trails Master Plan - City of Gresham

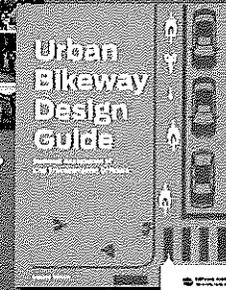


40 MILE LOOP: TROUTDALE TO SPRINGWATER TRAIL MASTER PLAN

BACKGROUND DOCUMENT REVIEW

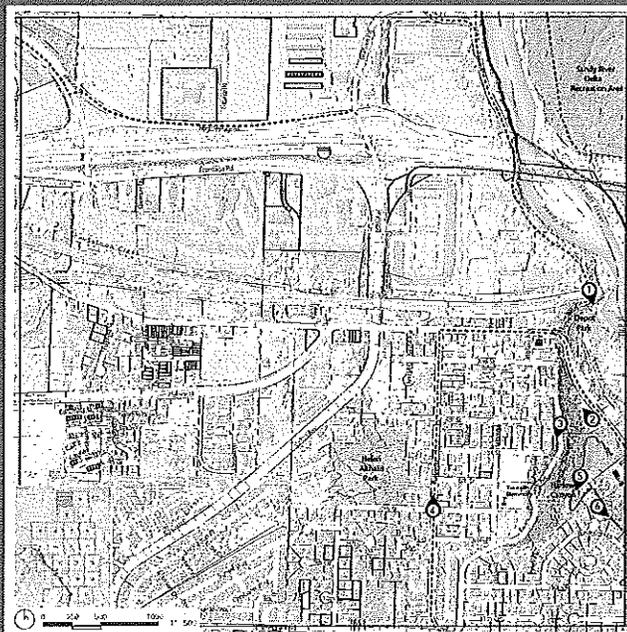


2014 Regional Active Transportation Plan



40 MILE LOOP: TROUTDALE TO SPRINGWATER TRAIL MASTER PLAN

EXISTING CONDITIONS SUMMARY



40 MILE LOOP: TROUTDALE TO SPRINGWATER TRAIL MASTER PLAN

SUMMARY OF EXISTING CONDITIONS | PAGE 1

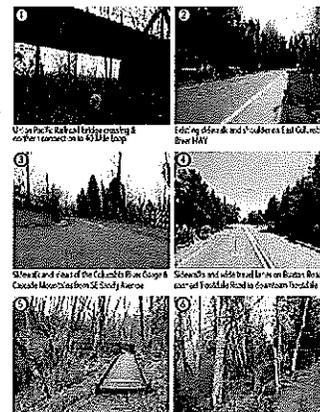


Image on page 1

40 MILE LOOP:
TROUTDALE TO SPRINGWATER
TRAIL MASTER PLAN

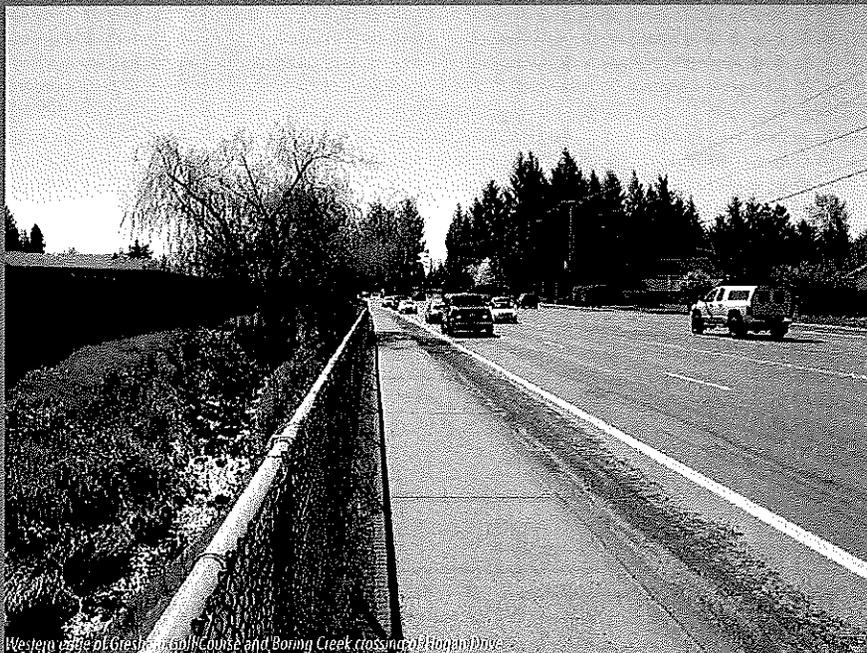
PROJECT AREA PHOTOS



Troutdale Road, Cherry Park Road, and Buxton Road intersection south of downtown Troutdale

40 MILE LOOP:
TROUTDALE TO SPRINGWATER
TRAIL MASTER PLAN

PROJECT AREA PHOTOS



Western side of Gresham Golf Course and Boring Creek crossing of Hobart Drive

40 MILE LOOP:
TROUTDALE TO SPRINGWATER
TRAIL MASTER PLAN

PROJECT AREA P-05



Trail along Kelly Creek between the dam and Beaver Creek greenway

40 MILE LOOP:
TROUTDALE TO SPRINGWATER
TRAIL MASTER PLAN

PROJECT AREA P-0103



Bike lanes and curb-tight sidewalks along Division Street at Kelly Creek crossing

40 MILE LOOP:
TROUTDALE TO SPRINGWATER
TRAIL MASTER PLAN

PROJECT AREA PHOTOS



Narrow road with no sidewalk along Stark Street east of Mt. Hood Community College at the Mt. Hood Greenway

40 MILE LOOP:
TROUTDALE TO SPRINGWATER
TRAIL MASTER PLAN

PROJECT AREA PHOTOS



Mt. Hood Community College Nature Park Trail near the Beaver Creek Greenway

40 MILE LOOP:
TROUTDALE TO SPRINGWATER
TRAIL MASTER PLAN

PROJECT AREA PHOTO'S



Springwater Trail

40 MILE LOOP:
TROUTDALE TO SPRINGWATER
TRAIL MASTER PLAN

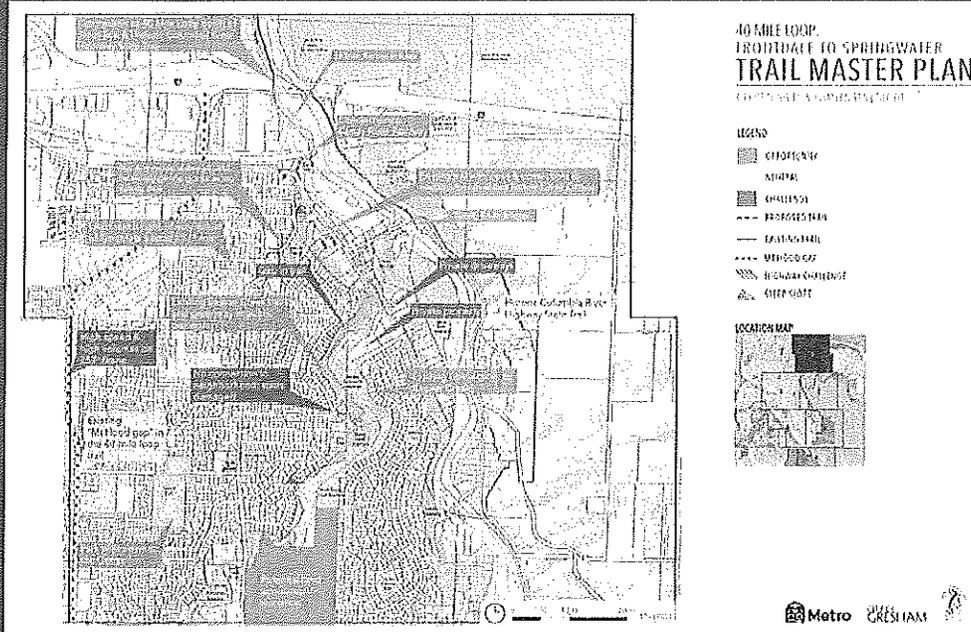
PROJECT AREA PHOTO'S



Hogan Road & Palangki/Roberts Drive Intersection, current route shown on 40 Mile Loop maps

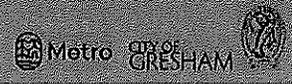
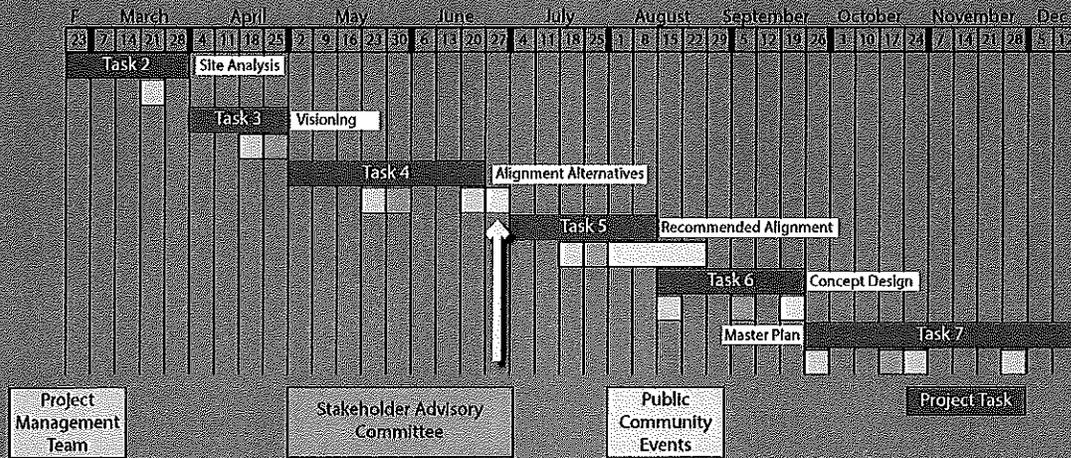
40 MILE LOOP: TROUTDALE TO SPRINGWATER TRAIL MASTER PLAN

OPPORTUNITIES AND CHALLENGES



40 MILE LOOP: TROUTDALE TO SPRINGWATER TRAIL MASTER PLAN

PROJECT SCHEDULE



40 MILE LOOP:
TROUTDALE TO SPRINGWATER
TRAIL MASTER PLAN

PROJECT GOALS

1. Mobility

- Transportation
- Recreation

2. Experiences

- Access to nature
- Opportunities for all users
- Key views to natural resources
- Calm corridors

3. Implementation

- Constructability
- Property ownership
- Cost

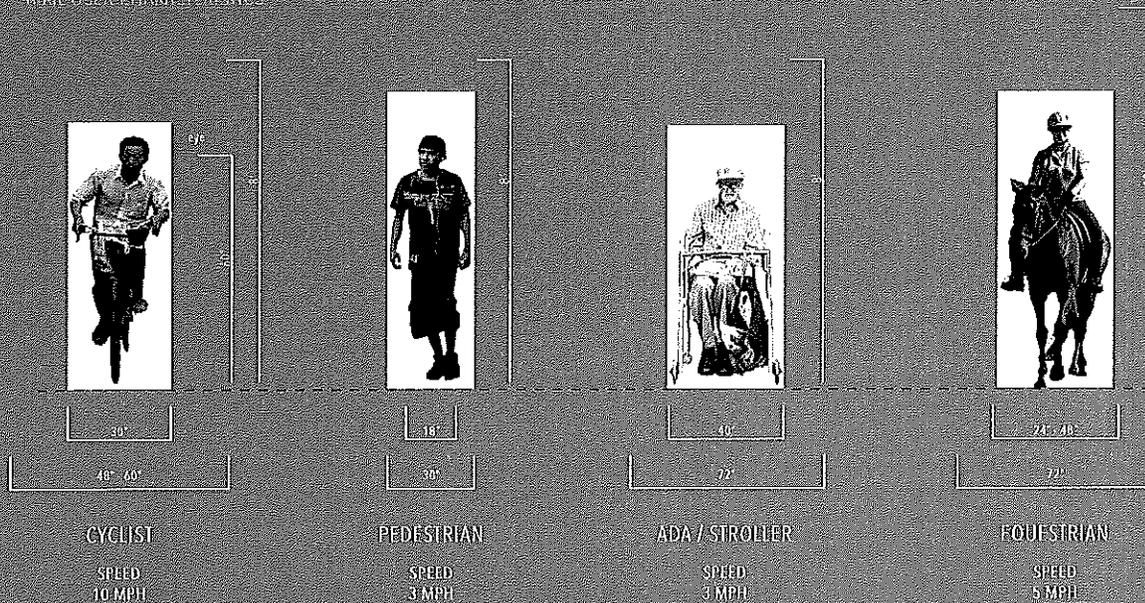
4. Management

- Operations and maintenance
- Safety



40 MILE LOOP:
TROUTDALE TO SPRINGWATER
TRAIL MASTER PLAN

TRAIL USER CHARACTERISTICS



40 MILE LOOP:
TROUTDALE TO SPRINGWATER
TRAIL MASTER PLAN

10' - 14' WIDE SHARE™ USE PATH - IN DESIGNATED ROW



40 MILE LOOP:
TROUTDALE TO SPRINGWATER
TRAIL MASTER PLAN

SHARED USE PATH - IN DESIGNATED ROW

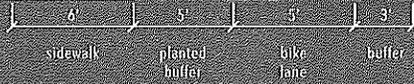
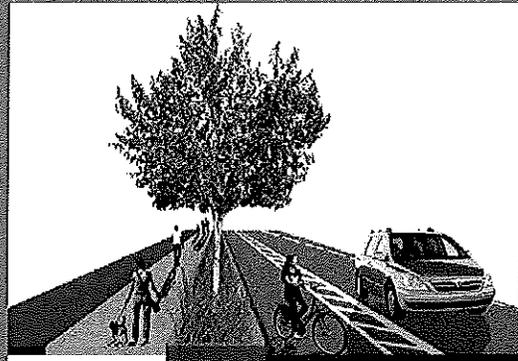


40 MILE LOOP:
TROUTDALE TO SPRINGWATER
TRAIL MASTER PLAN

HIKING TRAIL WITH PARALLEL ON-STREET ROUTE



Trail Korridor



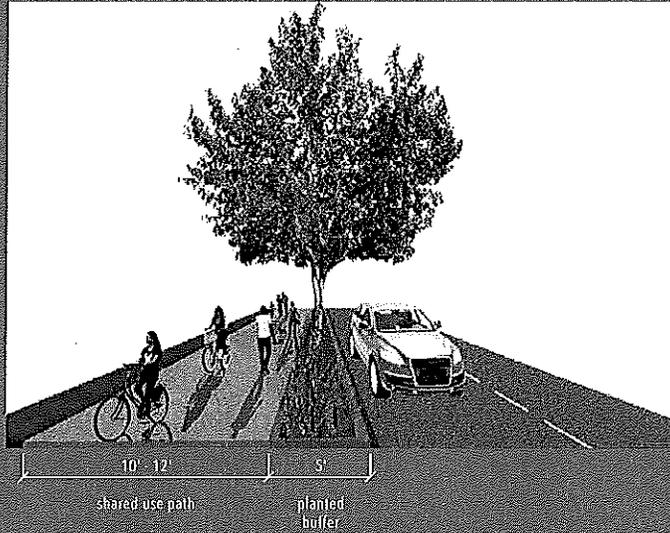
40 MILE LOOP:
TROUTDALE TO SPRINGWATER
TRAIL MASTER PLAN

HIKING TRAIL WITH PARALLEL ON-STREET ROUTE



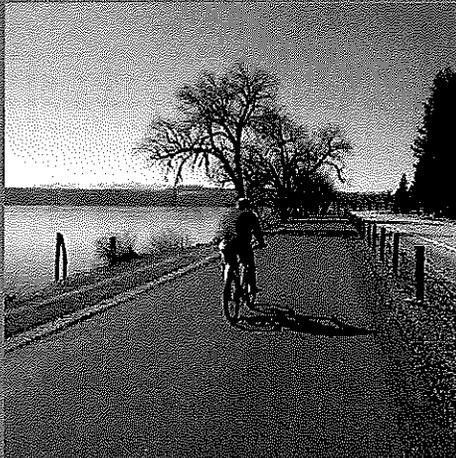
40 MILE LOOP:
TROUTDALE TO SPRINGWATER
TRAIL MASTER PLAN

SHARED-USE PATH ADJACENT TO ROAD



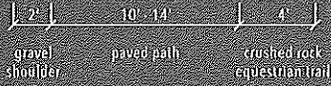
40 MILE LOOP:
TROUTDALE TO SPRINGWATER
TRAIL MASTER PLAN

SHARED-USE PATH ADJACENT TO ROAD



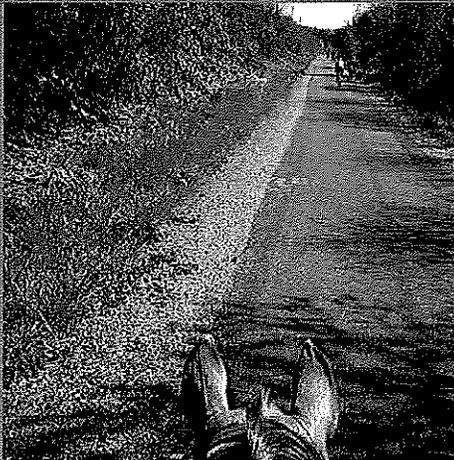
40 MILE LOOP:
TROUTDALE TO SPRINGWATER
TRAIL MASTER PLAN

EQUESTRIAN TRAIL



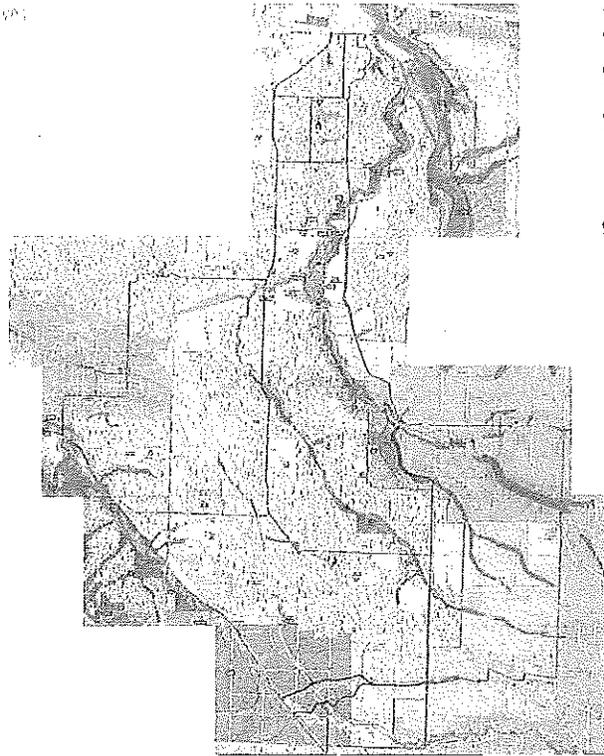
40 MILE LOOP:
TROUTDALE TO SPRINGWATER
TRAIL MASTER PLAN

EQUESTRIAN TRAIL



40 MILE LOOP: TROUTDALE TO SPRINGWATER TRAIL MASTER PLAN

Alignment Alternative 1



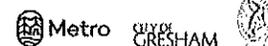
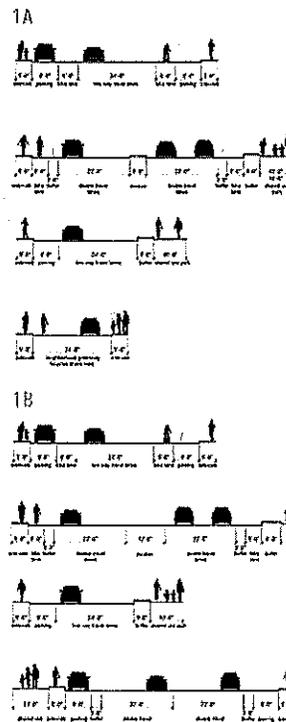
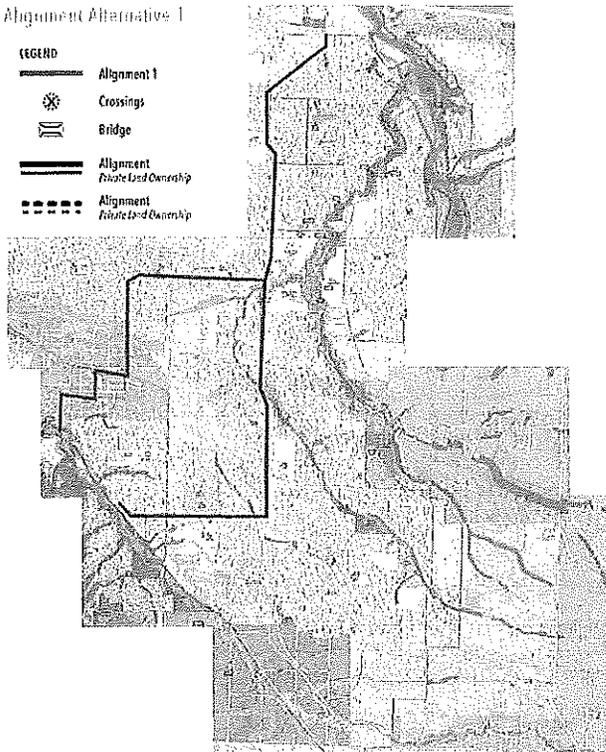
- LEGEND**
- Alignment 1
 - - - Alignment 2 (Highway)
 - - - Alignment 3 (Highway)
 - ☼ Crossings
 - ≡ Bridge
 - Alignment Private Land Ownership
 - - - Alignment Private Land Ownership



40 MILE LOOP: TROUTDALE TO SPRINGWATER TRAIL MASTER PLAN

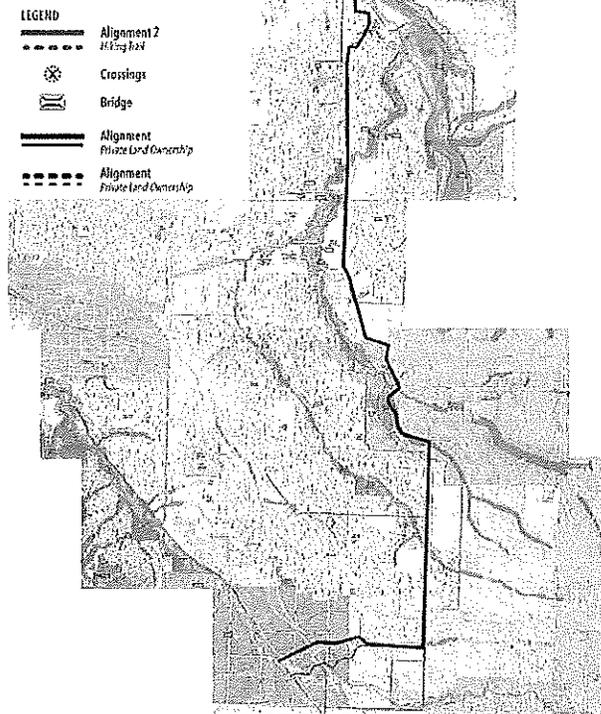
Alignment Alternative 1

- LEGEND**
- Alignment 1
 - ☼ Crossings
 - ≡ Bridge
 - Alignment Private Land Ownership
 - - - Alignment Private Land Ownership

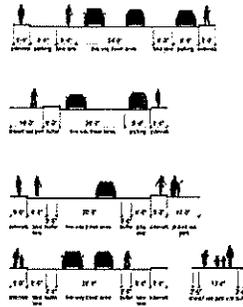


40 MILE LOOP: TROUTDALE TO SPRINGWATER TRAIL MASTER PLAN

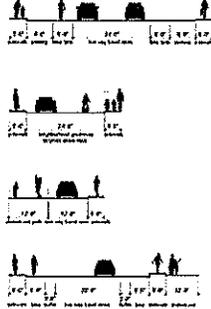
Alignment Alternative 2



2A

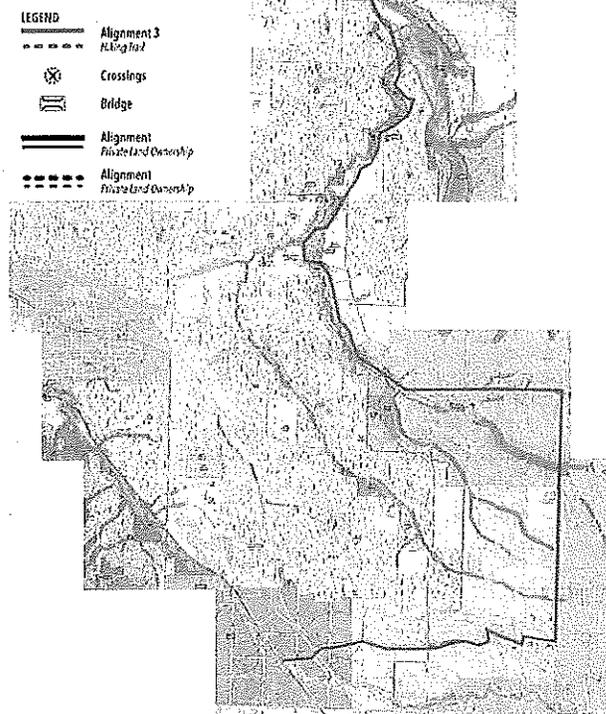


2B

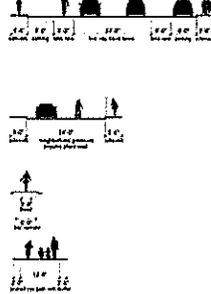


40 MILE LOOP: TROUTDALE TO SPRINGWATER TRAIL MASTER PLAN

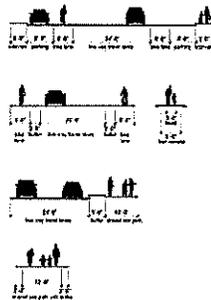
Alignment Alternative 3



3A

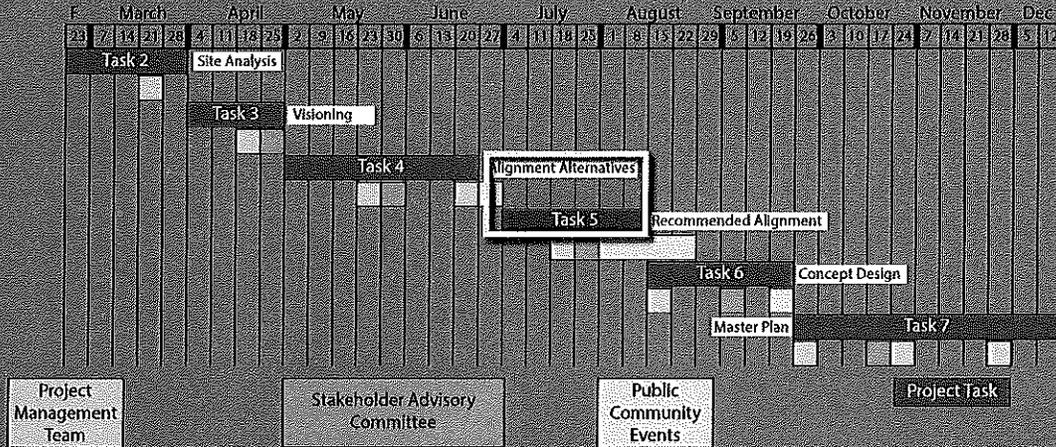


3B



40 MILE LOOP:
TROUTDALE TO SPRINGWATER
TRAIL MASTER PLAN

Next Steps





CITY OF TROUTDALE



STAFF REPORT

SUBJECT / ISSUE: An ordinance vacating segments of SE Kibling Avenue and SE 7th Street rights-of-way at the Troutdale Elementary School Site.

MEETING TYPE:
City Council Regular Mtg.

MEETING DATE: September 13, 2016

STAFF MEMBER: Chris Damgen
DEPARTMENT: Planning

ACTION REQUIRED
Ordinance - Introduction

ADVISORY COMMITTEE/COMMISSION RECOMMENDATION:

PUBLIC HEARING
Yes

None forwarded (see background and exhibits for further detail).

STAFF RECOMMENDATION: Approve the motion with condition of approval.

EXHIBITS: A. Narrative from Reynolds School District (dated 8/1/16, amended 8/31/16)
B. Planning Commission – Findings from 8/24/16 public hearing
C. Staff Report – Given to Planning Commission for 8/24/16 public hearing

Subject / Issue Relates To:

Council Goals Legislative Other

Issue / Council Decision & Discussion Points:

- ◆ Vacation of unused rights-of-way in order to allow for future redevelopment of school
- ◆ Ensuring compliance with the Comprehensive Land Use Plan (Criteria 1)
- ◆ Ensuring that the public interest is not prejudiced by the vacation. (Criteria 2)

Reviewed and Approved by City Manager:

BACKGROUND:

This ordinance is submitted as an initial step in preparing a site & design review application for a new facility at the Troutdale Elementary School site. The school site is located within the "First Addition" area of Troutdale, which was the continuation of the original street grid for Troutdale between 5th and 8th Streets. The plat for the First Addition was approved in 1891. The original school structure was built in the 1920s and was placed within the 7th Street right-of-way. It is not known as to why the rights-of-way for 7th and Kibling Streets were never formally vacated.

In 2015, voters approved Measure 26-164, authorizing Reynolds School District to construct three new replacement elementary schools as part of a larger capital program. One of the schools slated for replacement was Troutdale Elementary, and the District has planned to utilize the existing site for the new facility. Throughout 2016, the District has engaged the community with the intent to use the site and is nearing completion of design and engineering. At the time of the pre-application meeting to discuss the site & design review process, Staff identified the right-of-way issue as a non-conforming feature that needed to be rectified prior to the potential approval of a site and design review application.

Vacation of rights-of-way is considered a Type IV process in the Troutdale Development Code. The matter was referred to Planning Commission at their regular meeting on August 24, 2016. A public hearing was held, with one member of the public testifying as a neutral party in order to clarify the application being considered. No other public testimony was received. Planning Staff recommended approval of the application based on its meeting of two decision criteria, which are:

1. The proposal does not cause a conflict with the Comprehensive Land Use Plan, and
2. The public interest will not be prejudiced by the vacation. *[TDC 6.110]*

Planning Commission agreed with the Staff finding on the first criterion but were unable to determine prejudicial effect on public interest on the second criterion, thus not submitting a formal recommendation. By a 4-2 vote (1 member was absent), the Commission found that insufficient testimony was given on that criterion item.

Since that meeting, the Applicant has revised the narrative to further articulate how it believes the public interest is being met. Staff maintains its position that the public interest will not be prejudiced and is maintaining its recommendation of approval. The lack of objections to the application from Public Works and Planning departments indicate that concerns about the long term infrastructural or land use effects on vacating these rights-of-way are minimal. No existing infrastructure exists within these rights-of-way to be vacated; nor are any improvements proposed to utilize them. Furthermore, the topography along the east side of the site and the lack of a continuous ROW for Kibling Ave to connect to 5th Street would make any potential alternative development of the site potentially difficult.

PROS & CONS:

Pros:

- Keeps the intended project schedule on-track and allows the District to submit a site & design review application (reviewed and approved by Planning Commission via Conditional Use Application)
- Helps to maintain community service uses in the Town Center, which is compliant with goals in the Comprehensive Land Use Plan and objectives in Town Center Plan.
- Eliminates existing nonconformity, cleans up property records and allows for future consolidation and reutilization of property without additional approval steps.
- Removes unused rights-of-way from City records and thus eliminates any concerns of maintenance or liability on what was assumed-to-be school district property.

Cons:

- Rights-of-way are difficult and costly to obtain (or re-obtain) once vacated.

SUMMARY:

The position of the Applicant and Staff has been that the public interest has been met in multiple ways in qualitative analysis. Keeping in mind that:

- the existing school footprint across the rights-of-way has not appeared to cause concern
- the intended land use would remain the same as the status quo
- the public anticipates a new facility resulting from the bond vote and citizen engagement
- minimal testimony was received from review agencies and citizens

Staff continues its recommendation for approval with conditions as outlined on page 3 of the Staff Report for Planning Commission dated 8/16/16.

<p>Current Year Budget Impacts <input type="checkbox"/> Yes (<i>describe</i>) <input type="checkbox"/> N/A</p> <p>Future Fiscal Impacts: <input checked="" type="checkbox"/> Yes (<i>describe</i>) <input type="checkbox"/> N/A</p> <p>Although there is presently no infrastructure in place (roads or pipes), vacating the ROW would likely continue existing land use of site but eliminate private development potential (none currently).</p> <p>City Attorney Approved N/A <input type="checkbox"/> Yes</p> <p>Community Involvement Process: <input checked="" type="checkbox"/> Yes (<i>describe</i>) <input type="checkbox"/> N/A</p> <p>Public notification given at the site and mailings to surrounding properties. Public hearing held at Planning Commission meeting on August 24, 2016. School district has held several stakeholder meetings and open houses to discuss plans for new school at site throughout the spring of 2016.</p>
--

Proposed Troutdale Elementary School

Street Vacation Narrative

August 1, 2016

Amended August 31, 2016

Reynolds School District requests to have SE Kibling Avenue and SE 7th Street vacated to accommodate construction of the replacement Troutdale Elementary School, as indicated in the attached exhibits. The streets noted above currently lie under the existing school building and the adjacent outdoor play areas.

With the street vacations, Reynolds School District can move forward with the planning, permitting and construction of the replacement grade school and adjoining open and covered play fields.

Below are answers to the criteria in Section 6.110 of the Troutdale Development Code regarding the proposed street vacation:

6.110 Vacation Criteria. A proposal to vacate a street, public square, or other public place shall be conducted under the Type IV procedure, with supplements or modifications required to comply with state law. The Planning Commission shall base its recommendation to the City Council on whether the following criteria have been met:

A. The proposal does not cause a conflict with the Comprehensive Land Use Plan.

No conflict with the Comprehensive Land Use Plan will be caused with the proposed street vacations. The streets proposed to be vacated are not currently in use and lie under the existing grade school building and adjacent school play areas. Once vacated, the areas are proposed to provide space for the new grade school, open and covered play fields, access and parking supporting the replacement elementary school.

B. The public interest will not be prejudiced by the vacation.

The property owner will remain the same. The use of the property as an elementary school since the 1920s will also remain the same. The public will benefit from the construction of this new school facility.

Additional Comments

Amended August 31, 2016

As an update to the Troutdale Planning Commission's request, Reynolds School District offers its approval of staff's recommendation to approve the SE 7th Street and SE Kibling Street vacations for the following reasons:

1. The existing Troutdale Elementary School was constructed nearly ninety years ago and is showing its age. Although the facility continues to serve as a neighborhood and community hub for K-5 education, after school activities, and other public events, the District's Master Plan calls for the structure's replacement.

2. In 2015, voters within the Reynolds School District passed Measure 26-164 authorizing the District to construct 3 new, replacement elementary schools and numerous other capital projects. Among the new schools to be constructed is Troutdale Elementary School.
3. Reynolds School District has made a good faith effort to keep the Troutdale community updated and engaged with the planning and design process with current updates to its website and an extensive community outreach program.
4. Throughout the course of the new school's planning phases, the District has reached out to the public on several occasions for the community planning sessions. Public and staff were invited to each session. Enthusiasm and support were high at these meetings and at no time were any protests to the new construction made. Many of the public's comments solicited from the meetings were incorporated into the new building's design.
5. Community connection with the natural beauty of the Columbia Gorge and Sandy River has served as the design inspiration for the new replacement school.
6. The District is committed to replacing the Troutdale Elementary School; however; funding to purchase new property for the school was not included in the budget should the street vacation request not be passed.
7. Reynolds School District respectfully requests that the Troutdale City Council approve the vacations of SE 7th Street and SE Kibling Street at no cost to the taxpayer to ensure that students for many generations to come will benefit from this community-wide important project.



Exhibit B

9/13/16 Council Mtg. – Item #4
CITY OF TROUTDALE

PHONE (503) 665-5175 | www.troutdale.info

Planning Commission Recommendation

FILE NUMBER / NAME	16-036 Troutdale Elementary		
APPLICATION TYPE	Type IV – Vacation of Rights-of-Way		
PROJECT APPLICANT	Reynolds School District #7	PROPERTY OWNER	Reynolds School District #7
PROJECT LOCATION	648 SE Harlow Ave	TAX MAP / TAX LOT #	N/A
LAND USE MAP	Medium Density Residential	LAND USE ACTIVITY	N/A
ZONING DISTRICT	R-5 Single Family Residential	OVERLAY DISTRICT	Town Center

REQUEST

The applicant is proposing the vacation of public rights-of-way owned by the City of Troutdale on segments of SE Kibling Ave and SE 7th St that are located upon the Troutdale Elementary School campus. The rights-of-way go through the existing facility, creating a non-conformance that prohibits future development or improvements to the campus until rectified.

PROCEDURE

This application is undergoing a Type IV quasi-judicial procedure. [TDC Sec. 2:120, 6.100 and Ch. 16] This procedure requires a Public Hearing, Planning Commission review, and City Council approval in order to be adopted. Nearby property owners, relevant review entities, and other stakeholders were notified in accordance with TDC sections 16.030 and 16.040. Supplements and modifications to the Vacation procedure to comply with state law may be required. [TDC 6.110]

APPLICABLE CRITERIA

Listed below are governing standards that shall apply:

- *City of Troutdale Comprehensive Land Use Plan ("Comp Plan")*
- *Troutdale Development Code [TDC]: Ch. 1 Introductory Provisions; Ch. 2 Procedures for Decision Making; Sec. 5.300 Nonconforming Uses; Sec. 6.100 Vacation; Ch. 7 Land Division; Ch. 16 Public Deliberations and Hearings*
- *City of Troutdale Construction Standards for Public Works Facilities*
- Relevant provisions in the Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR)

FINDINGS OF FACT – INITIAL PUBLIC HEARING

- The Planning Commission received public testimony from Staff, the Applicant, and interested parties at the initial public hearing for this application on August 24, 2016.
- The proposed Findings of Fact on Page 2 are derived from the specific decision criteria in the Troutdale Development Code and are hereby submitted to City Council on behalf of the Planning Commission.
- Planning Commission has found that one of the two criterion was met. A formal recommendation to approve the application was not reached due to one of the criterion being undetermined at the time of the initial hearing.

FINDINGS OF FACT – VACATION [*Decision Criteria from TDC 6.110*]

1. **The proposal does not cause a conflict with the Comprehensive Land Use Plan.**

FINDING: The applicant has shown that the proposed vacation of rights-of-way would be consistent with the Comprehensive Land Use Plan. Staff has reviewed the application and has established that the application does not conflict with the goals of the Comprehensive Land Use Plan. The criterion is met.

2. **The public interest will not be prejudiced by the vacation.**

*FINDING: The public interest carries a broad definition and must be evaluated on a variety of factors. At the initial public hearing, City Staff has not sufficiently analyzed long-term effects that may stem from the vacation of this right-of-way. As such, Planning Commission is unable to determine if the criterion is met or is not met.
[Voted 4-2 in favor of this finding]*

RECOMMENDATION & VOTING

RECOMMENDATION

The Planning Commission hereby withholds a recommendation as a result of one of the two criteria being undetermined and submits its findings to City Council for future consideration of the Application.

YEAS: 6
NAYS: 0
ABSTAINED: 0 (1 absent)

Tanney Staffenson, Planning Commission Chair

Date _____

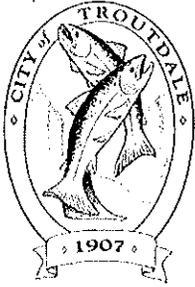


Exhibit C

9/13/16 Council Mtg. – Item #4
CITY OF TROUTDALE

PHONE (503) 665-5175 | www.troutdale.info

Staff Report

Report Date August 16, 2016

Public Hearing Date August 24, 2016

FILE NUMBER / NAME	16-036 Troutdale Elementary		
APPLICATION TYPE	Type IV – Vacation of Rights-of-Way		
PROJECT APPLICANT	Reynolds School District #7	PROPERTY OWNER	Reynolds School District #7
PROJECT LOCATION	648 SE Harlow Ave	TAX MAP / TAX LOT #	N/A
LAND USE MAP	Medium Density Residential	LAND USE ACTIVITY	N/A
ZONING DISTRICT	R-5 Single Family Residential	OVERLAY DISTRICT	Town Center

REQUEST

The applicant is proposing the vacation of public rights-of-way owned by the City of Troutdale on segments of SE Kibling Ave and SE 7th St that are located upon the Troutdale Elementary School campus. The rights-of-way go through the existing facility, creating a non-conformance that prohibits future development or improvements to the campus until rectified.

PROCEDURE

This application will undergo a Type IV quasi-judicial procedure. [TDC Sec. 2.120, 6.100 and Ch. 16] This procedure requires a Public Hearing, Planning Commission review, and City Council approval in order to be adopted. Nearby property owners, relevant review entities, and other stakeholders are hereby notified in accordance with TDC sections 16.030 and 16.040. Supplements and modifications to the Vacation procedure to comply with state law may be required. [TDC 6.110]

VICINITY MAP



APPLICABLE CRITERIA

Listed below are governing standards that shall apply:

- *City of Troutdale Comprehensive Land Use Plan ("Comp Plan")*
- *Troutdale Development Code [TDC]: Ch. 1* Introductory Provisions; *Ch. 2* Procedures for Decision Making; *Sec. 5.300* Nonconforming Uses; *Sec. 6.100* Vacation; *Ch. 7* Land Division; *Ch. 16* Public Deliberations and Hearings
- *City of Troutdale Construction Standards for Public Works Facilities*
- Relevant provisions in the Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR)

RELATED LAND USE FILES

- P2016-09 Troutdale Elementary

OVERVIEW

The vacation application for abandonment of the rights-of-way affecting SE 7th St and SE Kibling Ave is required prior to the submittal of any future land use applications due to the non-conforming nature of the existing property structures and their relation with the rights-of-way. The applicant has requested the vacation in anticipation of future development at the site.

APPLICATION PROCESS

The pre-application meeting was held on June 16, 2016 at 2 p.m. at the Public Works Facility in Troutdale. A formal application was submitted in early August 2016. The City deemed the application to be complete on August 4, 2016. A *Notice of Hearing & Land Use Application* was sent to affected review entities and nearby property owners within 250 feet of the Property in Question, with comments to have been returned by August 15, 2016.

REVIEW ENTITY COMMENTS

Listed below are review entities who received the Notice & Request. If the entity provided comments, they can be found in a corresponding attachment.

Review Entity	Comments	Review Entity	Comments
Planning	Attachment 1	Mult. Co. Sheriff's Office	Attachment 3
Public Works	Attachment 2	TriMet	No Response
Mid-County Lighting District	No Response		

OTHER COMMENTS

The City did not receive any comments from nearby property owners or other stakeholders during the comment period.

DECISION CRITERIA AND FINDINGS – VACATION [TDC 6.110]

The following criteria shall be used to review and decide the vacation of rights-of-way proposal. Staff's proposed findings are italicized below each criterion, shown in bold.

1. The proposal does not cause a conflict with the Comprehensive Land Use Plan.

FINDING: The applicant has shown that the proposed vacation of rights-of-way would be consistent with the Comprehensive Land Use Plan. Staff has reviewed the application and has established that the application does not conflict with the goals of the Comprehensive Land Use Plan. The criterion is met.

2. The public interest will not be prejudiced by the vacation.

FINDING: City Staff and appropriate review entities have examined this proposed vacation, reaching a determination that the public interest will not be prejudiced by this action. City Public Works Staff have included conditions of approval that require dedication of utility easements along the property frontages to serve the public interest. Written notification of this proposed vacation has been sent to neighboring property owners and other stakeholders prior to this hearing. No comments were received from those stakeholders during the comment period. As such, the criterion is met.

RECOMMENDATION

Staff recommends City Council **approves** this application from a land use perspective, subject to compliance with the following proposed conditions of approval outlined below. Any subsequent land use approvals shall not be issued until all conditions listed in the attachments are adequately addressed as determined by the appropriate review entity.

PROPOSED CONDITIONS OF APPROVAL

Planning

1. Prior to building permit issuance, the applicant shall finalize the vacation procedure with the Multnomah County Surveyor's Office.

Public Works

1. The applicant shall dedicate an 8' wide utility easement along the newly created property frontages within the envelope of the rights-of-way vacated.

Multnomah County Sheriff's Office

There are no conditions of approval. Please review the attached memorandum for general comments and findings.

CONSIDERATION

CITY COUNCIL ACTION [TDC 15.060]

- A. The City Council may limit the nature of the information it will receive at a hearing and may establish separate rules for consideration of each of the following:
 - 1. Compliance with the Comprehensive Land Use Plan
 - 2. Appropriateness of the legislative process
 - 3. Recommended action by the Commission including any policy changes or refinements proposed.

- B. After confirming, amending, or reversing the recommendations of the Planning Commission, the City Council may take any of the following steps:
 - 1. Enact or defeat an ordinance on all or part of the proposal under consideration. In taking this step, it shall not be necessary to segregate incidental results that might have been possible to accomplish by administrative action.
 - 2. If the ordinance is defeated, but some or all of the proposal is found appropriate for administrative processing, the City Council may either act on the matter by the appropriate administrative procedure or refer the matter to the Planning Commission for such action. Unless different notice would be required under the provisions of this Code for the Type II, III, or IV administrative action, no further hearing is necessary for the City Council to take administrative action. If different notice is appropriate, or if the matter is referred to the Planning Commission for a decision or recommendation, an additional hearing shall be held.
 - 3. Refer some or all of the proposal back to the Planning Commission for further consideration. If such referral is subsequently returned, no further hearing need be conducted if the proposal is processed under the City procedure for ordinance enactment.

- C. The City Council may take final action on a proposed amendment to the Zoning District Map by order rather than by ordinance.

ORDINANCE NO.

AN ORDINANCE VACATING SEGMENTS OF SE KIBLING AVENUE AND SE 7TH STREET RIGHTS-OF-WAY AT THE TROUTDALE ELEMENTARY SCHOOL SITE.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. Certain portions of rights-of-way for SE 7th Street and SE Kibling Avenue are located on the site of Troutdale Elementary School and are currently contributing to the facility's nonconformance.
2. The Reynolds School District as the Applicant is intending to develop a new facility at the existing location as a result of an approved bond measure. The ability to develop a new facility requires the vacation of affected rights-of-way.
3. The City nor any other known stakeholder is currently utilizing these rights-of-way segments and has no future intentions to utilize them for future improvements. The existing school facility is partially located upon these segments.
4. Approval of the vacation of these rights-of-way segments is subject to two decision criteria as outlined in Section 6.110 of the Troutdale Development Code.
5. The Troutdale Planning Commission reviewed the application on August 24, 2016 and did not submit a formal recommendation. Upon testimony provided at the initial public hearing, the Planning Commission found that the first decision criterion was met, but were unable to determine if the second decision criterion was met.
6. On the first decision criterion, the City Council has determined that the application does not conflict with the goals of the City of Troutdale Comprehensive Land Use Plan, consistent with the findings of the Planning Commission.
7. On the second decision criterion, the City Council has determined that the public interest will not be prejudiced by the vacation. Additional testimony and evidence provided by the Applicant since the initial public hearing have alleviated the concerns raised by the Planning Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROUTDALE

- Section 1. The findings of fact contained in the Planning Commission's final order pertaining to this vacation are hereby amended and incorporated by reference.
- Section 2. The right-of-way for SE 7th Street between SE Harlow Avenue and SE Sandy Avenue be vacated and said tract be conveyed by deed to the owners of adjoining lots. The owners of adjoining lots shall be responsible for paying all associated recording fees.
- Section 3. The right-of-way for SE Kibling Street between SE Sandy Avenue and the segment's northern terminus be vacated and said tract be conveyed by deed to the owners of adjoining lots. The owners of adjoining lots shall be responsible for paying all associated recording fees.
- Section 4. The Conditions of Approval contained in the Staff Report for Planning Commission pertaining to this vacation are incorporated by reference.

YEAS:
NAYS:
ABSTAINED:

Doug Daoust, Mayor

Date

Sarah Skroch, City Recorder

Adopted:



CITY OF TROUTDALE



STAFF REPORT

SUBJECT / ISSUE: Flood Hazard Analysis Presentation

MEETING TYPE:
City Council Regular Mtg.

MEETING DATE: September 13, 2016

STAFF MEMBER: Chris Damgen
DEPARTMENT: Planning

ACTION REQUIRED
Information/Discussion

ADVISORY COMMITTEE/COMMISSION RECOMMENDATION:

PUBLIC HEARING
No

N/A

STAFF RECOMMENDATION: Consistent with findings from Dr. Wayne Huber

EXHIBIT: A. Technical Review of March 28, 2016 FEMA Preliminary Flood Insurance Rate Map (FIRM) of Sandy River near Troutdale, Oregon

Subject / Issue Relates To:

- Council Goals
 Legislative
 Other
 Be proactive and inform the public and property owners about the floodplain mapping changes that result from FEMA's RISK MAP project now in progress.

Issue / Council Decision & Discussion Points:

- ◆ Understanding the information and data used to create the 2016 draft FIRM and to see if such data had deficiencies or was in some way incomplete.
- ◆ Policy guidance on potentially formally appealing the preliminary FIRM

Reviewed and Approved by City Manager:

BACKGROUND:

In 2012, the Federal Emergency Management Agency (FEMA) announced that it intended to update the Flood Insurance Rate Map (FIRM) and associated Flood Insurance Study (FIS) for the Sandy River drainage area due to improved data and mapping techniques. As part of a multi-year process to approve new maps, FEMA releases preliminary or "draft" maps typically one year ahead of its intended adoption dates to receive feedback and handle any appeals.

The City Council pursued the services of Dr. Wayne Huber to perform a technical review of the preliminary data in early 2016. Since the release of the preliminary FIRM and FIS in late March, Dr. Huber has met with City Staff, FEMA Staff, mapping consultants, stage agencies, other project stakeholders, and Troutdale residents to learn more. The attached report and the presentation are the result of information obtained and data analyzed (both anecdotal and demonstrable).

The formal appeal period to FEMA is set to begin in late September or early October and is a 90 day period in which the public (or entities) may offer evidence that challenges the technical validity of the map data. Unlike general comments, appeals must be backed with data that must go beyond anecdotal evidence. Therefore, Staff requires guidance on whether to formally appeal the draft FIRM, and if so, what type of data is to be collected in order to qualify the City to appeal.

Dr. Huber's report has concluded a recommendation against submitting a formal appeal.

PROS & CONS:

Pros:

-

Cons:

-

<p>Current Year Budget Impacts <input checked="" type="checkbox"/> Yes (<i>describe</i>) <input type="checkbox"/> N/A A decision to appeal will require new surveying and engineering analysis that was not previously budgeted, as well as considerable Legal and Staff time and focus.</p> <p>Future Fiscal Impacts: <input checked="" type="checkbox"/> Yes (<i>describe</i>) <input type="checkbox"/> N/A</p> <p>City Attorney Approved N/A <input type="checkbox"/> Yes</p> <p>Community Involvement Process: <input checked="" type="checkbox"/> Yes (<i>describe</i>) <input type="checkbox"/> N/A FEMA held public stakeholder meetings in June in Troutdale and Gresham. The City notified affected property owners of the meetings and the mapping update efforts.</p>
--

**Technical Review of March 28, 2016 FEMA Preliminary Flood
Insurance Rate Map (FIRM) of Sandy River near Troutdale,
Oregon**

Submitted to the City of Troutdale, Oregon

In care of: Mr. Craig Ward, City Manager; Mr. Chris Damgen, Planning Director
and Floodplain Manager; Mr. Ed Trompke, City Attorney

By:

Wayne C. Huber, Ph.D., P.E. (FL)
Engineering Consultant
Portland, Oregon

September 6, 2016

Executive Summary

Scope

The City of Troutdale has received “Preliminary Maps” of the Flood Insurance Rate Map (FIRM) for the Sandy River and other areas of Troutdale. These maps are destined to become the new “Effective Study” sometime in 2017, replacing the 2009 Effective Study, and thus form the basis of flood insurance rates for riparian land owners as well as affect City planning in various ways. The new maps include some floodplain areas newly within the Special Flood Hazard Area (SFHA, the area within the 100-yr or 1-%-annual-chance flood) and some areas newly out (from the current 2009 Effective Study). I was hired to evaluate the technical basis for these maps, and to provide my opinion as to their strengths and weaknesses as well as to comment on a few other related issues.

Sandy River

The technical emphasis of the FEMA study is definitely on the lower Sandy River, from Dabney State Park downstream to near the I-84 bridges. This means that hydrologic and hydraulic methods are explained in detail for this portion of the study (with overlap to Beaver Creek and some adjacent areas) while very little detail is provided elsewhere in Troutdale for the commercial and industrial area north and south of I-84 to the west, along Arata Creek and Salmon Creek. Along the Sandy River:

- New (2016 vs. 2009) maps show higher Base Flood Elevations (BFEs, as much as 2 ft) for most of the upper reaches (roughly from the area of the Tippy Canoe Restaurant to Dabney State Park) and lower elevations for most (but not all) of the lower reaches, by as much as 2 ft (Figures 4 and 5).
- New survey (river cross sections in 2012) and topographic data (LiDAR in 2011) were obtained for the study. The LiDAR data have a vertical accuracy of ± 4 in. and I have no reason to question the surveys. The new surveys and topographic data are probably the primary reason for differences between the 2009 and 2016 (to be approved in 2017) Effective Studies.
- The hydraulic modeling is based on estimates of the 100-yr flood flowing (mathematically) downriver. The modeling uses the widely-accepted Army Corps of Engineers, Hydrologic Engineering Center HEC-RAS model. The new 100-yr flood estimate at the I-84 bridges is 2,300 cfs (cubic feet per second) higher than for earlier FIRMs (Table 3), another factor in higher water levels at some locations.
- In my opinion, the hydraulic modeling is done credibly. Adjustment of roughness and other factors to obtain realistic water surface profiles is yet another reason for differences.
- I do not feel that the 2007 removal of upstream Marmot Dam has had latent impacts on the river, i.e., sedimentation that would impede flood flows.

- Comparisons with three recent historic events also seem reasonable. The 100-yr estimate at the upstream Bull Run USGS flow gage is higher than the floods of 1996 and 2011 and all but the 1964 flood of record (Table 5). That new BFE values should be higher than high water marks of the recent past is not surprising.
- I see no reason to question or formally appeal Sandy River floodplain Base Flood Elevations. Beaver Creek is done similarly, with a similar opinion.
- Property owners might question whether horizontal SFHA boundaries are exactly right, however, in areas of gentle land surface slopes. A small vertical error can translate to a much larger horizontal error. This would require a survey and LOMR (Letter of map Revision) process.

Troutdale near I-84 to the West

Detailed hydraulic and hydrologic analyses were not performed for areas along Arata Creek and Salmon Creek as they were for the Sandy River. Flooding in this area south of the interstate highway and north, near the Airport is due to local runoff and ponding. The March 2016 Preliminary Maps show Zone A categories for some of this area, meaning no BFE values have been established and thus flood insurance rates are likely to be higher. However, some Letters of Map Revision (LOMRs) have either been issued or are under consideration by FEMA. These have changed or will change the categorization to Zone AE, for which BFE values are computed. But these changes are not reflected on the March 2016 maps. City Staff are working with FEMA to ensure that these changes are incorporated into the final 2017 Effective Determination.

Executive Orders 11988 and 13690

These executive orders establish more conservative and environmentally conscious criteria for design, development and construction for most federally funded projects in the floodplain. However, these orders do not affect land owners or BFE values or insurance rates in the current FIRM.

Next Steps

A 90-day appeal process for the City will likely start in late September or early October. I see no basis for a formal appeal of the technical aspects of the study. More likely relief from an adverse SFHA location might be found in the LOMR process for individual sites.

Contents

Executive Summary 2
 Scope..... 2
 Sandy River..... 2
 Troutdale near I-84 to the West 3
 Executive Orders 11988 and 13690 3
 Next Steps 3
Preface..... 5
Introduction and Scope 9
Overview 11
Basics of Floodplain Definition 15
Hydrologic Analysis 16
Hydraulic Analysis..... 19
 River Cross Sections 19
 Impact of Marmot Dam Removal 25
 LiDAR Topography 26
 Downstream Boundary Condition 26
 Channel Roughness..... 27
 Calibration..... 27
Comparison with Memorable Floods..... 29
Overall Assessment for the Sandy River 29
Beaver Creek..... 30
Area near I-84 and Troutdale Airport: Arata Creek and Salmon Creek 30
Executive Orders 11988 and 13690 31
Next Steps and Options..... 35
Acknowledgments..... 38
References 39

Preface

This report is written in the first-person since it expresses the opinions of the author. I choose to characterize “floods” mostly in the return-period sense, e.g., 100-yr, 500-yr, as opposed to the more explicit 1% annual chance, or 0.2% annual chance, respectively. The latter better convey the notion that a 100-yr flood can occur in any year and in any sequence of years, but the T-yr terminology is more common.

A report like this cries out for good maps. The entire Sandy River Watershed may be usefully seen in Figure 1, taken from ODOT (2009), and thus including insets relevant to the reconstruction of the I-84 bridges over the Sandy River. I have resisted including copies of the new maps (FIRM panels) themselves since they reproduce poorly in 8.5 x 11 page format. The City has these in several formats, including large displays suitable for public and City Council viewing. But because it so useful to refer to them, I reproduce parts of Panel 216 (Figure 2, Arata Creek and Airport areas) and Panel 217 (Figure 3, additional I-84 area and lower reach of the Sandy River).

This report focuses mainly on the FIRM (Flood Insurance Risk Map) for the Sandy River itself. I cover to a lesser degree Beaver Creek and the Arata Creek and Troutdale Airport area.

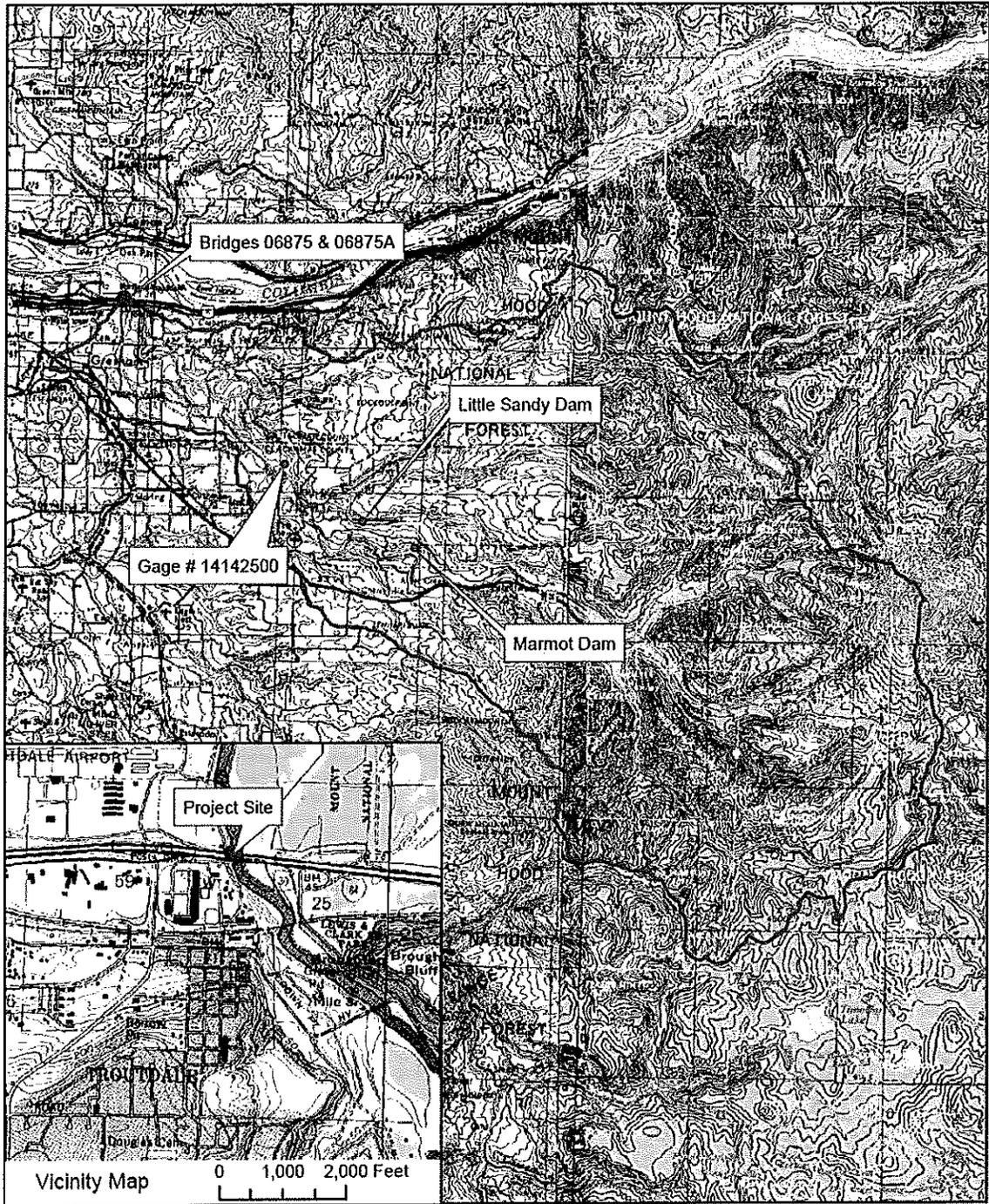


Figure 1. Overview of the 502-square mile Sandy River Watershed (ODOT, 2009). “Project Site” refers to ODOT’s reconstruction of the I-84 bridges.

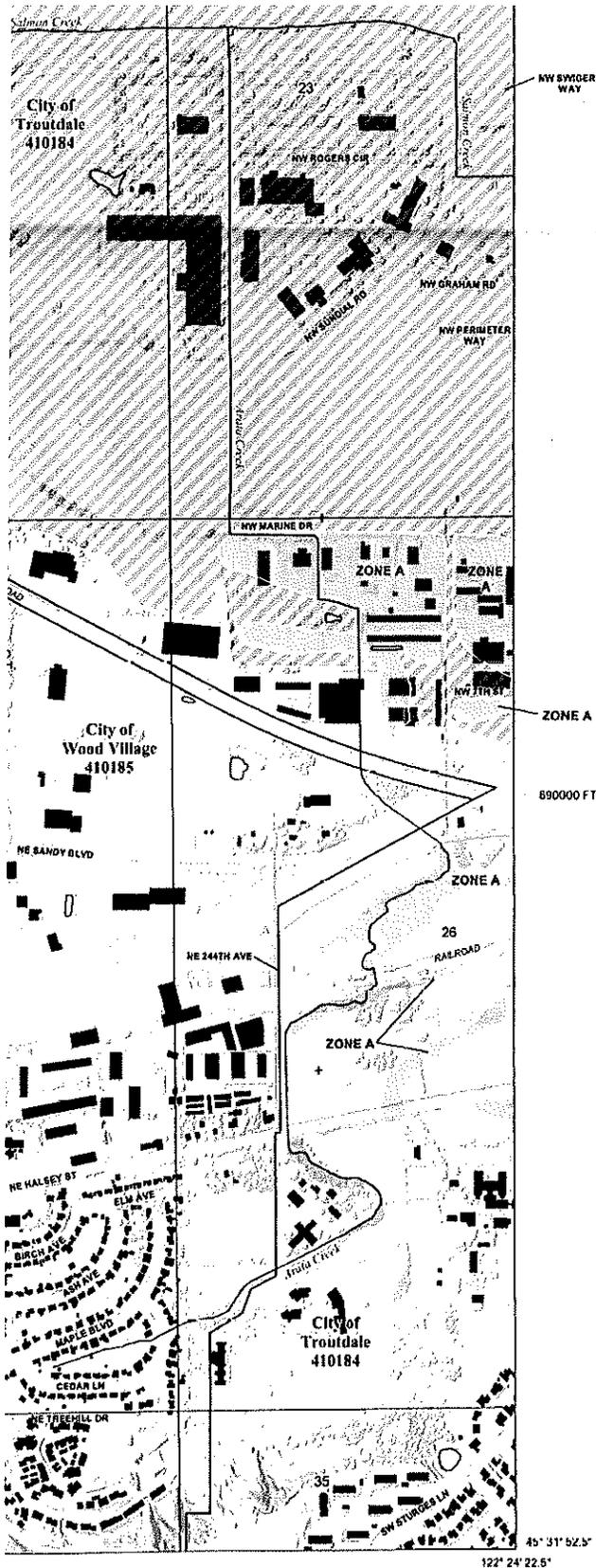


Figure 2. Eastern portion of FIRM Panel 216 showing areas of Arata Creek, I-84 commercial and industrial areas, and Salmon Creek south of the Airport. Note the Zone A classifications. Most of the upper area on the map is classified Zone X “area with reduced flood risk due to levee” and deemed an area of “moderate flood hazard.” Letters of Map Revision (LOMRs) have been issued in several cases to change from Zone A to Zone AE classification, with resultant lower flood insurance rates. City Staff are working with FEMA to ensure that these LOMRs are included in the 2017 Final Determination.

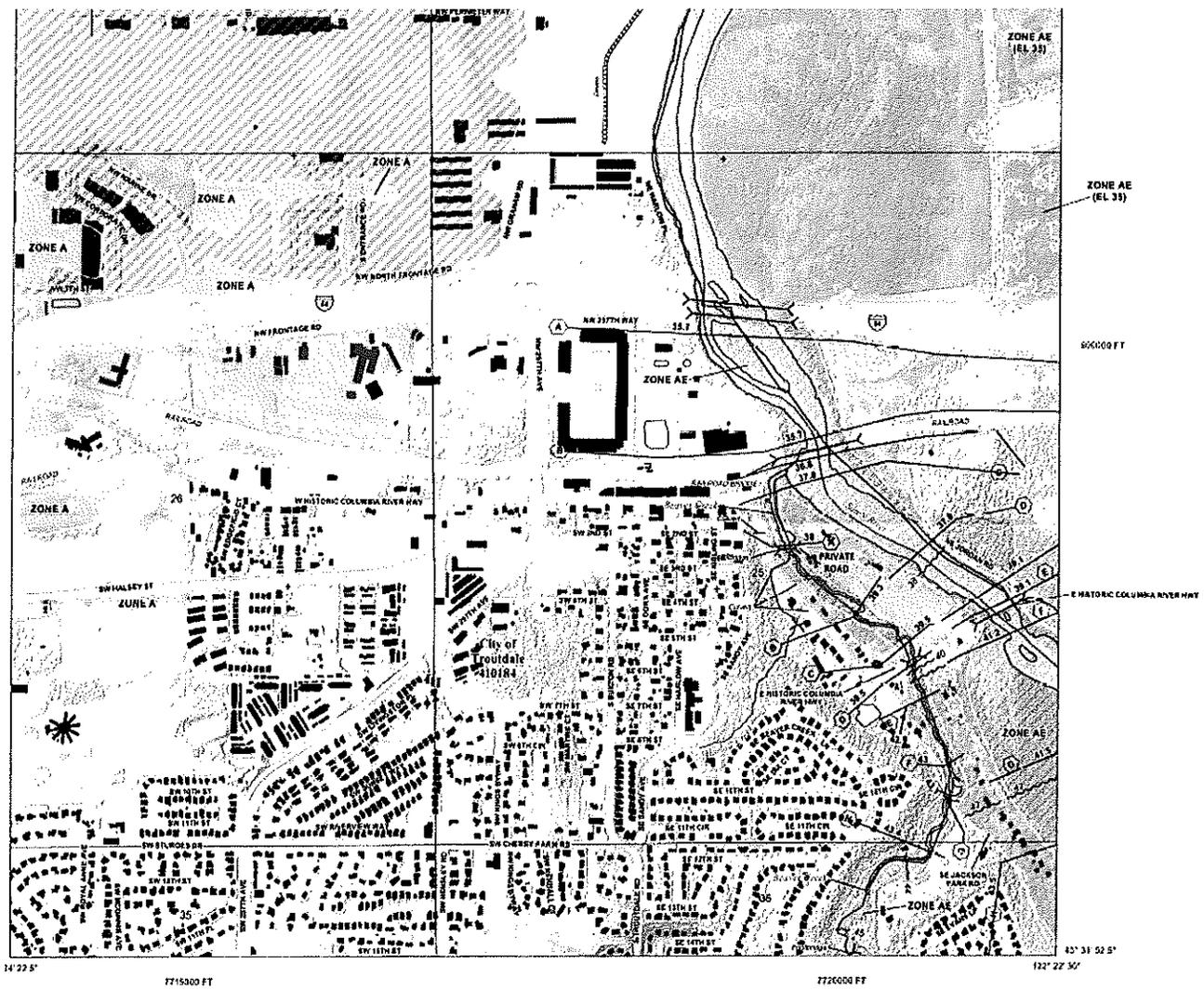


Figure 3. Portion of FIRM Panel 217 showing areas near I-84 to left and lower reach of the Sandy River on the right. Note Zone A categorizations in Arata Creek area, with similar comments as for Figure 2.

Introduction and Scope

The Federal Emergency Management Agency, FEMA, released its "Preliminary Maps" of floodplain boundaries along the Sandy River on March 28, 2016 (FEMA, 2016). Hard and electronic copies were delivered to the Mayor and Floodplain Manager. The Preliminary Maps are official FEMA documents, provided to the City and other relevant organizations following earlier review, feedback and some modifications to Draft Maps issued circa July 2013.

Following another review and comment phase, the Preliminary Maps are intended to become the new Flood Insurance Risk Map(s), and the study itself will be known as the "Effective Study," which establishes flood insurance rates. The difference between the current review phase and the one for the 2013 Draft Maps is that it will now be more difficult (or costly on the part of agencies) to request changes to the FIRM.

Steps in the City's review and response to the March 28 release include a Stakeholders' Meeting, held at the Multnomah County Yeon Facility on May 5 and two public meetings, held on June 27 in Troutdale (afternoon, aimed at Troutdale residents) and Gresham (evening, aimed at Gresham and Multnomah county residents). At these three meetings, which I attended along with City personnel, representatives of FEMA, its mapping contractor, and State of Oregon agencies attended and spoke briefly or at longer extent. A copy of FEMA's (Mr. David Ratte) presentation at the public meetings was sent to Mr. Chris Damgen. The presentation basically outlined the purpose of the floodplain insurance and mapping program and schedule for future review and (possible) appeal process.

I was retained in December 2015 to provide a technical evaluation of the Preliminary Maps. This memo is intended to serve as my Deliverable report to the City, as specified on page 17 of my contract. I am also obligated to present my findings to the Troutdale City Council at a time of their convenience. Please note that my evaluation is focused mostly on the technical aspects of study and less on FEMA regulations and protocols. A key question for me is whether or not there might be technical or other issues that might warrant an appeal to FEMA for a restudy, with the assumption that a restudy might result in lower Base Flood Elevation (BFE) values.

The main issue, of course, is whether or not property owners have been fairly evaluated with regard to the BFE on their land and the location of the 1% (100-yr) annual floodplain boundary or Special Flood Hazard Area (SFHA). In particular, if any part of a structure lies below the BFE, as determined from adjacent land surface contours, flood insurance will be necessary in order to provide home owner's insurance, and the more the dwelling elevation lies below the BFE, the greater the potential for higher flood insurance rates. While flood insurance is a good thing for homeowner protection, it can also be costly. Troutdale residents want assurance that BFE values for their property are as correct as engineering practice allows. And property owners

who suddenly find themselves newly within the 1% annual chance flood contour will be especially concerned.

FIRMs display several categories or zones of flood hazards; two are of special interest here:

Zone A: The flood insurance rate zone that corresponds to the 1 % annual chance floodplains. No BFEs or depths are shown within this zone because “detailed” topographic, hydrologic and hydraulic studies have not been performed. Fortunately, the lower Sandy River is all classified as Zone AE (see below). But some Troutdale areas in the Arata Creek and Salmon Creek areas south and north of I-84 have also been categorized as Zone A because of small-watershed flooding and ponding from local and upstream sources (Figures 2 and 3). However, most of the Zone A classifications have been revised through the LOMR (Letter of Map Revision) process to AE, a better option (see later in this report).

Zone AE: The flood insurance rate zone that corresponds to the 1 % annual chance floodplains. Base flood elevations derived from the detailed hydraulic analyses are shown within this zone, either at cross section locations or as static whole-foot elevations that apply throughout the zone.

In general the biggest difference between Zone AE and A is the inclusion of field survey data (bathymetric and structure) in Zone AE, where Zone A does not include that information. Also Zone A models usually receive lower levels of effort to resolve other modeling parameters (ineffective areas, stream roughness adjustments, complex flow patterns, etc.) (F. Affleck, email, 8/29/16).

Both A-classifications require flood insurance for federally insured loans and on the part of almost any other insurer. But advantages to the AE classification, i.e., developing BFE data – essentially reclassifying to Zone AE – include (FEMA, 1995):

- Protecting structures up to the BFE will minimize and reduce future flood losses, resulting in long-term savings to the individual, the community and the National Flood Insurance Fund.
- Flood insurance policies in approximate Zone A areas that are rated using a BFE (essentially a Zone AE situation) will often qualify for significantly lower insurance rates than policies that are rated without a BFE. The difference in flood insurance premiums could be substantial.
- Less burden will be placed on the permit official because he or she can require protection to a specified elevation. Without a BFE, the permit official must make judgments as to what constitutes “reasonably safe from flooding” and “constructed with materials and practices that minimize flood damages.”
- By specifying a BFE in an approximate Zone A area, a building or property can, in some circumstances, be removed from the floodplain by issuance of a Letter or Map

Amendment (LOMA) or Letter of Map Revision (LOMR). This will be discussed later in this report in the context of Arata and Salmon Creeks.

Overview

The current Effective Study for the Sandy River at Troutdale is from 2009, which differs very little from the prior Effective Study of September 1988 except that it extends further upstream (Table 1). Councilors will observe from displays prepared by City staff that the new, 2016 FIRM shows areas where some structures are newly within the 1% floodplain and others are newly out. Our concern is primarily with the former.

Table 1. Extent of 1988, 2009 and 2016 FIRMs.

Approximate Location	1988		2009		2016	
	Dist. Above confluence with Columbia River					
	Miles	Ft	Miles	Ft	Miles	Ft
Start, approx. at I-84 Bridge	2.4	12672	2.4	12672	2.4	12656
Approx. Old Columbia River Hwy	2.95	15576				
Corporate Limits (1988)	3.78	19958				
Study end, 1988, nr. SE 24 Cir. & Lewelln Ave	4.06	21437				
Study end, 2009 and 2016, Dabney State Park			6.17	32578	6.27	33085

Tabular and graphical presentations of flood profiles (1% water surface elevation vs. distance upstream) are given in documentation for the 1988, 2009 and 2016 FIRMs, available through City staff. The 2016 values are listed in Table 2, and a comparison of profiles from the three studies is shown in Figure 4. Also shown are four downstream points computed by ODOT during their 2009 study of the potential impacts of the new I-84 bridge (David Evans and WEST Consultants, 2009). The two ODOT downstream elevations (right at the I-84 bridges) correspond to starting water levels for the FEMA studies. The water level drops at ODOT's two upstream points because of expansion of the flow as it exits the UPRR (Union Pacific Railroad) Bridge, even though the modeling stopped short of that bridge (H. Hadley, WEST Consultants, email, 9/6/16), but this effect is irrelevant to the current FIRM.

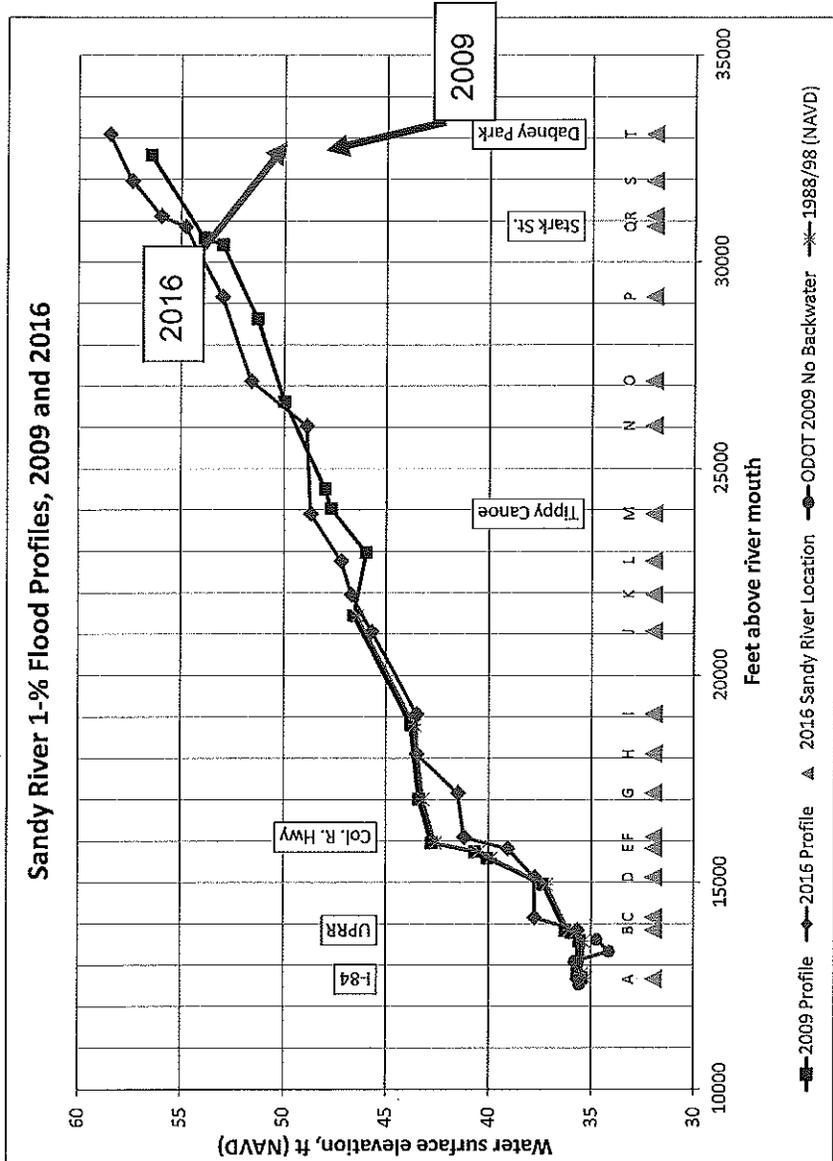


Figure 4. Comparison of 2009 and 2016 Sandy River profiles. Also shown are profile points from 1988 Effective Study, which exactly overlay the 2009 points up to Station I. Four ODOT water surface elevations (WSEs) are shown from the 2009 evaluation of backwater effects of the new I-84 bridges. The two ODOT WSEs at I-84 correspond to FEMA downstream boundary conditions. Alphabetic river locations correspond to those shown on the FIRM maps. Cross sections up to about H show up in tiny size on Figure 3.

Table 2. Station Locations for which 2016 100-yr Base Flood Elevations (BFEs) are Shown on Figure 4.

2016 FIRM Station ID	Distance from River Mouth, ft	2016 BFE, ft NAVD*	Location Comment
A	12656	35.7	I-84 bridges
B	13839	35.7	UPRR Bridge, d/s
C	14151	37.8	UPRR Bridge, u/s
D	15120	37.8	
E	15818	39.1	Columbia R. Hwy, d/s
F	16088	41.2	Columbia R. Hwy, u/s
G	17153	41.5	
H	18098	43.5	
I	19066	43.5	
J	21054	45.7	Approx. 1988 study end
K	21948	46.7	
L	22765	47.2	
M	23904	48.7	Approx. Tippy Canoe
N	26030	48.9	
O	27116	51.6	
P	29155	53.0	
Q	30853	54.8	Stark St. Bridge, d/s
R	31106	56.0	Stark St. Bridge, u/s
S	31955	57.4	
T	33085	58.5	Dabney Park

*North American Vertical Datum of 1988. NAVD elevations = older NGVD (National Geodetic Vertical Datum of 1929) + 3.4 ft. Older map elevations (e.g., 1988/2009 maps) thus do not necessarily correspond to newer ones.

Another representation of the differences in elevation is provided by Jed Roberts of DOGAMI (personal communication, February 2016). Shown in Figure 5 is a plan view of the Sandy River near Troutdale up to about Station L on Figure 4. The portions of the river with higher BFEs in 2016 correspond to the orange color coded areas on Figure 5. Most of the area on Figure 5 is colored yellow, indicating a BFE change -0.5 to +0.5 ft.

The point of Figures 4 and 5 is that most of the lower river has a 2016 BFE either lower than the 2009 value or within +/- 0.5 ft of it. So why do some properties newly lie within the new 100-yr boundaries and others lie outside? Let us first describe the basis for determining the new maps.

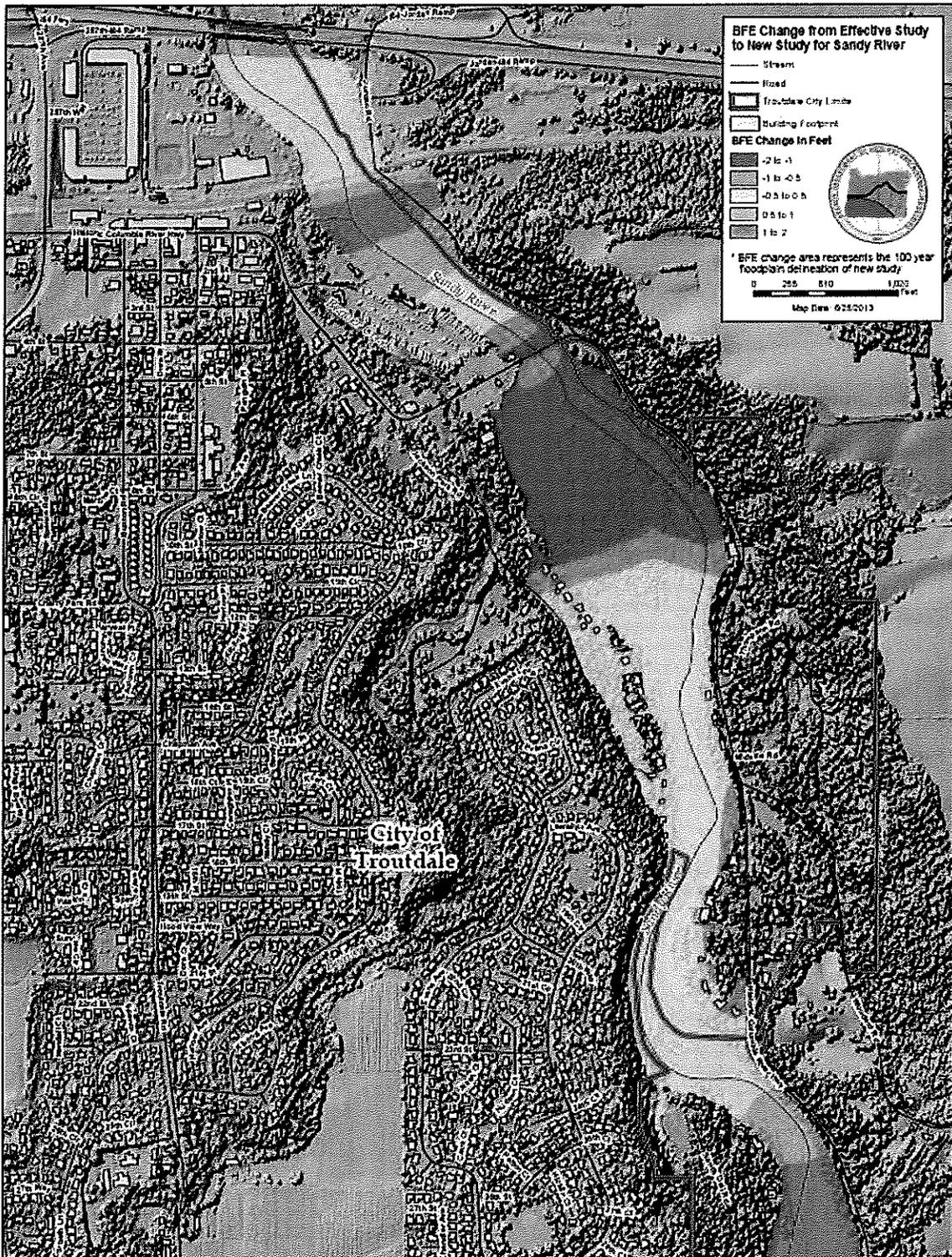


Figure 5. Comparison of 2009 and 2016 Base Flood Elevations along Sandy River. See Figure 6 for more legible legend. (Jed Roberts, DOGAMI, February 2016)

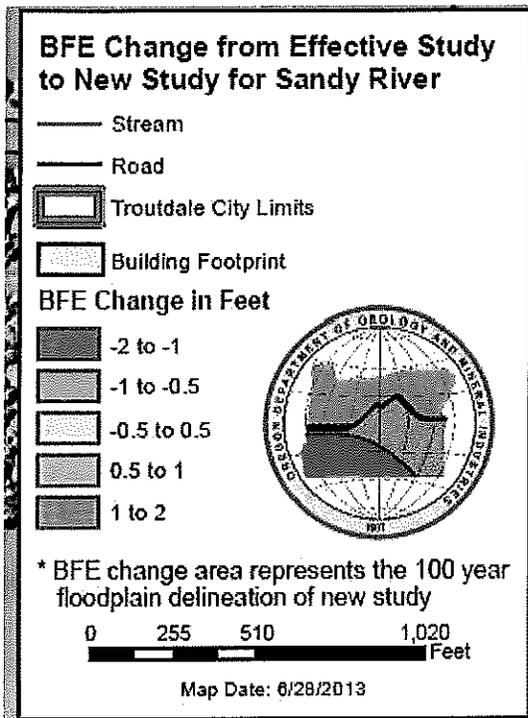


Figure 6. Blown-up legend for Figure 5.

Basics of Floodplain Definition

A floodplain is defined analytically (i.e., numerically, with a model) by performing what a hydraulic engineer would term a backwater analysis. This is done in multiple steps as follows:

1. A hydrologic analysis is done to define statistically, on the basis of past records, the 100-yr (1% annual chance) flood flow at the upstream end of the Sandy River study area, with additional contributions along the length of the river, culminating at the downstream boundary (a short ways downstream of the I-84 bridges). 10-yr, 25-yr, 50-yr and 500-yr events are also defined statistically. Appropriate historical flow data are assembled for this analysis.
2. The, say, 100-yr flow is then “routed” down the river as a steady-state (no change with time) event using a suitable model, in this case the very commonly used U.S. Army Corps of Engineers, Hydrologic Engineering Center, HEC-RAS (for River Analysis System) model. It is called a backwater analysis because for most situations, the analysis begins at the downstream end (the downstream boundary condition) and proceeds upstream, numerically. The most important data for this analysis are land topography and river cross sections (surveyed shapes and bathymetry). Important assumptions are made regarding the roughness (“Manning’s n”) of the river channel on the basis of experience for the Sandy River and similar streams and on past flow observations. The lower the roughness (smaller n-values), the faster the velocity and lower the depth. When

HEC-RAS computes flow depths, the topographic data are used (within the model and with the help of GIS software) to determine the lateral extent of the floodplain. The more floodplain storage and fewer floodplain obstructions, the lower the resulting depths will be.

Hydrologic Analysis

Hydrologic methods used in the current study are detailed in the report by STARR (2011). I will not describe all the nuances of the statistical analyses other than to say they correspond faithfully to procedures of the U.S. Geological Survey (USGS) and the Oregon Department of Water Resources. Briefly, water year peak flows (e.g., WY2011 = October 2010 – September 2011) were assembled first for eight gages along the Sandy River, through WY2010. As of 2010, USGS gage 14132500, Sandy River below the Bull Run River (Figure 1), had 95 years of record and was the cornerstone of much of the hydrologic analysis. Maximum annual flows for this gage are shown in Figure 7 through WY2015, but bear in mind that the FIRM study only used flows through WY2010. Of interest is the highest recorded flow of 84,400 cfs on 12/22/64 (“The Christmas Flood,” WY1965) and more recent events such as 68,600 on 2/7/96 (the “flood of ‘96”) and 61,700 cfs on 1/16/2011. Not shown on the figure but in recent memory, the high water of 12/18/15 was only 17,800 cfs at this gage (higher at Troutdale).

The STARR (2011) analysis concluded that the presence (and removal) of upstream dams (Marmot and Little Sandy) upstream of Gage 14142500 shows “... no indication of effects of regulation.” This was on the basis of comparison of upstream and downstream flow records. Marmot Dam will be discussed more below.

Gage data were adjusted for contributing areas and regional effects. Flow estimates for the mouth of the Sandy River where no gage exists were computed based on upstream tributaries, including Beaver Creek, and drainage area adjustments. Final flow computations used in the FIRM are shown in Table 3. The downstream (I-84) 100-yr flow for the Sandy River study was thus 85,139 cfs, and the corresponding flow at Gage 14142500 was 73,737 cfs, higher than all but the 12/22/64 flood of record.

It is important to remember that the 100-yr and other flows used in the FEMA analysis depend only on historic gage data, appropriately adjusted, and are not based on a rainfall-runoff analysis, such as upstream rainfall and/or snowmelt magnitudes. Furthermore, no account is taken of climate change and possible future weather conditions; the analysis is based strictly on past, historic records. Finally, while minimal flood control structures exist upstream of Troutdale, the greater Willamette and Columbia River Basins are massively managed by the Corps of Engineers through their dams (as well as into Canada). In addition, hydraulic improvements to channels (e.g., bank protection, straightening) were provided to several of the higher reaches of the Sandy River following the 1964 flood. While we can take comfort at many Oregon locations for the flood protection provided by this system of dams and channel improvements, the Sandy

River at Troutdale is still mostly uncontrolled (except for backwater from the Columbia River) and subject to natural runoff conditions and events.

Figure 7. Sandy River below Bull Run, USGS Gage 14142500, Annual Peak Flows
http://nwis.waterdata.usgs.gov/nwis/inventory/?site_no=14142500&agency_cd=USGS

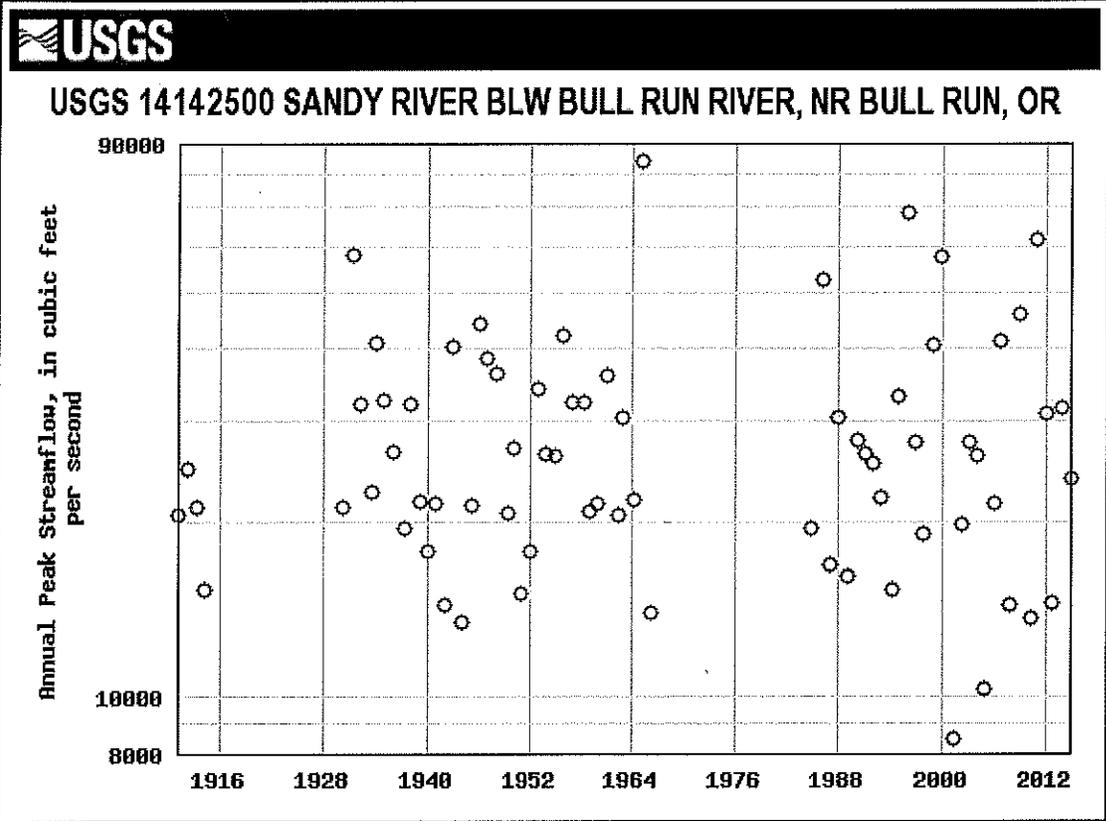


Table 3. Summary of Discharges for Annual Chance Storm Events (STARR, 2011).

Stream and Location	Drainage Area	Method	10-percent (cfs)	4-percent (cfs)	2-percent (cfs)	1-percent (cfs)	0.2-percent (cfs)
Cedar Creek at mouth	14.54	DARC	1,678	2,102	2,360	2,608	5,630
Clear Creek at mouth	9.3	DARC	1,140	1,425	1,572	1,705	4,466
Henry Creek at mouth	3	DARC	493	610	624	620	3,068
Salmon River u/s of Confluence with Cheeney Creek	88	DARW	6,903	9,036	10,504	12,039	16,085
Salmon River @mouth	115	DARW	9,070	11,872	13,800	15,818	21,133
Sandy River @ mouth	502	DAR	51,668	64,513	74,628	85,139	112,342
Sandy River @ Dabney Park	483	DAR	49,672	62,021	71,742	81,853	107,994
Sandy River d/s of confluence with Bull Run	436	DAR	44,742	55,865	64,615	73,737	97,256
Sandy River u/s of confluence with Alder Creek	248.9	DAR	25,940	33,440	39,538	46,090	63,291
Sandy River u/s of confluence with Clear Creek	41.1	DARC	4,407	5,537	6,357	7,182	11,525
Still Creek	22.8	DARC	2,527	3,171	3,603	4,030	7,463
Zigzag River at mouth	59.1	DARC	6,256	7,865	9,066	10,283	15,521
Zigzag River at confluence with Still Creek	30.2	DARC	3,287	4,128	4,717	5,305	9,106

cfs = cubic feet per second

DARC = discharge drainage-area curve

DAR = discharge drainage-area ratio

DARW = discharge drainage-area-weighted ratio

Table 4. Comparison of Current (March 2016), 2009, ODOT and 1988 FIRM 100-yr Flood Magnitudes

FIRM Study	Downstream (I-84) (cfs)	Sandy River at Bull Run Gage 14142500 (cfs)
1988 and 2009	82,800	Not avail.
ODOT, 2009	88,937	78,700
2016	85,139	73,737

Estimates of 100-yr flood magnitudes for the 1988 and 1999 FIRM studies, for the 2009 ODOT study, and for the draft 2016 FIRM are compared in Table 4. Magnitudes differ because of both new data (longer period of record; some notably high floods since 1988) in the more recent studies and because of subtleties in methods used in the frequency analyses. In my opinion, the current (2016) study uses the best available methods for Western Oregon. That the ODOT values are somewhat higher is due mainly to simpler frequency analysis methods employed. But the ODOT values are also somewhat irrelevant since the ODOT study also extends upstream only to the UPRR Bridge. Two implications may be drawn from this extended discussion of hydrology:

1. The draft 2016 FIRM uses higher Sandy River flows than does the previous 1988/2009 study. This partially accounts for higher water elevations at some points along the Sandy River.
2. If floods of recent memory (e.g., 1996 on) did not cause flooding or a water level comparable to the recent FIRM, those flows are also less than the 100-yr values used in the FIRM.

Hydraulic Analysis

The essentials of the HEC-RAS hydraulic analysis have been outlined above. All procedures for the 2016 FIRM are described by the FEMA contractor (STARR, 2013). In addition to the 100-yr flow magnitudes estimated for input to the model, discussed above, of key interest are the topographic data.

River Cross Sections

Fifty-one river cross sections were used by the STARR contractor for the HEC-RAS model runs of which 32 were new (summer 2012, during low-flow conditions) surveys for this study and 4 were obtained from ODOT at the downstream end, including cross sections of the new I-84 bridges. These surveys were for the river channel itself (and structures). Overbank areas were obtained from LiDAR. The remaining 15 were interpolated from upstream and downstream channel surveys and LiDAR. All 51 cross sections are shown in Figure 8 (a HEC-RAS graphic). River stations are given in feet upstream from the mouth of the Sandy River and correspond to those shown on the profile comparisons of Figure 4. For help in orientation, locations of the 20 stations (A-T) for which water levels are shown on Figure 4 are listed in Table 2.

Four cross sections are shown in Figures 9-12 for illustrative purposes: Stations B, E, M and T (refer to Figures 3 and 4 and Table 2). Station B is a short ways below the UPRR Bridge. Station E is immediately below and approximately adjacent to the downstream side of the Old Columbia River Highway Bridge. Station M is the approximate location of the Tippy Canoe Restaurant, and Station T is at Dabney State Park. The 100-yr water surface elevations are shown on the figures as well. [The remaining cross sections are available from W. Huber.] Note that cross sections are viewed looking downstream.

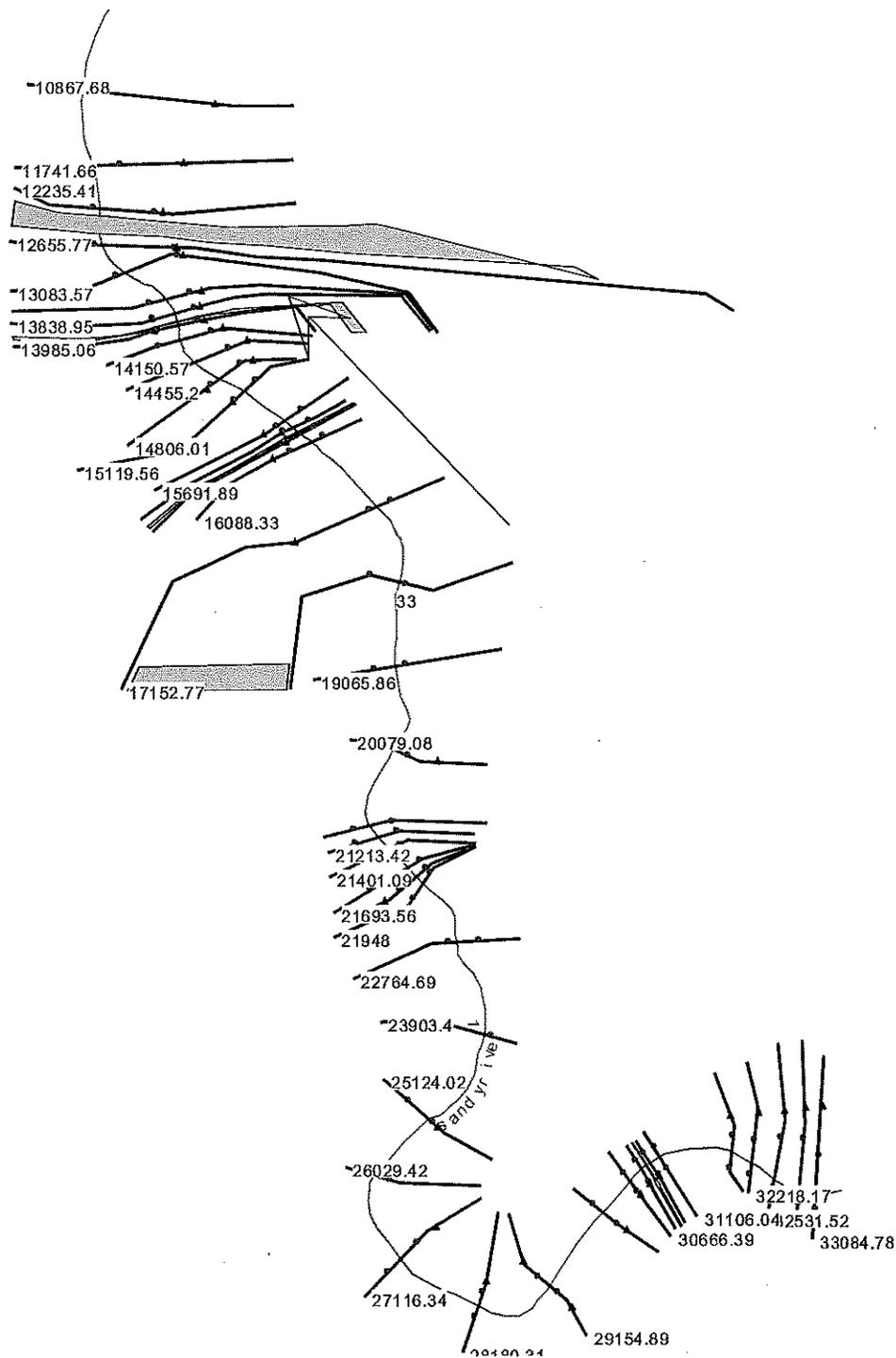


Figure 8. Location of 51 cross sections used in HEC-RAS modeling. (Files from F. Affleck. Print courtesy of Geosyntec Consultants, Portland). Red dots indicate nominal main river channel.

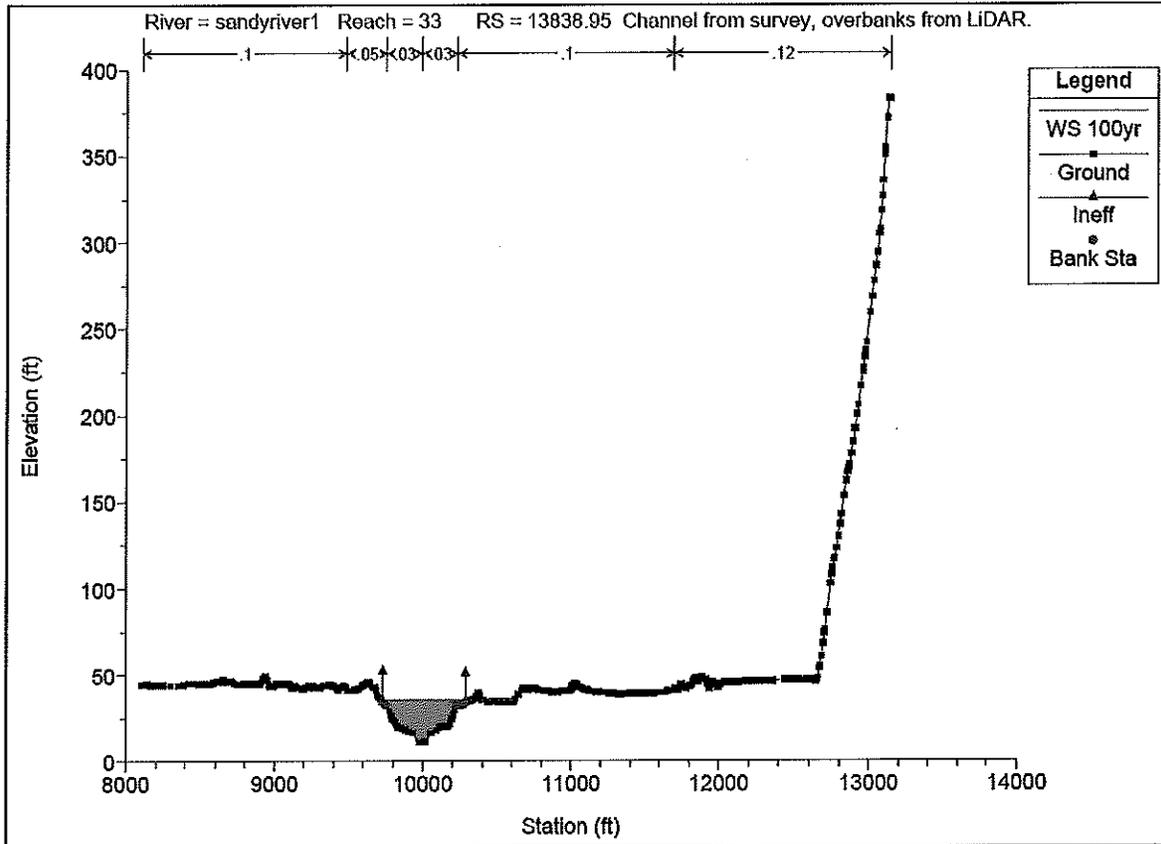


Figure 9. Sandy River cross section approximately at FIRM Station B (below UPRR Bridge). (Files from F. Affleck. Print courtesy Geosyntec Consultants, Portland.)

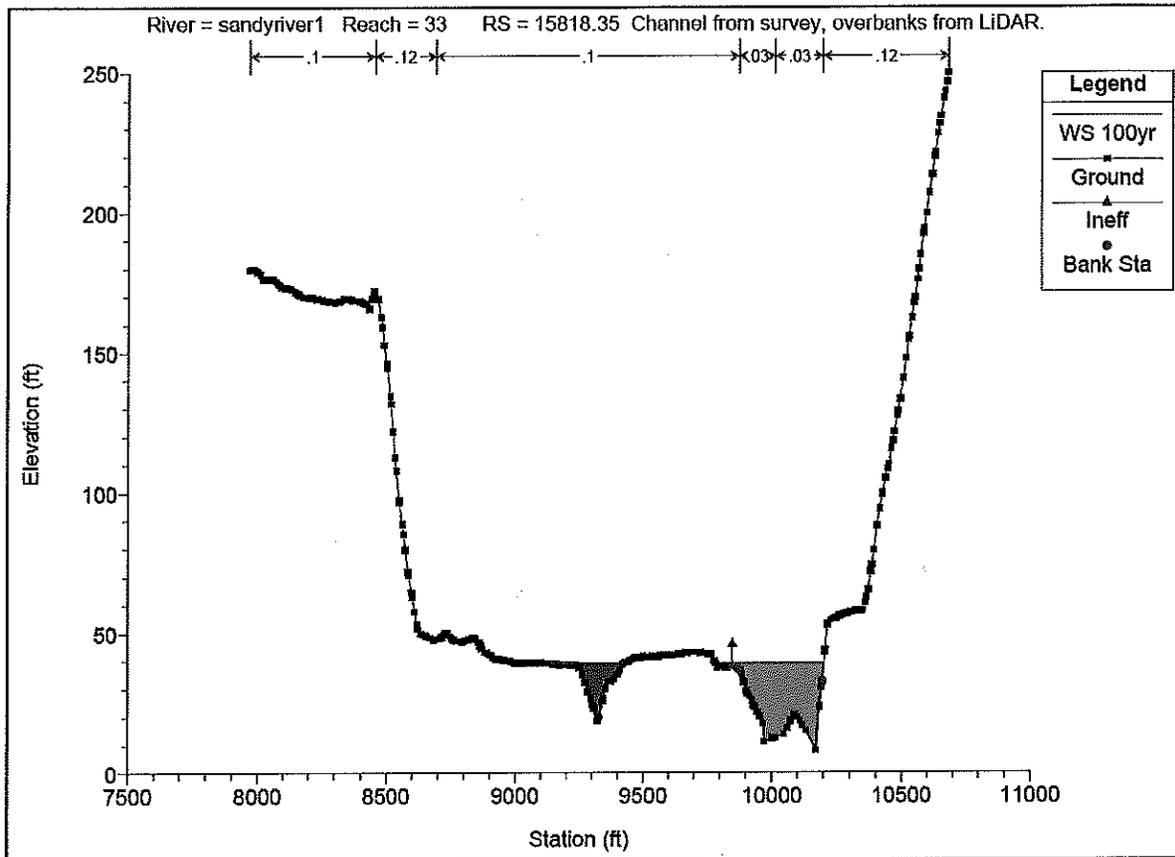


Figure 10. Sandy River cross section approximately at FIRM Station E (close to downstream side of Columbia River Highway Bridge). Green depression on left is Beaver Creek. (Files from F. Affleck. Print courtesy Geosyntec Consultants, Portland.)

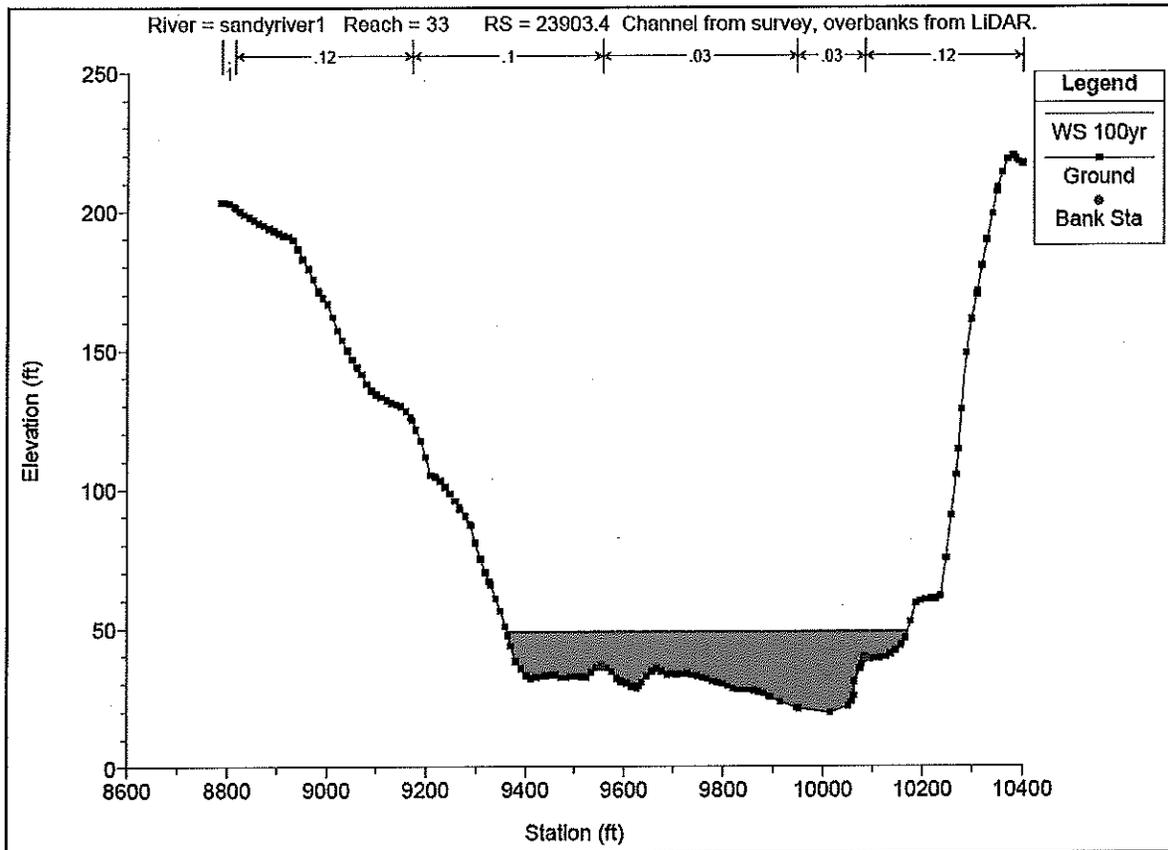


Figure 11. Sandy River cross section approximately at FIRM Station M (near Tippy Canoe Restaurant). (Files from F. Affleck. Print courtesy Geosyntec Consultants, Portland.)

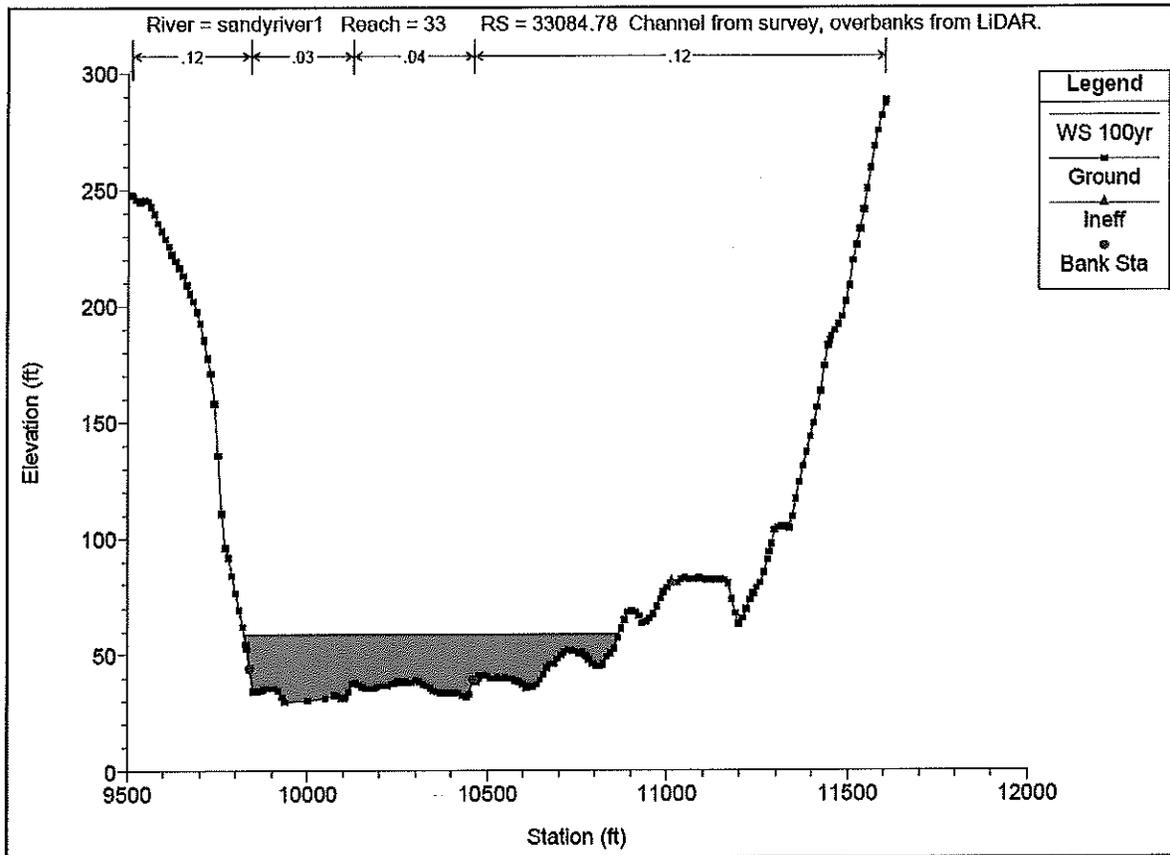


Figure 12. Sandy River cross section approximately at FIRM Station T (Dabney State Park).
 (Files from F. Affleck. Print courtesy Geosyntec Consultants, Portland.)

Nothing striking emerges from viewing the cross sections. Even for the 100-yr flood, the water level remains mostly within the main river channel. For the 500-yr flood, it would extend much more into the broader floodplain.

Impact of Marmot Dam Removal

Two dams affecting the lower Sandy River were removed in 2007 and 2008: Marmot Dam (the larger) was located on the Sandy River between Bull Run and Brightwood and was removed in October 2007; the Little Sandy Dam located on the Little Sandy River was removed in summer 2008. Primary reasons for removal by PGE (Portland General Electric) were inefficiency of dam operations, high cost for renovation for safety, and fish passage issues. Both removal operations proceeded smoothly and successfully. (http://or.water.usgs.gov/projs_dir/marmot/). However, there was the potential for sediment that had accumulated behind the dams to congest the floodway of the lower Sandy River with the potential to raise FEMA base flood elevations.

As stated earlier, surveys of the lower Sandy River cross sections for the current FIRM were conducted in summer 2012, approximately 4-5 years later. Have estimated flood levels in the lower river been impacted by sediment release from the dam removals? Here I quote from correspondence with Jon Major of the US Geological Survey (email correspondence, March 3, 2016):

“The important thing to keep in mind is that the Sandy River is a fairly dynamic system with many sediment sources along its length. Some of the most significant are from volcanic sediment deposited in the past couple thousands of years by eruptions of Mount Hood. It is not uncommon to have transient local changes in bed elevation on the order of a meter following substantial high flows. These can occur regardless of whether sediment released from removal of Marmot Dam has migrated far downstream or not. Because of the possibility of changes of that magnitude in distal reaches of the system, it is hard for us to say with any confidence that sediment released by dam removal has or has not affected the system far downstream. We only have spot measurements in a few discrete locations, so it may be possible that sediment has accumulated in areas inaccessible to us. But there are two things to keep in mind: 1. Modeling of sediment transport indicated that distal accumulations of sand would likely not exceed about 0.5 m, which is within the dynamic range of the channel bed variation. 2. The volume of sediment released is only a few times the average annual volume transported by the river, so for the river, that sediment release was mostly an appetizer, not a large meal. We are more than 8 years out from the release, so I suspect the river has largely digested that load except perhaps in the reach immediately downstream of the former dam site. Hope this helps put things into broader perspective.”

My conclusion from this and earlier discussion of cross sections used in the FIRM analysis is that sedimentation from the dam removals is not a significant factor in the establishment of the

new BFEs. One should also bear in mind that significance “conveyance,” the ability to move floodwaters along the river channel, occurs outside (above) the normal river channel during huge events, such as a 100-year flood. Hence, channel sedimentation is unlikely to influence the FIRM analysis in a way that would indicate to me a need for new cross section surveys. However, I offer the caveat that I do not have copies of cross sections used in the 1988/2009 FEMA studies and cannot state with certainty the current (2012) channel conditions are comparable to older ones.

LiDAR Topography

The Oregon Department of Geology and Mineral Industries, DOGAMI, contracted in August and September 2011 for new LiDAR (Light Detection and Ranging) remote sensing (i.e., from an airplane) of Sandy River elevations in the Troutdale area (Watershed Sciences, 2011).

According to the Watershed Sciences report, on the basis of comparison with 193 ground-surveyed points, the maximum elevation deviation (LiDAR minus surveyed) was 0.37 ft (4.4 in., i.e., LiDAR was higher), the minimum was -0.30 ft (-3.6 in., i.e., LiDAR was lower) and the average was ± 0.01 ft (0.12 in.). The implication is that the LiDAR elevations are quite accurate. But horizontal locations based on vertical elevations are quite sensitive where bank slopes are small. E.g., consider a 2% bank slope of 1 ft vertical to 50 horizontal. A 4-in. vertical error translates to a $50 \times 4 = 200$ in. = 17 ft. horizontal error.

Although LiDAR displays buildings and other structures, contours used to define the floodplain are based on ground surface elevations, necessarily interpolated through structural foundations. Hence, a given elevation contour that passes “through” a structure is based on adjacent LiDAR ground surface elevations. If a property owner has this occur on a gentle slope, it *might* be worth the effort to have a surveyor verify the exact elevations around the foundation. The new (2011) LiDAR topographic data are a very important factor in changes in the 2016 FIRM, as well as the revised hydrologic and hydraulic analysis in the river itself.

Downstream Boundary Condition

The Sandy River terminates at the Columbia about 2.4 miles downstream of the I-84 bridges, and it is FEMA policy is to assume flooding sources are independent of each other, unless it can be proven they have coincident peaks flow. When this approach is taken the tributary model is extended into the backwater of the main stream until there is sufficient overlap in mapped floodplains. The 2016 Sandy model extends downstream of the I-84 bridges. Its boundary condition is normal depth (0.15% slope), which is independent of the Columbia. The normal depth water surface elevation is 31.7 NAVD. STARR (2011) estimated the 1-percent-annual-chance backwater from the Columbia River on the Sandy River to be 35.2 NAVD. That backwater extends up the Sandy to a point near the I-84 bridges. After that point the Sandy River water surface elevations are higher and therefore used in the mapping (F. Affleck, email communication, 8/2/16).

Channel Roughness

An issue with the 2009 Effective Study may be seen in the 2009 profile shown in Figure 4: the water level drops 0.6 ft going upstream near 2016 Station L. This cannot happen under normal “subcritical” flow conditions along slow moving portions of the Sandy. [Subcritical flow means downstream impacts on flow, such as due to a structure or rocks, can propagate upstream and create a “backwater”; picture the opposite or “supercritical” flow as along steep portions of a stream.] The FEMA STARR contractor manipulated (within normal bounds) channel roughness (Manning’s n) values to correct this situation, as indicated also in the 2016 profile shown in Figure 4. However, we also see that BFEs are 1-2 ft higher in the upstream portion of the study, near Stark Street and Dabney Park, partially due to these profile corrections.

Calibration

If at all possible, computer models of hydrology and hydraulics should be calibrated, or at least compared, against measured flows. The inherent nature of a steady-state model run with a statistically-derived 100-yr flood makes this a difficult proposition for floodplain definition. Of course, a fundamental requirement for calibration is the presence of a stream gage at all. No gages exist along the lower Sandy River in the Troutdale area but several are present upstream, as discussed earlier in the Hydrology presentation. For the STARR modeling, these gages are along the upstream “Reach 8” portion of the river, while Troutdale is deemed “Reach 1.” Because a hypothetical 100-yr (or other return period) flow cannot be directly compared to a time-variable measured hydrograph at a USGS gage, STARR (2013) instead compared rating curves at two USGS gages with rating curves generated within HEC-RAS. A rating curve is a relationship (tabulated or plotted as a “curve”) of water surface elevation vs. flow and is the method used to convert routinely monitored water elevations (every 15 min) into flow. Rating curves are verified by periodic field visits by USGS personnel.

From STARR (2013), two USGS gages, 14136500 and 14133500, with recorded stage and discharges were available on Sandy River Reach 8. Gage 14136500 (USGS, 2013a) is just upstream of East Barlow Trail Bridge (19364.46) and has data ranging from 2007 to 2011. Gage 14133500 (USGS, 2013b) is between cross section 39965.38 and 40963.53, and has data ranging from 1911 to 1931. Stages vs. discharges from the record and the new Sandy River Reach 8 model were plotted for comparison, as shown in Figures 13 and 14 (STARR, 2013).

Manning’s “ n ” values were adjusted until plotted stage-discharge curves showed reasonable alignment. At East Barlow Trail Bridge ineffective areas and contraction and expansion coefficients were also adjusted. While not as desirable as hydrograph comparisons, the upstream Reach 8 rating curve comparisons indicate reasonable model validity for that area, at least.

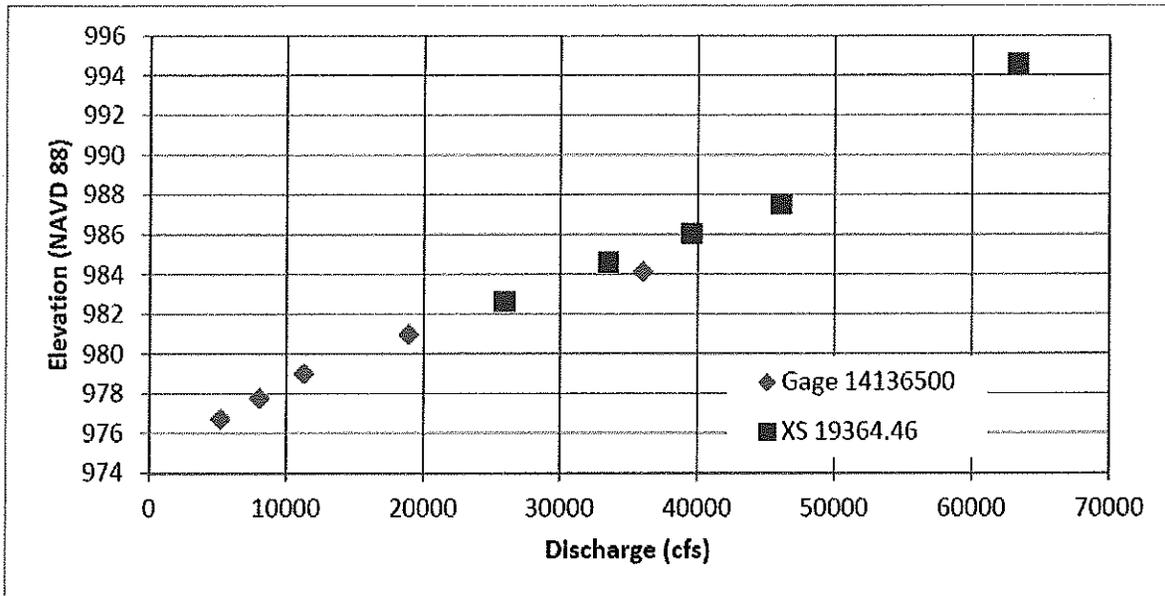


Figure 13: Sandy River Reach 8: Gage 14136500-HEC-RAS Model Calibration, HEC-RAS model cross section (XS) with associated Model ID shown in legend (STARR, 2013).

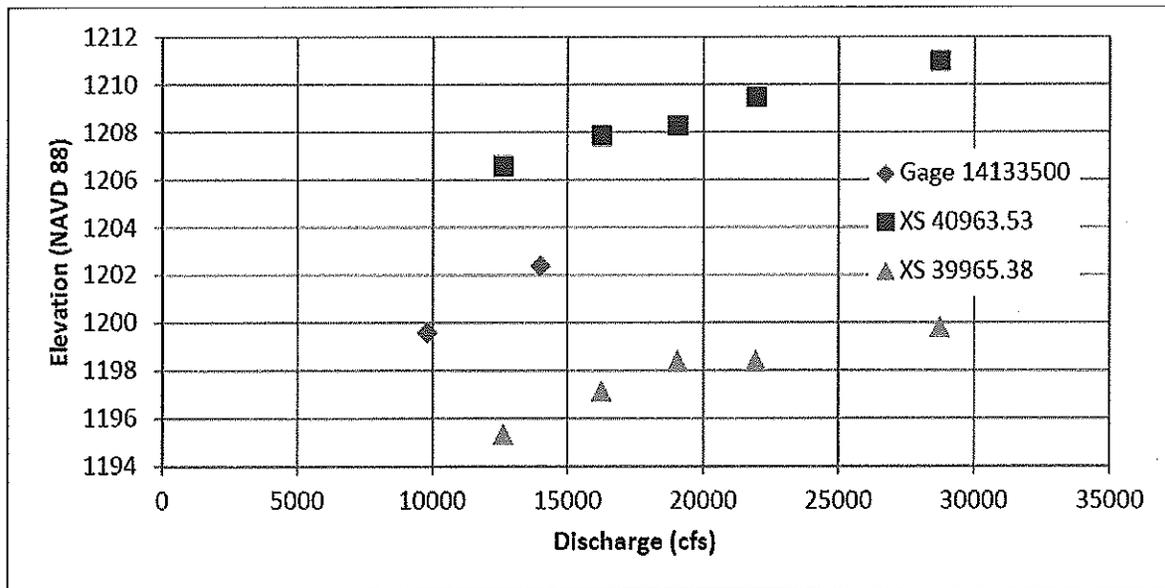


Figure 14: Sandy River Reach 8: Gage 14133500-HEC-RAS Model Calibration, HEC-RAS model cross section (XS) with associated Model ID shown in legend (STARR, 2013).

Comparison with Memorable Floods

This topic has been partially addressed earlier under the Hydrology discussion. A question might be raised, why are FEMA Preliminary Map levels as high as they are in some places when historic events over the past 25 years do not reach these levels? I base this discussion significantly on anecdotal information provided by Troutdale City Councilor Glenn White, owner of riparian property adjacent to the downstream side of the Columbia River Highway Bridge over the Sandy River (Station E on Figure 4, BFE = 39.1 ft NAVD). He has indicated that high water from the 1996, 2011 and other significant events did not reach the corner of his foundation at elevation 39.4 NAVD. He estimates the 1996 flood elevation just below the Bridge at somewhere in between 28 and 33 ft NAVD from a mark on a tree. In addition, he points out that during the January 2011 event, a massive logjam occurred behind the temporary construction bridge at I-84 (spring2011gorgenewsletter_final_06022011.pdf), yet the river near Troutdale did not flood to any significant extent although there were certainly erosion, channel changes and other negative impacts upstream. The answer lies in the fact that regardless of large rain and rain-on-snow events upstream in the watershed, with the exception of the 1964 flood of record, measured flows on the Sandy at Gage 14142500 are less than the 100-yr estimate used in the current FIRM, as reiterated in Table 5. Not shown on the table is the recent event of 12/18/15, with a flow of only 17,800 cfs at the upstream gage. It may be inferred that return periods for the historic events lie between those for FIRM estimates in the table. The 100-yr FIRM estimate is 5,000 cfs higher than the flood of '96 and thus might be expected to result in a higher water level at Troutdale, at least on this basis.

Table 5. Comparison of Three Historic Flows with 2016 FIRM T-yr Estimates for Sandy River Gage 14142500 downstream of Bull Run (from Table 3).

	Return Period, yr						
	10	25	50	100	500		
FIRM estimate, cfs	44,742	55,865	64,615	73,737	97,256		
12/22/64, cfs						84,400	
2/7/96, cfs				68,600			
1/16/11, cfs			61,700				

Overall Assessment for the Sandy River

As seen in Figures 4 and 5 and in large displays provided by the City Staff, 2016 base flood elevations (BFEs) along the Troutdale area of the Sandy River are lower than on the 2009 Effective Map (mostly downstream of Station H) and higher in others (mostly upstream of Station K). Why? I cannot definitively answer this question, but relevant factors include:

- The 100-yr flood estimate at the I-84 bridges is 2,300 cfs higher for 2016 than for 2009 (see Table 4).
- New river channel surveys were conducted in 2012 that lead to new hydraulic computations.
- Similarly, new LiDAR topography was obtained in 2011 that presumably lead to improved estimates of the extent of adjacent floodplain terrain.
- Engineering judgment was applied by the FEMA STARR contractor to provide physically realistic water surface slopes in the upper portions of the study, which apparently contributed to higher water levels in the upper reaches.

These last three bullets are the principal reasons cited by the FEMA Flood Mapping Engineer, Ferrin Affleck (email, 8/2/16). Jed Roberts of DOGAMI, the Mapping Coordinator for FEMA, believes revised topography is “the main cause for changes to the floodplain delineation.” (J. Roberts, email, 8/23/16). In short, I see no technical basis for disputing the March 28, 2016 Preliminary Maps for the Sandy River at Troutdale.

Beaver Creek

Only the lower 3.3 miles of Beaver Creek, a 13-sq.mi. tributary to the Sandy River, were analyzed for base flood elevations in the current FIRM, mostly because of steep side slopes and little opportunity for floodplain development except in the lowest reaches (FEMA, 2016). The lower approximately 6,000 ft is heavily influenced by backwater from the Sandy River. The 100-yr flow at the mouth of Beaver Creek was estimated to be 2,100 cfs on the basis of limited gage data and regional relationships of flow with slope and area. Similar comments apply to the Beaver Creek FIRM evaluation as for the extensive preceding discussion of the Sandy River.

Area near I-84 and Troutdale Airport: Arata Creek and Salmon Creek

Arata Creek flows into Troutdale from Wood Village several times along their common boundary along the western edge of Troutdale. From Halsey Street upstream the drainage area is less than one square mile. At both the northwestern corporate limits and Marine Drive, where Arata Creek leaves the city for the final time, the drainage area is about 1.5 square miles. Arata Creek drains northward to Salmon Creek as Salmon Creek flows westerly, south of the Airport. Salmon Creek in turn follows Marine Drive north to where it is pumped out beneath the levee in the northwest corner of the levee. As shown on Figures 2 and 3, these areas have several Zone A classifications, due to local runoff generation and ponding (not from overbank flow from the Sandy River).

Fortunately, several of these areas have been reclassified by LOMRs (Letters of Map Revision). However, because these were under review by FEMA while the draft maps were being prepared, these changes were not made to the March 2016 FIRM. Instead, they will apply “the day after

the 90-day appeal period ends” and become an official part of the Effective Maps in 2017. Please see City staff for details of correspondence, but here, briefly I cite two in particular:

LOMR 11-10-1884P: Roughly the Arata and Salmon Creek areas north of I-84 and south of the Airport. Areas formerly designated as Zone A were reclassified as Zone AE as shown in Figure 15 and confirmed in correspondence with the City on January 4, 2013.

North Halsey/Edgefield LOMR 15-10-0523P, dated January 2015: This LOMR results in reclassification of all of Arata Creek in Troutdale south of I-84 to Zone AE. This LOMR was approved in correspondence received by the City on June 12, 2015, and the revised sections of Panels 216 and 217 are shown in Figures 16 and 17, respectively.

Several other LOMRs have resulted in piecemeal but similar reclassification from Zone A of areas along Arata and Salmon Creeks.

Executive Orders 11988 and 13690

Quoting from the FEMA Fact Sheet (June 2015) on the Applicability of these two Executive Orders:

“On January 30, 2015, the President signed Executive Order (E.O.) 13690, establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input, which amended E.O. 11988, Floodplain Management, issued in 1977. Once implemented by Federal agencies, the Federal Flood Risk Management Standard (FFRMS) will reduce the risk and cost of future flood disasters by ensuring that Federal investments in and affecting floodplains are constructed to better withstand the impacts of flooding. It will support the thousands of communities across the country that have strengthened their local floodplain management codes and standards and will help ensure Federal projects last as long as intended. The FFRMS will apply to the Hazard Mitigation Assistance Grants, the Public Assistance Program, and any other FEMA grants when they fund construction activities in or affecting a floodplain.”

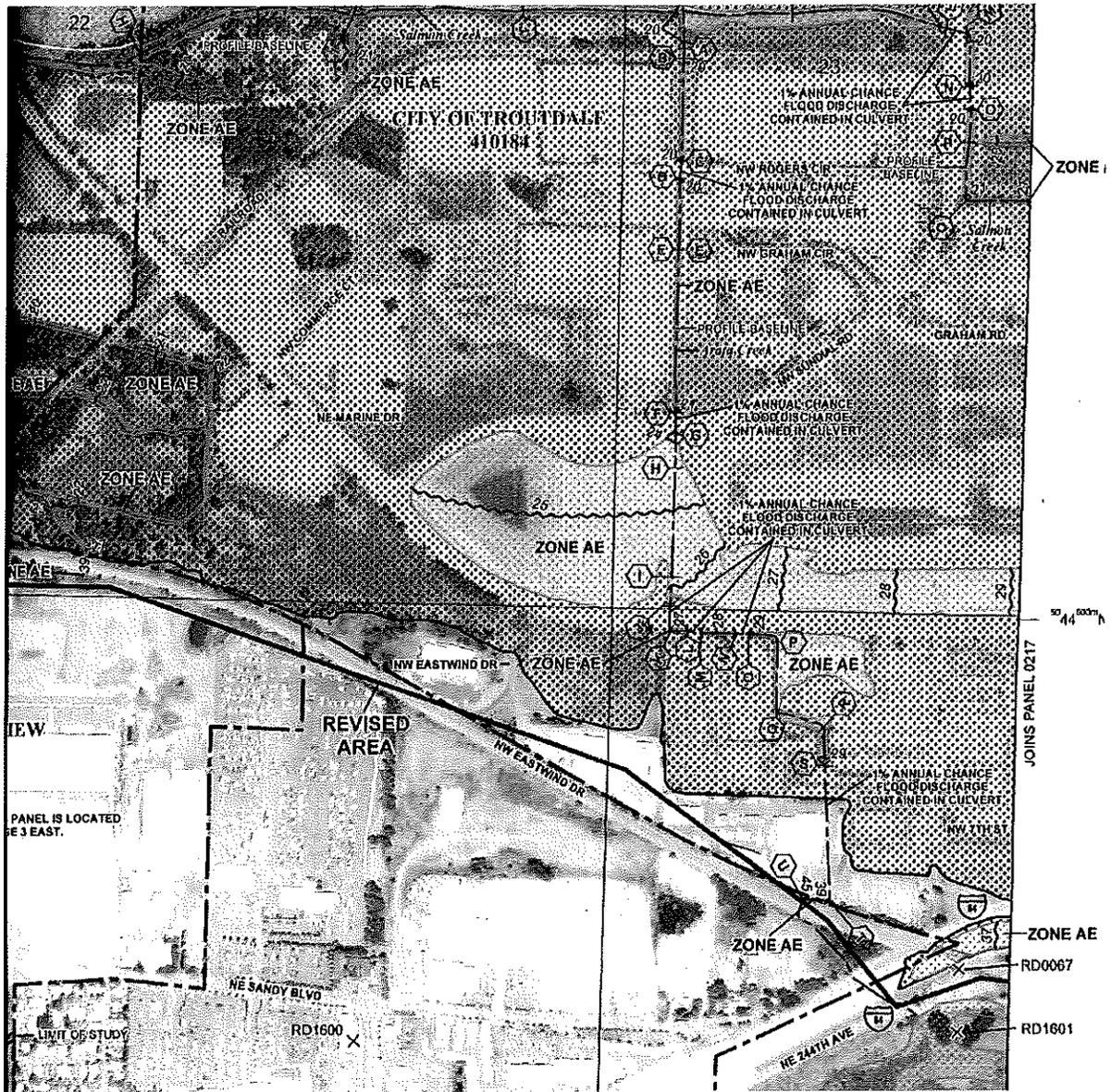


Figure 15. Reclassified areas north of I-84 due to LOMR 11-10-1884P. Compare to Figures 2 and 3.

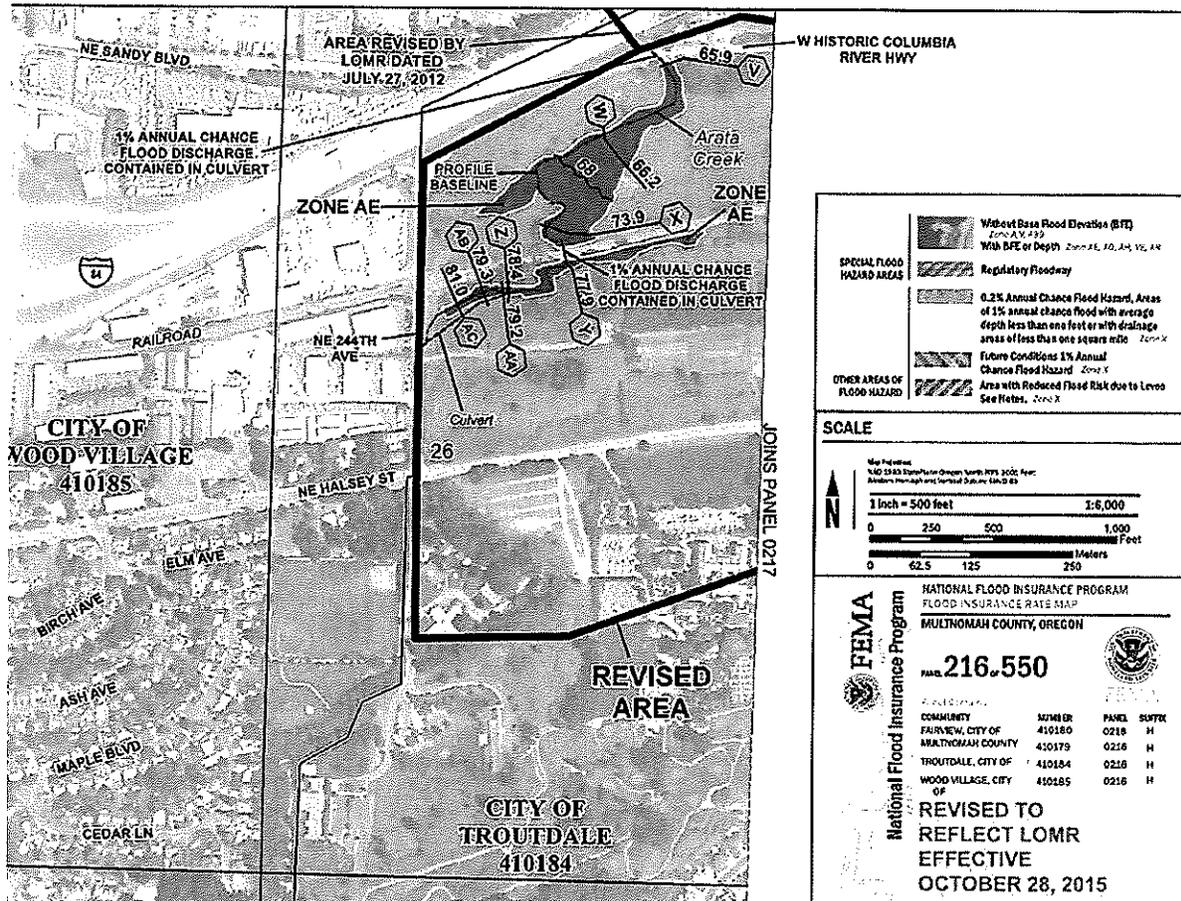


Figure 16. Reclassified area south of I-84 along Arata Creek due to LOMR 15-10-1523P for western Edgefield-North Halsey Area. Compare to Panel 216 and Figure 2.

The broad intent of these Executive Orders is to promote more conservative and environmentally-conscious siting, design, and construction for conditions to which these guidelines apply (listed just above). For instance, agencies are given the flexibility to select from among:

- Use data and methods informed by best-available, actionable climate science;
- Build two feet above the 100-year (1%-annual-chance) flood elevation for standard projects, and three feet above for critical buildings like hospitals and evacuation centers; or
- Build to the 500-year (0.2%-annual-chance) flood elevation.

While this suddenly sounds onerous for citizens, the FFRMS *will have no effect on the cost or availability of Federal flood insurance for policyholders* (FEMA Fact Sheet, 2015). FEMA will continue to identify and map flood-prone areas and designate flood risk zones based on the 1-percent-annual-chance floodplain using available engineering methods and depict these zones on Flood Insurance Rate Maps. FEMA also will not require property owners and renters to obtain insurance if they are outside the Special Flood Hazard Area SFHA. Hence, these Executive Orders should have no impact on the March 2016 FIRM and Troutdale residents. The methods and models applied for this FIRM are fully applicable.

Next Steps and Options

On June 27, Mr. David Ratte of FEMA Region 10 presented the timeline for the “Final Determination” of the new FIRM for Troutdale and surrounding areas. I directly copy two of his slides, one with the timeline (Figure 16) and one with the basis for appeals, should there be any (Figure 17). Regarding the timeline, the formal 90-day appeal period has not begun and has been pushed back to late September or early October. This is later than the earlier prediction shown on the slide in Figure 16.

What is the basis for an appeal? As indicated on Figure 17, rigorous and defensible new scientific or engineering evidence must be supplied to support an appeal, and all appeals must be submitted through the City (not directly by a private entity). Such evidence could be of the nature of significant differences in current topography or other factual data and alleged fault or errors in the engineering analysis and scientific methods employed. But under most circumstances, at this point in the process, all such evidence would need to be provided by the City, at City expense. For example, if there was a dispute over cross sections and topography, the City would have to provide new surveys.

POST PRELIMINARY PROCESSING TIMELINE OF EVENTS

- ▶ Coordination Meeting..... May 5, 2016
- ▶ Public Meeting..... June 27, 2016
- ▶ 90 Day - Appeal Period start.....
(Starts shortly after public meeting) Late August/
September 2016*
- ▶ Appeal Period End..... Late November/
December 2016*
- ▶ FEMA issues "Letter of Final Determination
(LFD)" Spring 2017*

To each community and publishes the BFEs in the Federal Register

Communities have 6 months to adopt the study before the data becomes "effective". Failure to adopt results in suspension from NFIP

- ▶ Effective date Fall 2017*
(6 Months after LFD)

*Dates are approximate



FEMA

18

RiskMAP
Increasing Resilience Together

Figure 16. FEMA's timeline for FIRM "Final Determination." Note that the appeal period has not started and will begin in late September or early October. (D. Ratte, June 27, 2016)

Appeals

- All appeals must be supported by scientific and technical data.
- Alternative methods or applications result in more correct estimates of base flood elevations.
- Criteria documentation available:
 - Establishes areas eligible for appeal
 - Identifies documentation needed to support an appeal of each flood hazard type (e.g. modeling, topography, etc)
- Reiterates:
 - Certification requirements
 - The importance of submitting analyses in the same vertical datum and tying into to the effective model and mapping



FEMA

19

RiskMAP
Increasing Resilience Together

Figure 17. FEMA appeals guidelines (D. Ratte, June 27, 2016)

I find no technical basis for appeal for Special Flood Hazard Areas along the Sandy River, for reasons stated earlier in the summary for that section: new topography and higher 100-yr flood estimates create most of the change in the new FIRM. Moreover, my understanding is that FEMA would want evidence of a “significant change” in BFE, i.e., of greater than 0.5 ft, a difficult target. It is possible that property owners and City Staff more familiar with local conditions could disagree and point out such a basis, in which case the City could consider an appeal. But the process could be costly and lengthen the FIRM approval process by as much as two years.

On the other hand, lingering Zone A determinations along Arata Creek, Salmon Creek and the general area north and south of I-84 and the Airport need to be resolved to support BFE determination everywhere and reclassification as Zone AE. City Staff are at work on this effort.

Finally, what can an individual property owner do who believes his/her property has been misidentified as being located inside the SFHA? The LOMR process remains. The owner will need to provide evidence, typically through a survey, that the structure alleged to be at risk is, in fact, higher than the BFE for the site. As pointed out earlier, a small elevation error on a gentle slope can make a large difference in horizontal location.

Acknowledgments

I am grateful to several people for their generous help in preparing this report. Chris Damgen, Planning Director and Floodplain Manager faithfully supplied me with all documents at the City’s disposal, along with interpretation and inferences about FEMA activities regarding LOMRs. City Manager Craig Ward and others of his staff provided details and insight about the City of Troutdale with which I certainly was not familiar earlier. Troutdale GIS Analyst Kaleena Hughes provided excellent graphics to aid in evaluation and presentation of the study. City of Troutdale Councilor Glenn White was a font of information about the history of flooding on the Sandy River and other locations in and around the City of Troutdale. I relied often on his anecdotal and factual information. Mr. Ferrin Affleck of Atkins Global Engineers is the FEMA/STARR Mapping Study Manager and Flood Mapping Engineer for the project. He was enormously patient and responsive to my technical questions. He also supplied the HEC-RAS model input data for the Sandy. Mr. Jed Roberts of the State of Oregon Department of Geology and Mineral Industries (DOGAMI) was most helpful in interpreting topographic data and supplying useful graphics and likely explanations for FIRM changes. Finally, I am very grateful to colleagues at Geosyntec Consultants in Portland for providing images of Sandy River cross sections from the HEC-RAS input data.

References

David Evans and Associates and WEST Consultants (January 2009). Bridge Assessment and Scour Assessment Detailed Report, Bridge No. 06875 (EB) & 06875A (WB) Replacement Bridges, Sandy River, Hwy 02 (I-84) MP 17.68, Multnomah County, Oregon. Prepared for ODOT, Salem, OR.

Federal Emergency Management Agency, FEMA (April 1995). Managing Floodplain Development in Approximate Zone A Areas, A Guide for Obtaining and Developing Base (100-yr) Flood Elevations. <https://www.fema.gov/media-library/assets/documents/7273>

FEMA (June 2015). Fact Sheet. The Applicability of Executive Order (E.O.) 11988/13690 to FEMA Programs. <http://www.fema.gov/media-library/assets/documents/106303>

FEMA (March 28, 2016). Flood Insurance Study, Multnomah County, Oregon and Incorporated Areas. Flood Insurance Study Number 41051CVOOOB.

STARR (2011). Hydrology Report, Sandy River PMR-Oregon. STARR (Strategic Alliance for Risk Reduction), FEMA Region 10 Risk Reduction Center, Lynnwood, WA.

STARR (June 2013). Hydraulics Report. STARR, FEMA Region 10 Risk Reduction Center, Lynnwood, WA.

U.S. Geological Survey (April 2013a), Peak Streamflow for the Nation: USGS 14133500 Sandy River Above Salmon River, at Brightwood, Oregon, retrieved April 2013
http://nwis.waterdata.usgs.gov/nwis/peak/?site_no=14133500;.

U.S. Geological Survey (April 2013b), Peak Streamflow for the Nation: USGS 14136500 Sandy River Below Salmon River near, Brightwood, Oregon, retrieved April 2013
http://nwis.waterdata.usgs.gov/nwis/peak/?site_no=14136500;.

Watershed Sciences (December 2011). LiDAR Remote Sensing Data Collection
Department of Geology and Mineral Industries OLC [Oregon LiDAR Consortium] Sandy.
Submitted to DOGAMI by Watershed Sciences, Portland, OR.



CITY OF TROUTDALE



STAFF REPORT

SUBJECT / ISSUE: A resolution authorizing a City Official to negotiate and execute an agreement for professional recruitment services for the City Manager position.

MEETING TYPE:
City Council Regular Mtg.

MEETING DATE: September 13, 2016

STAFF MEMBER: Erich Mueller
DEPARTMENT: Finance

ACTION REQUIRED
Resolution

ADVISORY COMMITTEE/COMMISSION RECOMMENDATION:
Not Applicable

PUBLIC HEARING
No

STAFF RECOMMENDATION: Select a recruitment firm and approve the proposed resolution.

- EXHIBITS:**
- A. Request for Proposal (RFP) for Professional Recruitment Services
 - B. CPS HR Consulting proposal
 - C. Novak Consulting proposal
 - D. Prothman Company proposal
 - E. Waldron proposal
 - F. Waters & Company proposal

Subject / Issue Relates To:

- Council Goals
 Legislative
 Other: *Administrative transition*

Issue / Council Decision & Discussion Points:

- ◆ The City Manager position will be vacant at year end due to the announced retirement of Mr. Ward.
- ◆ A professional recruitment firm is needed to conduct the search for a successor City Manager.

Reviewed and Approved by City Manager:

BACKGROUND:

In order to allow the City Council time to conduct a search for a successor, the City Manager informed the Council of his intention to retire at the end of 2016. At the July 19, 2016 meeting the Council authorized an agreement satisfying the City's existing employer obligations and providing for a smooth transition.

At the August 9, 2016 meeting the Council considered the need for an Interim City Manager and for a successor City Manager. Council decided to defer consideration of an Interim City Manager to a later date. Council directed staff to begin the purchasing process to obtain proposals for recruitment of a successor City Manager.

August 17, 2016 the City published a public Request for Proposal (RFP) for Professional Recruitment Services for the City Manager position, Exhibit A, with proposals due on or before September 6, 2016.

For the last City Manager vacancy the City received three RFP responses. The City has received five proposals for Professional Recruitment Services for the City Manager position. The proposals are listed alphabetically by firm name as Exhibits B through F.

The proposal timelines range from 14 to 16 weeks, however, their proposed task timing and the Council schedule may result in delays, additionally timing over the holiday season is likely to be lengthened. All the proposals exclude travel costs for finalist candidates. All the proposals include a professional fee. All but one firm, also have project expenses, (i.e. consultant travel, advertising, marketing, printing/copying, postage/delivery charges and background checks) as an additional cost.

Each firm offers a form of recruitment guarantee to perform a subsequent recruitment for only project expenses, but no professional fee, should their successful candidate leave within a specific period. Each guarantee is slightly different in specific terms, disclaimers and conditions.

The firms vary in their regional recruitment experience.

Evaluation and Selection Criteria

Council will need to will review and evaluate all proposals generally to the following published criteria:

- Qualifications of respondent, including:
 - Demonstrated competence and professional qualifications necessary for successfully performing the scope of work included in the RFP. The City will evaluate the project team and the methodology proposed for carrying out the services.

- Description of recent experience in successfully performing similar services for similar local government clients.
- References.
- Cost.
- Extent to which the proposal reflects the objectives of the City.
- Extent to which the City in, its sole judgement, determines the firm that best fits the City's needs.

Proposal Summaries:

Exhibit B: CPS HR Consulting, approximately 16 week/112 day timeline, fee of \$18,000 plus expenses for such items as consultant travel, advertising, marketing, printing/copying, postage/delivery charges and background check with a not to exceed \$24,500 of fee and reimbursable expense. Candidate travel expense is additional. Two year search replacement guarantee.

Exhibit C: Novak Consulting, approximately 90 day timeline, fee of \$21,800, plus expenses such as advertising the position, final candidate consultant travel, and background checks. Two year search replacement guarantee.

Exhibit D: Prothman Company, approximately 90 day timeline, fee of \$18,500, plus expenses such as advertising the position, final candidate consultant travel, and background checks. One year search replacement guarantee.

Exhibit E: Waldron, approximately 90 day timeline, fee of \$28,000 plus expenses such as "...advertising the position, final candidate travel (airfare, hotel, car rental, and meals), consultant travel, and background checks." One year search replacement guarantee.

Exhibit F: Water & Company, approximately 90 day timeline, fee of \$24,500 with project expense included, and travel expenses incurred by candidates additional cost. Two year search replacement guarantee.

SUMMARY:

Options:

- A. Council can make the selection this evening,
- B. Schedule a work session to review and discuss further,
- C. Choose to interview one or more of the firms,
- D. Delegate to staff to make the firm selection

As the published RFP indicated the City will review the proposal, and may, or may not, choose to interview firms. Also the RFP stated "The award of the contract will not necessarily be based on the lowest maximum fee proposed."

PROS AND CONS:

- A. Approve the proposed resolution providing for a process leading to a timely, appropriate and professional transition.
- B. Not approve the proposed resolution delaying the recruitment process and potentially complicating the administration and management transition, and increasing costs.

<p>Current Year Budget Impacts <input checked="" type="checkbox"/> Yes (describe) <input type="checkbox"/> N/A Cost to engage services with a recruitment firm range between a fee of \$18,000 plus expenses to a fee of \$28,000 plus expenses depending on which firm is selected.</p> <p>Future Fiscal Impacts: <input type="checkbox"/> Yes (describe) <input checked="" type="checkbox"/> N/A</p> <p>City Attorney Approved <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A</p> <p>Community Involvement Process: <input type="checkbox"/> Yes (describe) <input checked="" type="checkbox"/> N/A</p>



City of Troutdale Request for Proposal

Professional Recruitment Services

Introduction & Overview

The City of Troutdale (City) is seeking the services of a qualified professional firm with experience in the development, design and implementation of a customized recruitment process for the position of City Manager, the City's administrative head of government.

The governance of the City is vested in the Mayor and City Council. The Council is composed of seven elected members including the Mayor, who serves as the political head of government. The City Manager is appointed by the Council and is responsible for all City functions.

The City is a thriving and growing community of 16,000 people located on Interstate 84 in the eastern part of the Portland metropolitan area. The City provides a full range of municipal services including, street construction and maintenance, water, sanitary and storm sewer, parks, land use, planning and zoning, public improvements, municipal court and administrative services. The City contracts for fire service with the City of Gresham, and with the Multnomah County Sheriff's Office for law enforcement services. In 2006 the City established The Urban Renewal Agency of the City of Troutdale, and adopted an urban renewal plan which comprises approximately 48 acres adjacent to downtown Troutdale strategically located adjacent to a freeway interchange and the scenic Sandy River. The City employs approximately 50 employees under the direction of the City Manager. The total budget for the City is approximately \$40 million.

Objectives

The City wishes to conduct a professional search for a new City Manager. The City is requesting professional assistance to develop a recruitment strategy and selection process. The project scope may be negotiated but will most likely include development of a candidate profile, creating a detailed recruitment schedule and a screening selection process to determine the best fit for Troutdale.

The City's goal is to provide an open and fair recruitment that will attract top talent, while keeping costs reasonable. Consideration should be given to the methods necessary to attract a variety of qualified candidates with experience.

The City recognizes the importance of having an experienced professional recruitment consulting firm which understands both the political and market forces necessary for a successful position search.

Scope of Services

The services the professional recruitment firm will need to provide include:

- Develop a recruitment strategy.
- Create a timeline and recruitment/selection process which includes development of standards, criteria and policy directives used in hiring a City Manager.
- Prepare a candidate and community profile for use in recruitment brochures.
- Prepare a recruitment brochure and advertisements.
- Manage and oversee the recruitment process over the duration of the project (including participation in the interviews).
- Conduct the initial screening of applicants and provide a recommendation/ranking.
- Develop interview questions and a rating method for the Council to use.
- Schedule interviews.
- Conduct a thorough background investigation on the finalist.
- Prepare all correspondence to applicants.
- Coordinate with the City Personnel Officer, or the City Attorney, on public meeting packet materials and deadlines.
- Provide timely and effective communication, and public transparency as may be required for public meetings in accordance with Oregon public meeting laws.

All of the above elements must be addressed in the submittal in sufficient detail for the City to determine reasonableness of the planned approach and corresponding cost. The successful proposer will be able to demonstrate in-depth knowledge and experience in professional recruitment projects with a full range of services from strategy to implementation and completion.

Requested Information & Required Proposal Format

The Proposal is limited to no more than eight (8), standard 8.5 by 11 inch pages in no less than 12 point font, addressing the following requirements:

1. Firm name, address, telephone number, principal contact, and email address.
2. Table of contents.
3. Proposals should include a brief history and introduction of the company or firm. The names, role, and a one paragraph summary of the professional experience of each member the project team that the City can expect to manage the engagement. (Additional professional background may be included in the exhibit noted below. Also indicate sub-contractors, if any, which will participate in providing services.)
4. A detailed recruitment strategy and work plan describing your approach to required services, including a proposed calendar/timeline.

5. Recent experience in successfully performing similar services. A short list of three to five references from other public organizations for which comparable services have been rendered, including specific contact names and phone numbers.
6. The Proposal shall be comprehensive and contain all associated costs for the proposed work plan:
 - a. All hourly rates and fees, charges, and costs for any and all proposed services.
 - b. Specific anticipated reimbursable costs for your firm and potential candidates.
 - c. Identify the cost of sub-contractors, if any, which will participate in providing services.
 - d. Your firm's policy/position should the recruitment and/or the selection process prove to be unsuccessful.
7. The Proposals should be signed by an authorized individual from the firm and must be valid for at least 60 days.
8. The proposal must be in PDF file format without any password security and emailed to erich.mueller@troutdaleoregon.gov on or before 5:00 p.m. PST September 6, 2016.

Proposal Exhibits: In addition to the Proposal main 8 pages addressing above items, the following exhibits may be included: a) any additional general firm background material, b) any additional professional background of the proposed project team, c) an example position profile recruitment packet, and d) a client list representing similar recruitments.

Proposal Evaluation/Selection Process

It is the intent of the City to receive competitive proposals from firms having specific experience and qualifications in the areas identified in this solicitation. Under competitive negotiation procedures, the terms of the service contract, the price of the service, the method of service delivery, and conditions of performance are all negotiable. The negotiated contract will be awarded to the firm that best meets the proposed needs at a reasonable price, not necessarily at the lowest price.

The City retains the right to reject any and all bids or to waive any irregularities in the proposal process in the received bids where such rejection or waiver is in the best interest of the City as determined by the City. The City will be the sole judge of the suitability of products and services offered.

Evaluation and Selection Criteria

The City's staff will review and evaluate all proposals. Evaluation of proposals will generally adhere to the following criteria:

1. Qualifications of respondent, including:
 - a. Demonstrated competence and professional qualifications necessary for successfully performing the scope of work included in the RFP. The City will

evaluate the project team and the methodology proposed for carrying out the services.

b. Description of recent experience in successfully performing similar services for similar local government clients.

2. References.
3. Cost.
4. Extent to which the proposal reflects the objectives of the City.
5. Extent to which the City in, its sole judgement, determines the firm that best fits the City's needs.

Final Selection

Following the review of the proposals, and possible presentation and interviews, the City may further invite a firm or firms to meet with City staff prior to making a final determination to address additional inquiries and to discuss and/or negotiate terms and conditions for a final contract.

Following the review process, it is the intent of the City to enter into an agreement with a firm to provide the services listed in this RFP, however, the City reserves the right to reject any and/or all proposals received; waive any informality in proposals; and to accept, reject, and/or add any items when such actions are in the best interest of the City.

The award of the contract will not necessarily be based on the lowest maximum fee proposed.

Agreement

The selected firm will be required to enter into a negotiated Agreement with the City to provide the services listed in this RFP. Such Agreement shall not be effective unless and until executed for the City by the City Manager or designee. Upon approval of the Agreement, the successful firm shall start within 30 days.

Respondents are encouraged to contact Erich Mueller, City Personnel Officer and Finance Director with any questions. Final proposals submitted are to be emailed erich.mueller@troutdaleoregon.gov no later than 5:00 p.m. PST on September 6, 2016 and should contain "Recruitment Services Proposal" in the subject line.

PROPOSAL

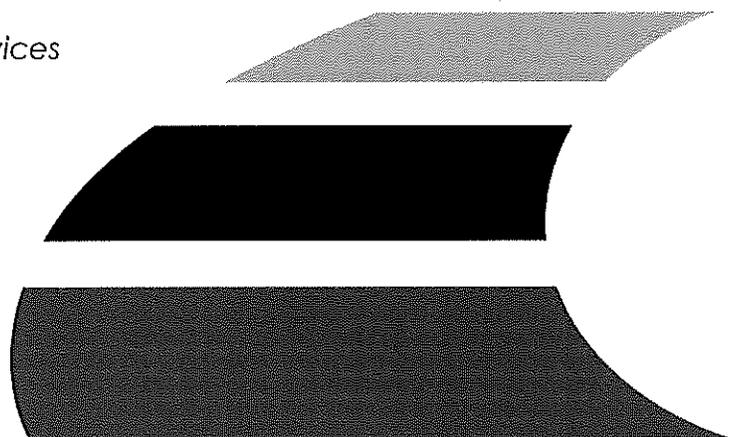
City of Troutdale

Executive Recruitment Services for City Manager

Due Date: September 6, 2016

SUBMITTED BY:
MELISSA ASHER
Sr. Practice Leader, Products and Services

CPS HR Consulting
241 Lathrop Way
Sacramento, CA 95815
P: 916-471-3358
F: 916-561-8441
masher@cpshr.us
Tax ID: 68-0067209
www.cpshr.us



Your Path to Performance

Table of Contents

Introduction	1
Project Tasks	2
City's Needs	2
Phase I - Develop Candidate Profile and Recruitment Strategy	2
Phase II – Aggressive, Proactive, and Robust Recruitment	3
Phase III – Selection	5
Commitment to Communication	6
Project Timeline	6
References	7
Professional Fees, Expenses, & Guarantee	8
Professional Services	8
Reimbursable Expenses.....	8
Two Year Guarantee	8

Introduction

CPS HR Consulting (CPS HR) is pleased to have the opportunity to submit a proposal to assist the City of Troutdale (City) with the recruitment of a new City Manager. We we have over 13 years of experience in assisting public agencies with executive search, screening, and placement. We have a proven track record with more than 1,700 recruitments for 600+ clients. We understand and appreciate the intricacies of managing the executive recruitment for an organization, and we bring that expertise and knowledge to the recruitment process.

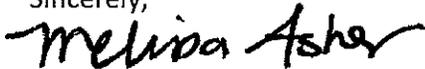
For this recruiting engagement, we will custom-tailor a program to fit your needs to provide a strong, competitive pool of candidates. We have extensive experience in the recruitment of all types of local government, executive, and professional staff, including council/board appointed executives, department directors, and key professional and management positions. We will apply this expertise to your recruitment.

Ms. Teresa Webster will serve as your dedicated project manager throughout this recruitment process. With more than 15 years at CPS HR Ms. Webster has developed a solid knowledge of public sector agencies and the environments they work in. She has served in various capacities while at CPS HR including having responsibilities in the testing, executive administration, state clients and marketing units. Working with the Executive Search team she has conducted initial

candidate interviews, developed and implemented several outreach strategies, performed professional reference checks, screened resumes, and lead candidate interview panels. In addition, she has managed recent recruitments from the Chief to Supervisor level. Prior to joining CPS HR, Ms. Webster had many years of experience in the private sector water resources, transportation, and pharmaceutical industries.

Thank you for the opportunity to be considered for this assignment. Should you have questions or comments about the information presented in this proposal, **please contact me at masher@cpshr.us or (916) 471-3358.**

Sincerely,



Melissa Asher, Senior Practice Leader of Products and Services

Project Tasks

City's Needs

The City Council must be intimately involved in the search for a new City Manager. For this reason, our approach assumes their direct participation in key phases of the search process. A critical first step in a successful executive search is for the City Council to define the professional and personal qualities required of the City Manager. To be certain this occurs, we have developed a very effective process that will permit the City Council to clarify the preferred future direction for the City; the specific challenges the City is likely to face in achieving this future direction; the working style and organizational climate the City Council wishes to establish with the City Manager; and ultimately, the professional and personal qualities that will be required of the City Manager.

Phase I - Develop Candidate Profile and Recruitment Strategy

Task 1 - Review and Finalize Executive Search Process and Schedule

The first step in this engagement is a thorough review of the following with the City Council: City's needs, culture, and goals; the executive search process; and the recruitment schedule. This will ensure that the City's needs are met in the most complete manner possible.

Task 2 - Key Stakeholder Meetings

As desired by the City, CPS HR is prepared to meet with any additional key stakeholders to obtain input in developing the ideal candidate profile and to assist CPS HR in understanding key issues and challenges that will face a new City Manager. The specific nature of the involvement process would be developed in consultation with the City. The results of the above activities will be summarized by CPS HR and provided to the City as an additional source of information for developing the candidate profile and selection criteria.

Task 3 - Candidate Profile and Recruitment Strategy Development

This task will be accomplished during a workshop session involving the City Council and CPS HR. It will result in the identification of the personal and professional attributes required for the position and will include the following activities:

- The City Council will identify key priorities for the new City Manager.
- CPS HR will assist them in identifying the conditions and challenges likely to be encountered in achieving the priorities identified above.
- The City Council will describe the type of working relationship they wish to establish with the City Manager.
- CPS HR will assist the City in generating lists of specific competencies, experiences, and personal attributes needed by the new City Manager.
- CPS HR will present recruitment and selection strategies for the City's consideration. The City will choose the recruitment and selection process most likely to produce the intended results.

Task 4 – Develop Recruitment Brochure

Following the completion of the workshop session, CPS HR will work with a professional graphic artist to design a recruitment brochure and present it to the City for review prior to printing. Brochure examples are available on our website at www.cpshr.us/search.

Task 5 – Place Advertisements

Advertisements, including a direct link to your brochure, will be prepared and placed for publication in appropriate magazines, journals, newsletters, job bulletins, social media, and websites to attract candidates on a nationwide, regional, local, or targeted basis, depending on the preference of the City. CPS HR will prepare an email distribution list containing prospective candidates and referral sources. These individuals will receive a link to the City Manager brochure along with a personal invitation to contact CPS HR should they have any questions about the position.

Phase II – Aggressive, Proactive, and Robust Recruitment

Task 1 - Identify and Contact Potential Candidates

This very crucial task will include a variety of activities. CPS HR will:

- Contact respected and experienced industry leaders to identify outstanding potential candidates on a referral basis. CPS HR maintains a comprehensive, up-to-date database of such professionals; however, we do not rely solely upon our current database. We also conduct specific research to target individuals relevant to your specific needs and expectations to ensure that we are thorough in our efforts to market this position to the

appropriate audience and to garner a diverse and quality pool of candidates. These individuals, as well as other potential candidates, are typically contacted very soon after they have received a recruitment brochure in order to maximize the impact of the multiple contacts.

- Select top quality candidates for consideration from past recruitments.
- Provide each potential candidate with a copy of the recruitment brochure.
- Contact potential candidates by telephone to explain the career opportunity, answer questions, and encourage them to submit a resume. Sometimes this component necessitates multiple conversations with the same person to pique his/her interest and to answer his/her questions sufficiently.

As a consulting firm that interacts with hundreds of public sector executives during engagements, we have a cadre of individuals who we inform of recruitments, both to increase the visibility of the opening and to attract appropriate individuals who fit the special needs of our client. Communication with these professionals ensures that an accurate picture of the requirements of the job is apparent and proliferated throughout their professional networks. The approach utilized by CPS HR employs the following techniques:

- Communicating to candidates, through advertising materials, outreach emails and/or verbal conversations, a strong sense of the purpose and strategy of the City. For many talented individuals, understanding these aspects is one of the key motivators to compete in such an environment.
- Providing guidance and resources to candidates regarding the area's cost of living, mean and median housing prices, higher education opportunities, K-12 education information, and other aspects of interest to those who are considering relocating to the area. We have found that potential candidates sometimes make the decision not to apply based on rumored information, rather than facts and research. It is our job to ensure the candidates we are in communication with have accurate and helpful information.
- Actively seeking individuals who are highly visible in the field – widely published, frequent presenters and/or thought leaders – who are seemingly ready for the challenge. These highly qualified candidates may be attracted by the prospect of collaboration with other City departments, providing exceptional leadership to the City of Troutdale, or continuing to ensure the public confidence in the integrity of the City.

Task 2 – Resume Review and Screening Interviews

All resumes will be submitted directly to CPS HR for initial screening. This screening process is specifically designed to assess the personal and professional attributes the City is seeking and will include:

- A thorough review of each candidate's resume, and if applicable, supplemental questionnaire responses and other supporting materials.
- Interviews with the candidates who appear to best meet the City's needs. CPS HR will spend extensive time ascertaining each candidate's long term career goals and reasons why the candidate is seeking this opportunity, as well as gaining a solid understanding of the candidate's technical competence and management philosophy. We will also gather data on any other unique aspects specific to this recruitment based upon the candidate profile.

Task 3 – City Council Selects Finalists

At the conclusion of the previous tasks, CPS HR will prepare a written report that summarizes the results of the recruitment processes and recommends candidates for further consideration by the City. Typically the report will recommend five to eight highly qualified candidates, and will include resumes and a profile on each interviewee's background. CPS HR will meet with the City Council to review this report and to assist the City in selecting a group of finalists for further evaluation.

Phase III – Selection

Task 1 - Design Selection Process

Based on the results of the meeting conducted in Phase I, CPS HR will design a draft selection process. CPS HR will meet with the City to review this process and discuss the City's preferred approach in assessing the final candidates. The selection process will typically include an in-depth interview with each candidate, but may also include other selection assessments such as an oral presentation, preparation of written materials, and/or problem-solving exercises.

Task 2 - Administer Selection Process

CPS HR will coordinate all aspects of the selection process for the City. This includes preparing appropriate materials such as interview questions, evaluation manuals, and other assessment exercises; facilitating the interviews; assisting the City with deliberation of the results; and contacting both the successful and unsuccessful candidates.

Task 3 – Final Preparation for Appointment

Following the completion of the selection process, CPS HR will be available to complete the following components:

- **Arrange Follow-up Interviews/Final Assessment Process:** Should the City wish to arrange follow-up interviews and/or conduct a final assessment in order to make a selection, CPS HR will coordinate this effort.
- **Conduct In-Depth Reference Checks:** The in-depth reference checks are a comprehensive 360 evaluation process whereby we speak with current and previous supervisors, peers,

and direct reports. (It is our policy to not contact current supervisors until a job offer is made contingent upon that reference being successfully completed so as not to jeopardize the candidates' current employment situation.) The candidates are requested to provide a minimum of six references sources. CPS HR is able to ascertain significant, detailed information from reference sources due to our assurance and commitment to each individual that their comments will remain confidential, which leads to a willingness to have an open and candid discussion, resulting in the best appointment for the City. A written (anonymous) summary of the reference checks is provided to the City.

- **Conduct Background Checks:** We will arrange for a background records check of a candidate's driving record, criminal and civil court, credit history, education, newspaper article publishings, and other sensitive items. Should any negative or questionable content appear during these checks, CPS HR will have a thorough discussion with the finalist(s) and will present a full picture of the situation to the City for further review.

Commitment to Communication

Throughout the recruitment process, we are strongly committed to keeping you fully informed of our progress. We will collaborate with you to provide updates on the status of the recruitment via your preferred method of communication (phone conference, email, etc.). Additionally, during each phase in the process, we are corresponding with candidates and advising them of their status.

CPS HR's communication extends once you have selected the new City Manager. We will contact both the City Council and the newly appointed City Manager within six months of appointment to ensure an effective transition has occurred.

Project Timeline

CPS HR is prepared to begin work upon receipt of a fully-executed contractual agreement. All search activities up to and including the selection of a new City Manager can be completed in 14 to 16 weeks. The precise schedule will depend on the placement of advertising in the appropriate professional journals, and the ability to schedule, as quickly as possible, the initial meeting. A proposed schedule of major milestones is presented below.

Task Name	Month 1				Month 2				Month 3				Month 4			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Initial Meeting/Candidate Profile	➤															
Draft Brochure		➤														

Task Name	Month 1	Month 2	Month 3	Month 4												
Brochure Approved/Printed Place Ads	➤															
Aggressive Recruiting		➤														
Final Filing Date		➤														
Preliminary Screening			➤													
Present Leading Candidates to City			➤													
City Interviews				➤												
Reference/Background Checks				➤												
Appointment				➤												
Weeks	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16

References

Provided below is a partial list of clients we have recently worked with in providing executive recruitment services. We are confident that these public sector clients will tout our responsiveness and ability to successfully place candidates that were a good fit for their organization's needs.

CLIENT/POSITIONS	CONTACT(S)
Avalon, City of PO Box 707 Avalon, CA 90704 City Manager (2016)	Anni Marshall, Mayor (310) 510-0220 amarshall@cityofavalon.com
Boulder, City of 1777 Broadway Boulder, CO 80302 Deputy City Manager – Partial Recruitment (2016)	Aimee Kane, HR Customer Service Manager (303) 441-4235 kanea@bouldercolorado.gov

CLIENT/POSITIONS	CONTACT(S)
Anaheim, City of 200 South Anaheim Blvd, Suite 733 Anaheim, CA 92805	Paul Emery, City Manager (714) 765-5162 pemery@anaheim.net
City Manager (2015)	

Professional Fees, Expenses, & Guarantee

Professional Services

Our professional fixed fee of **\$18,000** covers all CPS HR services associated with **Phases I, II, and III** of the recruitment process, including the necessary field visits (up to three) to develop the candidate profile and recruitment strategy, assist the City with finalist selection, and facilitate candidate interviews.

Reimbursable Expenses

Actual out-of-pocket expenses for such items as consultant travel, advertising, marketing, printing/copying, and postage/delivery charges are reimbursable at cost. There is no mark-up on expenses and ***we will work proactively with the City to ensure that the dollars being spent for expenses are in keeping with the City's expectations.*** Travel expenses for candidates who are invited forward in the interview process are not included under our reimbursable range. The listed reimbursable expenses range of **\$5,500 – \$6,500** includes a background check on the selected finalist candidate.

Professional fees and reimbursable expenses would be billed and paid monthly. The total not-to-exceed price for this recruitment is **\$24,500.**

Two Year Guarantee

If the employment of the candidate selected and appointed by the City, as a result of a full executive recruitment (Phases I, II, and III), comes to an end before the completion of the first two years of service, CPS HR will provide the City with professional services to appoint a replacement. Professional consulting services will be provided at no cost. The City would be responsible only for reimbursable expenses. **This guarantee does not apply to situations in which the successful candidate is promoted or re-assigned within the organization during the two-year period.**

Exhibits

City of Troutdale

Executive Recruitment Services for City Manager

Due Date: September 6, 2016

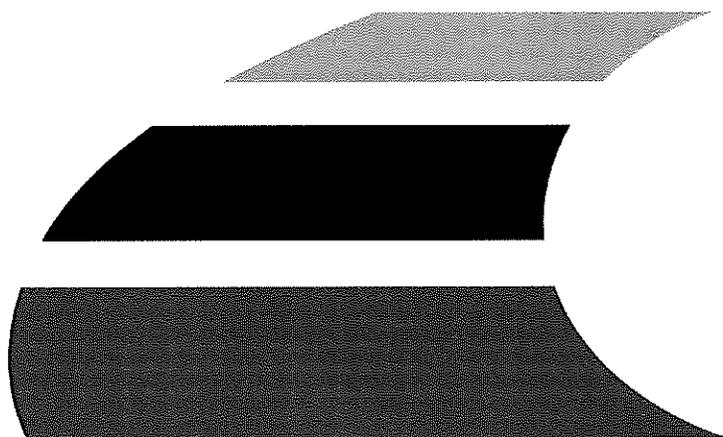
SUBMITTED BY:

MELISSA ASHER

Sr. Practice Leader, Products and Services

CPS HR Consulting
241 Lathrop Way
Sacramento, CA 95815
P: 916-471-3358
F: 916-561-8441
masher@cpshr.us
Tax ID: 68-0067209

www.cpshr.us



Your Path to Performance

About CPS HR Consulting

CPS HR Consulting has been assisting organizations with their talent management needs for over 30 years. We have unique expertise in delivering HR management and consulting services, employment testing, and assessment services to government agencies throughout North America.

CPS HR's core competency is its knowledge of and expertise in the public sector. As a public agency, we understand the challenges and issues facing our client base. As a self-supporting public entity, we also understand the need for innovative yet practical results. CPS HR can provide expertise that is unique because we share with our clients a common perspective. There is no competitor in the industry that can make this claim.



CPS HR offers clients a comprehensive range of competitively priced services, all of which can be customized to meet your organization's specific needs. We are committed to supporting and developing strategic organizational leadership and human resource management in the public sector. We offer expertise in the areas of organizational strategy, recruitment and selection, training and development, and organization and workforce management.

CPS HR is a public agency governed by regulations and public sector concerns. We understand what it is to work with and within government. Unlike other public sector organizations, CPS HR is self-supporting. We employ the strategy, innovation, and flexibility found in the private sector to the client's advantage. CPS HR's unique position in the public arena attracts professionals from both public and private sectors who are driven to help the client reach its organization's vision and mission. We work collaboratively with the client to generate solutions that are creative yet practical, to meet the organization "where it is" while also moving it to the next level.

CPS HR currently has a staff of 87+ full-time employees and more than 1,200 subject matter experts and contract employees who have a wide variety of government, public, and private sector human resources experience. CPS HR has worked with more than 1,200 government and public/non-profit clients throughout the United States and Canada.

Our headquarters are located in Sacramento, California. We have regional offices in Rockville, Maryland and Austin, Texas.

CPS HR Consulting offers a comprehensive range of products and services. Our systematic approach to human resource management ensures that the solutions, strategies, and methodologies we implement improve your organization. For more information on our services, please visit our website at www.cpshr.us.

CPS HR CONSULTING SERVICES	
ORGANIZATIONAL STRATEGY	TESTING, RECRUITMENT & SELECTION
<ul style="list-style-type: none"> ● Workforce & Succession Planning 	<ul style="list-style-type: none"> ● Job Analysis
<ul style="list-style-type: none"> ● Organizational Assessment, Redesign and Re-Engineering 	<ul style="list-style-type: none"> ● Develop/Deliver Assessment Center Services
<ul style="list-style-type: none"> ● Performance Management 	<ul style="list-style-type: none"> ● Executive Search
<ul style="list-style-type: none"> ● Employee Engagement 	<ul style="list-style-type: none"> ● Test Development*
<ul style="list-style-type: none"> ● Change Management 	<ul style="list-style-type: none"> ● Test Administration*
<ul style="list-style-type: none"> ● Complaint Investigations & HR Outsourcing 	<ul style="list-style-type: none"> *(for employment and licensing certification)
CLASSIFICATION AND COMPENSATION	TRAINING AND DEVELOPMENT
<ul style="list-style-type: none"> ● Classification 	<ul style="list-style-type: none"> ● Training
<ul style="list-style-type: none"> ● Compensation 	<ul style="list-style-type: none"> ● Coaching
	<ul style="list-style-type: none"> ● Accelerated Leader 360° Assessment™
	<ul style="list-style-type: none"> ● Leadership Development

Qualifications

CPS HR specializes in the recruitment and selection of key professionals for cities, counties, special districts, and non-profits. Working in partnership with the governing body or selection team, we develop customized search strategies that focus on locating and recruiting qualified candidates who match the agency's unique needs. Our wealth of recruitment experience has been gained through *more than 13 years* of placing top and mid-level executives in public agencies throughout the United States.

■ Unmatched Recruitment Experience for Government Agencies

CPS HR has extensive experience in recruiting executive-level professionals for public agencies across the United States. As a public agency ourselves, we understand how to work with and within government. Our understanding of public sector culture and policy uniquely sets us apart from our competitors.

■ Seasoned Executive Recruiters

Our recruiters possess a high level of expertise in recruiting and placing executive-level professionals. Our staff of experts includes an exceptional group of full-time employees as well as a full complement of subject matter experts, intermittent employees, and part-time employees with a variety of public and private sector experience.

■ Detailed Needs Assessments

We conduct a detailed needs assessment to identify 1) future organizational direction; 2) challenges facing the position; 3) the working style and organizational climate; and 4) required core and job specific competencies as well as personal and professional characteristics.

■ Vast Pool of Public Agency Contacts

CPS HR maintains a database of candidates and an extensive network of external resources to leverage for executive-level positions. We utilize our vast pool of public and non-profit contacts to deliver a strong list of competitive candidates who will be well prepared to assist you in the accomplishment of your specific mission and goals.

■ Success Recruiting Non-Job Seeking Talent

We recognize that the very best candidates for some types of positions may not be looking for a career change, therefore, our recruitment team takes a very aggressive approach to identify and recruit such candidates.

■ Diversity Sensitivity

CPS HR encourages applicant diversity and incorporates a variety of activities to attract the best available candidates. We have successfully recruited and placed minority and female candidates for a variety of executive-level positions.

■ **Cost Effective**

The combination of CPS HR's seasoned recruitment management and highly qualified staff enable us to reliably deliver successful results on time and on budget.

■ **Satisfied Clients**

Our executive search client satisfaction rating averages 4.6 on a scale of 5. While many companies talk about client satisfaction, how many measure the impact of that through assessing client satisfaction by distributing written surveys and tying the results of these surveys to their performance management system? CPS HR Consulting does. A client satisfaction survey is sent at the end of every engagement requesting feedback on the quality of our staff, deliverables, and the overall consulting relationship.

■ **Strong Base of Repeat Clients**

We make sure we understand our client's challenges and customize our process to fit their needs. As a result, we have a long and growing list of returning clients who seek our services for multiple engagements.

Executive Recruitment Team

Role/Project Assignment	Name	Phone	Email
Executive Recruiter/Project Manager	Teresa Webster	916-471-3462	twebster@cpsr.us

Resume

Teresa Webster

Profile

Ms. Webster has 15 years of professional consulting and marketing experience in public sector human resources, including experience in the areas of project management, marketing communications, administration, and employee recruitment. She has worked as a CPS HR consultant for more than ten years, where she has managed or completed a wide variety of projects for CPS HR Consulting (CPS HR) subject matter experts and senior executive staff.

Employment History

- Executive Recruiter, CPS HR Consulting
- Senior Marketing Coordinator, CPS HR Consulting
- Northwest Hydraulic Consultants, Inc. , West Sacramento, California

Professional Experience

- Assists the CPS HR Executive Search team as an Associate Recruiter. Writes advertising copy, recruitment brochure text, does email outreach, builds target candidate lists based on candidate requirements, researches other sources for outreach and candidate pools, does screening interviews, helps facilitate candidate interviews, and conducts candidate reference checks.
- Serves as liaison for internal business units collaborating on long-term marketing plans and strategies. Works closely with unit managers, coordinators, vendors and staff support the organization's mission and direction.
- Manages CPS HR's Webinar Series. Works with business units to develop monthly webinar calendar highlighting expertise of CPS HR consultants and diverse services. Moderates monthly sessions.
- Chaired Qualification Appraisal Panels (QAPs) for the Merit System Services contract. Lead structured interviews for social services candidates. Worked with panel members from client counties to ensure an unbiased rating process according to merit principles. Reviewed rating scales, discussed failing scores, and various types of rating errors with panel members. Served on rating panel.

- Plans, solicits, schedules, and conducts client visits to public agencies in California and Oregon to ensure that client needs are met. Relays any service issues or grievances to appropriate service manager. Informs and educates clients on CPS HR products and services. Researches online data to pursue potential new areas of growth.
- Writes copy for CPS HR collateral including print ads, html blasts, direct mail, and case studies. Plans and executes e-mail and direct mail campaigns. Write articles for trade journals.
- Contributes on an as-needed basis as a member of CPS HR's external website team developing content, collaborating with work units on content page deadlines. Performs website maintenance and page development, familiar with html code and SEO techniques
- Coordinates CPS HR booth/personnel logistics at various conferences and tradeshow. Develops and maintains budget. Plans and implements pre-tradeshow promotions. Interface with current and potential clients at tradeshow throughout the year
- Establishes and/or maintains relationships with regional and local agencies and associations, such as CSDA, ACWA, and MMANC, to promote CPS HR and its consultants. Served as committee member on MMANC branding and conference initiatives
- Researched new marketing technologies and methods to recommend strategies and tactics. Evaluated potential use as tool for positioning.
- Served as the CPS HR Community Action Network (CAN) Chair from its inception in 2004 until 2009. Developed policies and procedures for committee grant program. As Chair oversaw coordination of all CAN committee activities and represented CPS HR CAN at various community and non-profit events.
- Managed Board offsite (two times a year) and Senior Manager offsite (quarterly or as needed) meetings. Organized special events. Researched and wrote new policy on security badges
- Served as Community Investment Fund Coordinator for the Professional and Community Investment Fund (PCI). Researched opportunities for CPS HR as a business to help non-profits through sponsorship of charitable activities, ensured that CPS HR employees were invited to participate in these functions, and acted as the non-profit liaison.

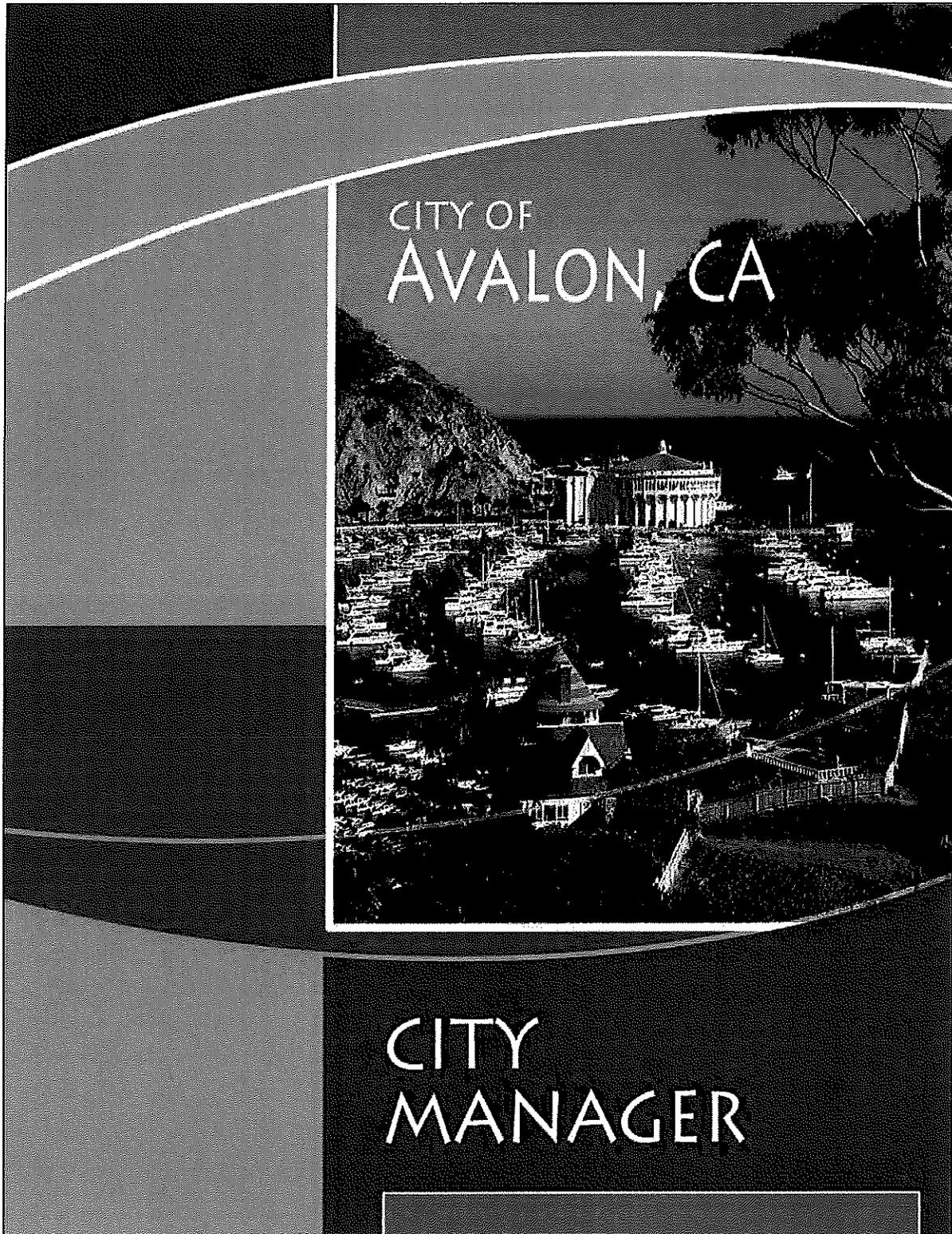
Certifications and Memberships

- Certificate in Public Relations and Marketing from UC Davis Extension
- 2009 Sacramento Public Relations Association Volunteer of the Year
- Former member of the Corporate Volunteer Council of Greater Sacramento

Education

- BA, English, California State University, Pomona

Sample Position Profile





THE CITY OF AVALON - A UNIQUE ISLAND PARADISE

The City of Avalon is a picturesque and leisurely seaport village with an estimated permanent population of 3,800 and an annual visitor count of close to one million. It is the only incorporated city on Santa Catalina Island, and enjoys a mild subtropical climate with warm temperatures year-round which allows for many opportunities to enjoy the Island's land and sea activities. Catalina has a unique and arresting natural environment, including dozens of plants and animals found only on the Island, and boasts more than 60 miles of unspoiled beaches and secluded coves - the longest publicly accessible stretch of undeveloped coastline left in Southern California. The town is clean and safe. As a resort, Avalon offers its visitors a unique, quiet, peaceful, high-quality vacation experience. The community continually strives for excellence in cleanliness, customer service and product quality. Residents have access to housing options comparable in price to other Southern California cities, good school facilities, a variety of post high school educational opportunities, and abundant recreational, cultural, and social facilities and programs. The Island's primary industry is tourism where every weekend is like a vacation.

The City of Avalon is situated on the easterly portion of Catalina Island, 22 miles south/southwest of the Los Angeles Harbor breakwater. Avalon is a little over 2 2/3 square miles in size. The Island itself is 76 square miles in area, 98% of which is in a conservancy and is to be maintained in its natural state in perpetuity.

Catalina Island is part of Los Angeles County and Avalon schools are part of the Long Beach Unified School District. Avalon is a full service city providing fire protection, harbor operations, ambulance, planning, building, sewer, trash, cemetery, public works, and many other city services. Law enforcement services are provided under contract by Los Angeles County.

THE CITY GOVERNMENT

Incorporated on June 26, 1913, Avalon is a general law city with a Council/Manager form of government including a Mayor and four council members. The Mayor is elected to serve a two-year term while council members are elected to four-year terms. Currently, Avalon has a Mayor, Mayor Pro Tem, and three Councilmembers. The City Manager is the executive officer of Avalon and is appointed directly by the City Council.

Avalon's annual operating budget is approximately \$25 million. There are approximately 59 full-time employees with that number increasing to over 100 full-time and part-time employees during the summer season. The City has seven departments, including Administration, Finance, Fire, Harbor, Planning & Building, Public Works and Recreation. The City owns both a sewer treatment plant and a solid waste authority, but contracts out operation of both to private companies.

THE POSITION

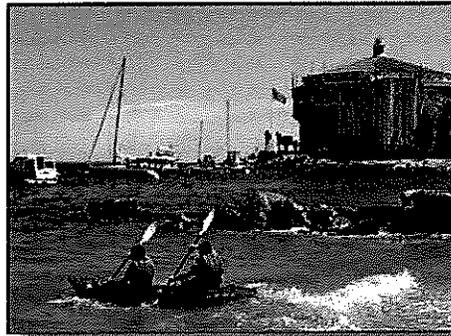
The City Manager is the operational head of city government. He/she will provide exceptional leadership and a collaborative and engaging management style throughout Avalon's operations and in interactions with the City Council. Coordination of financial planning, budget preparation, public information, citizens' group support and policy development are key parts of the City Manager's mission.

The City Manager's principal duties and responsibilities include enforcing all the laws and ordinances of Avalon, overseeing and managing the professional efforts of all departments under his or her jurisdiction to ensure the effective operation of the City, and assisting the members of the City Council in formulating policies and responding to issues and concerns raised by both residents and visitors.

To learn more about the City of Avalon,
go to www.cityofavalon.com

THE IDEAL CANDIDATE

The ideal candidate will be an effective and collaborative leader; possessing confidence, patience, excellent communication and interpersonal skills, and strong technical and business acumen; who understands the need for public service through community engagement and participation, and protecting the 'brand' of the City of Avalon. An understanding of the City's service opportunities including mountains and the ocean, harbors, water issues, transportation, and an array of other priorities that make Avalon unique is invaluable. The successful candidate will have a demonstrated and solid track record of finance and public administration, leading and managing municipal service initiatives, business and economic development, and public works. The successful candidate shall have expertise in enterprise and budget management, agency





administration, and the ability to build and maintain collaborative relationships with city council, regional and business partners, surrounding cities, governmental agencies, staff and the community, through open and respectful dialogue. He or she will demonstrate open and transparent communication and will be known as someone who is responsive and approachable. A candidate that can demonstrate the ability to work positively and effectively with staff and promote positive morale and team building in the organization is highly valued, as is their desire to live in and be a part of the City of Avalon.

DUTIES AND RESPONSIBILITIES

- Plan, direct, and coordinate municipal programs and activities; analyze unusual situations and find solutions through application of management principles and practices, and creativity.
- Develop comprehensive plans to meet future City needs and services.
- Lead and participate in community meetings with the ability to demonstrate diplomacy and tact.
- Constructively handle conflict and develop effective resolutions.
- Develop new policies and processes that impact city-wide operations.
- Supervise the work of officers and employees engaged in a variety of municipal services and occupational fields.
- Meet schedules, timelines, and deadlines.
- Attend all City Council meetings.

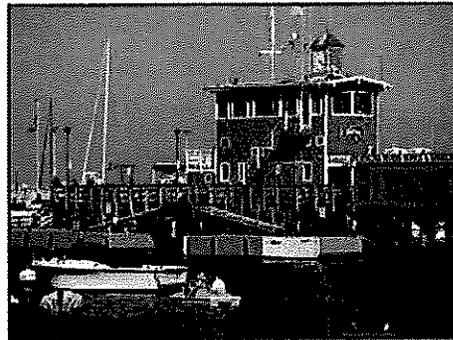
KNOWLEDGE, SKILLS, AND EXPERIENCE

- Organizational and operational management of municipal government.
- Fiscal management; able to develop funding sources and obtain grants.
- Pertinent laws, ordinances and regulations related to California city government and public administration and public contracting.
- Techniques of maintaining effective council, staff, and community relations.
- A professional who can lead the organization with a commitment to uphold the values of Avalon; develop positive business relationships and respect the richness of the City.

- A competent manager of both issues and staff; someone who can mentor and develop employees; retain and attract top talent.
- Able to effectively present and articulate ideas both verbally and in writing to various groups.
- Knowledge of transportation; a background in vehicle studies is a plus.

MANAGEMENT STYLE AND CHARACTERISTICS

- A strong, seasoned leader with the highest integrity, character, and ethics.
- Honest, with the ability to build and maintain trust and actively listen.
- A friendly and approachable leader who is visible and actively engaged in the community and will ensure quality customer service; someone that understands the needs of the citizens, listens and allows the public to be heard and respected.
- Successful at building collaborative business and community-oriented working relationships.
- An enthusiastic, inspiring and engaged communicator.
- A forward thinker with the willingness to make difficult decisions based on what is right and enforce not only the letter of the law, but the spirit of the law.
- A strong leader who shares the vision of the council and community, and can advocate, articulate, and implement that vision.
- A Manager who is able to blend innovation and creativity, think outside the box, can creatively move the City in a positive direction, or next step, while acknowledging and responding to its challenges.
- Diplomatic; being known as a 'people person', with a can-do style that is comfortable interacting with a wide spectrum of individuals and one who welcomes dialogue and discussion.
- Technologically astute; who recognizes the value of harnessing and integrating the benefits of cutting edge technology for city government and for residents.





MINIMUM QUALIFICATIONS

- A Bachelor's degree in finance, business, or public administration or a related field.
- A Master's degree is highly desirable.
- Eight - Ten years of experience in a municipal management capacity.
- Fiscal management; able to develop funding sources and obtain grants.
- Solid operational experience typical of municipal services.
- Knowledge of and/or participation with California Coastal Commission, State of California Regional Water Quality Control Board, Public Agency Risk Sharing Authority of California, and other governmental and public policy agencies.
- Techniques of maintaining effective relations with council, staff, and the general public.

COMPENSATION AND BENEFITS

The salary range for this position is **\$180,000 - \$185,000** commensurate with the successful candidate's experience and qualifications.

In addition, the City offers an attractive benefit package that includes:

- **Retirement** - CalPERS 2% @ 55 retirement benefit formula with employee paying 7% If considered a "classic member" by CalPERS. If considered a "new member" by CalPERS, then the retirement benefit formula is 2% at 62 with 6.25% contribution amount. The 6.25% contribution amount for "new members" is subject to adjustment by CalPERS.
- **Health Insurance** - The City pays the premium for the City Manager and his or her dependents.
- **Dental Insurance** - The City pays the premium for the City Manager and his or her dependents.

- **Paid Holidays** - 12 days annually, plus 2 floating holidays.
- **Sick Leave** - 12 days of sick leave per year.
- **Vacation/Administration Leave** - 10 days of vacation and 7 days of administration leave.
- **Deferred Compensation** - The City offers a Section 457(b) deferred compensation plan to be funded by employee salary reductions only.

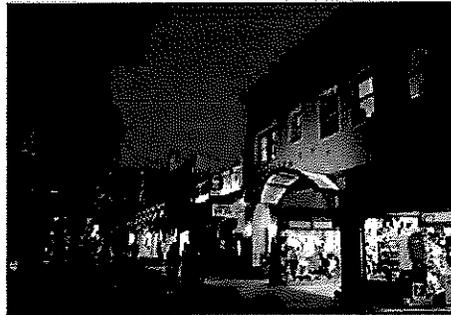
APPLICATION PROCESS AND RECRUITMENT SCHEDULE

The final filing date for this position is **Monday, April, 11, 2016**. To be considered for this exceptional career opportunity, please submit your cover letter, resume, current salary and 10 work-related references (who will **not** be contacted in the early stages of the recruitment). Resumes should reflect years and months of employment and positions held. Forward your resume to Frank Rojas:

CPS HR CONSULTING

CPS HR Consulting
Sacramento, CA 95815
Tel: 916-471-3111
Email: resumes@cpshr.us
Website: www.cpshr.us/search

Resumes will be screened on the criteria outlined in this brochure. Candidates with the most relevant qualifications will be given preliminary interviews by the consultant. The City of Avalon will then select finalists to be interviewed. Candidates deemed most qualified will be invited to participate in a final interview process that includes comprehensive reference and background checks. For additional information about this opportunity please contact Frank Rojas.



Appendix B: Partial Recruitment Listing

Agency	Title	Year Completed
Alameda, City of	City Engineer	2016
Aurora, City of	Neighborhood Services Director	2016
Austin, City of	Compensation Manager	2016
Austin, City of	Human Resources Assistant Directors (2)	2016
Avalon, City of	City Manager	2016
Boulder, City of	Deputy City Manager	2016
Boulder, City of	Deputy Director for Housing	2016
Boulder, City of	Deputy Director of Human Resources	2016
Boulder, City of	Director of Public Works for Transportation	2016
California Department of Insurance	Deputy Commissioner - Financial Surveillance Branch	2016
California Student Aid Commission	Executive Director	2016
Clark County Public Transportation (C-TRAN)	Director of Information Technology	2016
Conejo Recreation & Park District	Recreation & Community Services Administrator	2016
Cosumnes Fire Department	EMS Division Performance and Development Coordinator	2016
Denver Water	Director of Planning	2016
Dixon, City of	Community Development Director	2016
East Bay Regional Park District	Deputy General Manager	2016
Fairfield, City of	Assistant Director of Public Works/City Engineer	2016
Hayward Area Recreation and Park District	General Manager	2016

*Proposal to the City of Troutdale
Executive Recruitment Services for City Manager*

Agency	Title	Year Completed
Henderson, City of	Labor Relations Manager	2016
Las Vegas, City of	Director of Information Technologies	2016
Long Beach, City of	Director of Parks	2016
Monterey, County of	Deputy Director	2016
Moreno Valley, City of	Parks and Community Services Director	2016
Provo, City of	Director of Parks and Recreation	2016
Reno, City of	Community Development Director	2016
Sacramento Transportation Authority (STA)	Executive Director	2016
San Jose, City of	Deputy Director of Finance-Treasury	2016
Santa Clara Valley Habitat Agency	Habitat Conservation Plan Specialist/Principal Program Manager	2016
Tahoe Regional Planning Agency	Director of Human Resources & Organizational Development	2016
Tualatin Valley Water District	Chief Engineer	2016
Tucson, City of	Business Services Administrator	2016
Tucson, City of	Director of Tucson Water	2016
Abilene, City of	Director of Planning and Development Services	2015
Abilene, City of	Water Utility Director	2015
Anaheim, City of	City Manager	2015
Anaheim, City of	Engineering Manager - Design Services	2015
Anaheim, City of	Senior Buyer	2015
Austin, City of	Corporate IT Security Officer	2015
Casitas Municipal Water District	Safety Officer	2015

*Proposal to the City of Troutdale
Executive Recruitment Services for City Manager*

Agency	Title	Year Completed
East Bay Municipal Utility District (EBMUD)	Finance Director	2015
Fairfield, City of	Director of Community Resources	2015
Fairfield, City of	Transportation Manager	2015
Garden Grove, City of	City Manager	2015
Housing Authority of Stanislaus County	Executive Director	2015
Kings River Conservation District	General Manager	2015
Marinwood Community Services District	District Manager	2015
Monterey Regional Water Pollution Control Agency	Chief Financial Officer	2015
Puget Sound Clean Air Agency	Human Resources Manager	2015
Sacramento, City of	Human Resources Director	2015
32nd Agricultural District Association/Orange County Fair	Chief Executive Officer	2014
Alameda County Bar Association	Chief Executive Officer	2014
Alameda County Employees' Retirement Association	Chief Counsel	2014
Apache Junction, City of	Director of Development Services	2014
Bar Association of San Francisco	Executive Director	2014
Brentwood, City of	Director of Parks and Recreation	2014
California Department of Consumer Affairs-California Medical Board	Executive Director of the California Medical Board	2014
Chandler, City of	City Engineer	2014
Citrus Heights Water District	Assistant General Manager	2014
Compton, City of	Director of Community Development	2014
Concord, City of	Director of Information Technology	2014

*Proposal to the City of Troutdale
Executive Recruitment Services for City Manager*

Agency	Title	Year Completed
Davis, City of	Finance Administrator	2014
East Bay Regional Park District	Assistant District Counsel	2014
East Bay Regional Park District	Chief Financial Officer/Controller	2014
East Bay Regional Park District	Chief of Interpretive and Recreation Services	2014
East Bay Regional Park District	Chief of Park Operations	2014
East Bay Regional Park District	District Counsel	2014
East Bay Regional Park District	Human Resources Manager	2014
Fairfield, City of	Assistant Public Works Director/City Engineer	2014
Five Cities Fire Authority	Fire Chief	2014
Florin Resource Conservation District (Elk Grove Water)	Finance Manager	2014
Goodyear, City of	Engineering Director	2014
Greater Vallejo Recreation District	Maintenance and Development Manager	2014
Las Vegas, City of	Director of Parks and Recreation	2014
Marana, Town of	Deputy Town Manager	2014
Maricopa, City of	Chief Information Officer	2014
Maricopa, City of	City Manager	2014
Maricopa, City of	Director of Human Resources	2014
Maricopa, City of (Partial)	Assistant to the City Manager	2014
Merced County Employees' Retirement Association (Partial)	Plan Administrator	2014
Monterey Regional Water Pollution Control Agency	Director of Operations and Maintenance/Deputy General Manager	2014
Paradise Valley, Town of	Town Manager	2014

*Proposal to the City of Troutdale
Executive Recruitment Services for City Manager*

Agency	Title	Year Completed
Sacramento Metropolitan Air Quality Management District (Partial)	Division Manager Administrative Services	2014
Sacramento, City of	Fire Chief	2014
San Francisco Estuary Institute	Executive Director	2014
San Francisco Municipal Transportation Agency	Deputy Director of Rail Maintenance	2014
San Francisco Municipal Transportation Agency	Deputy Director Program Delivery	2014
San Francisco Municipal Transportation Agency	Director of Sustainable Streets	2014
San Francisco Municipal Transportation Agency	Director of Taxis	2014
San Francisco Municipal Transportation Agency	Senior Operations Manager, Cable Car	2014
San Jose, City of	Assistant Finance Director	2014
San Jose, City of	Assistant Library Director	2014
San Jose, City of	Deputy Director of Emergency Services (Fire)	2014
San Jose, City of	Deputy Director of Treasury	2014
San Jose, City of	Division Manager of Pavement Services	2014
San Jose, City of	Division Manager, Sanitary Sewer Maintenance/Division Manager of Sewer and Storm Services	2014
Santa Clara Valley Habitat Agency	Executive Officer	2014
Superior Court of California, County of Orange (Partial)	Chief Technology Officer	2014
Surprise, City of	Community Development Director	2014
Surprise, City of	Fire Chief	2014
Tacoma Employees' Retirement System	Retirement Director	2014

*Proposal to the City of Troutdale
Executive Recruitment Services for City Manager*

Agency	Title	Year Completed
Welfare Client Data Systems Consortium	Executive Director	2014
Anaheim, City of	Chief of Police	2013
California Department of Developmental Services	Executive Director of Sonoma Development Center	2013
California Earthquake Authority	Chief Information Officer	2013
Carmichael Recreation and Park District	District Administrator	2013
Chandler, City of (Partial)	Assistant City Manager	2013
Coconino, County of	County Manager	2013
East Bay Regional Park District	Chief of Stewardship	2013
Gilbert, Town of	Fire Chief (Partial)	2013
Gilbert, Town of	Public Works Director	2013
King, County of	Section Manager in Public Health	2013
Las Vegas, City of	Fire Chief	2013
Maricopa, City of	Development Services Director	2013
Modesto Irrigation District	Assistant General Manager, Finance	2013
Modesto Irrigation District	General Counsel	2013
Monterey Peninsula Regional Park District	General Manager	2013
Morgan Hill, CA, City of	Community Development Director	2013
Morgan Hill, CA, City of	Community Services Director	2013
Nevada Irrigation District	General Manager	2013
Oakland, Port of	Chief Technology Officer	2013
San Jose, City of	Deputy Director of Transportation for Planning, Policy, and Program Delivery	2013

*Proposal to the City of Troutdale
Executive Recruitment Services for City Manager*

Agency	Title	Year Completed
San Jose, City of	Operations Division Manager-Regional Wastewater Facility	2013
San Jose, City of (Partial)	IT Manager, Department of Transportation	2013
Santa Clara Valley Water District	Deputy Operating Officer of the Water Utility Operations and Maintenance Division	2013
Southern Nevada Health District	Chief Health Officer	2013
Southern Nevada Health District	Director of Administration	2013
Surprise, City of	Chief Financial Officer	2013
Vallejo, City of	Chief Assistant City Attorney	2013

City of Troutdale

Professional Recruitment Services

September 6, 2016

Contact:
Catherine Tuck Parrish
The Novak Consulting Group
1776 Mentor Avenue
Cincinnati, Ohio 45212
(513) 221-0500
ctuckparrish@thenovakconsultinggroup.com





September 6, 2016

Erich Mueller
Finance Director
City of Troutdale
219 E. Historic Columbia River Highway
Troutdale, OR 97060

Dear Mr. Mueller:

The mission of The Novak Consulting Group is to strengthen organizations, for those they serve and those who work in them. We are dedicated to providing management consulting services to local governments and nonprofit organizations across the country. The firm was originally established as Public Management Partners in 2001, a firm specializing in local government consulting and executive search services in the Midwest. Since then, we have been providing our clients across the country with the very best thinking and execution in executive search and management consulting.

We are pleased to submit this proposal for executive recruitment services for City Manager to the City of Troutdale. Our project team for the City is comprised of skilled professionals, seasoned in local government management with search and management consulting experience across the country. Our team has had significant success working with similar organizations to identify and retain ideal candidates who meet each organization's unique set of needs and expectations. We are confident our approach will result in a successful leader for the organization.

Our firm has the necessary staff, expertise, resources, and abilities to conduct this recruitment and provide exceptional service to Troutdale. We are a national, women-owned firm, with employees who have served as leaders in some of the best local governments across the country. Our clients receive personal service from our consultants. Our mission is to strengthen communities, and we do this by helping them find the best leaders to help move their organizations forward.

Please contact Catherine Tuck Parrish, our executive search practice leader, at (240) 832-1778 or ctuckparrish@thenovakconsultinggroup.com should you have any questions.

Sincerely,

Julia D. Novak
President

Table of Contents

Cover Letter

About The Novak Consulting Group..... 1

Project Team 2

Recruitment Strategy..... 3
 Scope of Work..... 4
 Timeline..... 5

Recent Recruitment Experience and References 6

Cost..... 7
 Service Guarantee..... 7

Exhibit A – Resumes 8

Exhibit B – Timeline..... 11

Exhibit C – Sample Materials 13

About The Novak Consulting Group

For nearly a decade, a highly respected management consulting firm named Public Management Partners helped a variety of organizations function more effectively. Through the years, the firm's founding partners built a sizeable client base of predominantly local governments and nonprofit organizations in the Midwest.

In 2009, Julia D. Novak acquired Public Management Partners and founded The Novak Consulting Group, staffed by consultants with decades of collective experience. With The Novak Consulting Group, Julia built upon Public Management Partners' reputation for innovation and results while expanding the company's services nationwide. Her company meets a wider range of needs, consulting with governments in the areas of public works, public safety, human resources, finance, planning, IT, and more. We provide our clients with the very best thinking and execution in organizational design, development, and improvement. Our services include:

- Strategic Planning
- Organizational Assessment and Optimization
- Executive Search

The Novak Consulting Group provides unparalleled service to our clients. Leaders in local governments and nonprofit communities have come to rely on The Novak Consulting Group for high caliber advice with the personal attention you expect.

- **Niche expertise.** Our expertise lies in strengthening two kinds of organizations: local governments and nonprofits. We're consulting specialists rather than generalists, focusing our strengths to do a highly effective job for a very specific group of clients.
- **Flexibility to serve you better.** We employ a small core staff of senior-level consultants, and draw from our pool of subject matter experts when their expertise can help us serve you better. The result? A highly nimble, more efficient approach to giving you the services you need, when you need them.
- **Decades of collective experience.** Our associates and subject matter experts have decades of experience in strengthening local municipalities and nonprofit organizations. They've served in a wide range of positions, from city manager to public works director to director of management information systems.
- **Personal service from senior-level consultants.** You appreciate it when deadlines are met, phone calls are returned, and your challenges are given in-depth, out-of-the-box thinking. While a large firm may assign your business to junior-level people, we're small enough to offer very personal service from senior-level consultants.

The Novak Consulting Group is a women-owned firm led by President Julia Novak, headquartered in Cincinnati, Ohio. The firm is staffed with local government professionals, including full-time associates and subject matter specialists. The Novak Consulting Group and its staff have extensive experience working with local government clients. Our focus is on providing solutions that work within the available resources and culture of the organizations we assist.

Project Team

Executive Search Practice Leader Catherine Tuck Parrish has more than 25 years of experience serving local governments, in direct service or as a consultant. Catherine's most recent local government experience was as deputy city manager in Rockville, Maryland where she oversaw parks and recreation, human resources, information technology, finance, neighborhood resources (citizen engagement), communications, customer service, and intergovernmental functions. She is also familiar with large organizations, having worked in the County Executive's Office in Fairfax County, Virginia on a variety of projects, including county-wide human resources projects. Catherine leads our search practice and has conducted searches for city manager/administrator, police chief, public works, finance, human resources, and many other key positions in local governments across the country.

Associate Patty Gentrup served in Liberty, Missouri as city administrator and assistant city administrator. In her capacity as a local government manager, Patty managed successful search processes for a variety of executive positions, including finance director, human resources director, planning director, police chief, and fire chief. As a consultant, she has worked with elected and appointed officials in numerous jurisdictions to provide council and staff goal-setting, training, and a variety of facilitations. Patty also brings a national network of contacts.

Complete resumes are included in Exhibit A.

Recruitment Strategy

When organizations need to fill key positions, they turn to The Novak Consulting Group and benefit from this guiding principle: meaningful hiring involves finding the right employee and preparing them for ongoing success. The Novak Consulting Group's approach to our executive search services comprises three key phases.

1. Inquiring, Understanding, and Defining

Each of our clients has a unique culture and set of objectives. Because selecting the right individual is critical to success, we begin our relationship by conducting a needs assessment to identify the specific benchmarks the search must accomplish. We will identify qualifications and requirements, as well as map out the first-year goals, so both our client and the employee remain on the same track for success. We will build an accurate position profile, thus ensuring we attract the right people for the position.

2. Candidate Search and Evaluation

To reach the right candidates, The Novak Consulting Group customizes each search process to fit the client's needs. Often, the professionals who best fit an open position are already employed and not searching for a traditional job posting. So, we leverage our extensive, diverse, professional network to attract the best talent nationwide. We have been successful in identifying a candidate pool that is racially, ethnically, and gender diverse. We advertise in national publications that target minorities and women, including the National Forum of Black Public Administrators (NFBPA) and the International Hispanic Network (IHN). We also work to identify qualified veterans and qualified candidates with disabilities. Females have been hired in 40% of our recruitments, and minorities have been hired in 22% of our recruitments. Once the right candidates are found, we help manage the hiring process from interviews to background checks. Our in-depth service empowers clients to achieve their goals at every step.

3. Supporting Success

We support the top candidate's long-term success by creating a goals-driven work plan actionable from day one. Many firms focus solely on finding qualified applicants, leaving the client on their own once the position is filled. Our team, however, uses the objectives gathered during the inquiry stage to prepare new hires for their first year. We follow up to ensure continued progress, productivity, and satisfaction for the employee and our client.

We take a tailored, goals-based approach to each recruitment. By looking beyond the hiring process, our holistic view ensures that each candidate will fit the role, as well as the organization. In the end, we are not just looking for a successful professional; we are finding the right employee to be successful in their new position long after they are hired.

Our executive recruitment and management consulting experiences have afforded us the opportunity to work with public and nonprofit organizations across the country and provided us with a wide national network. Through our connections, we are able to identify a broad diversity of qualified candidates in terms of race and ethnicity, gender, jurisdiction size, complexity of organization, and region of the country.

Scope of Work

Activity 1 – Develop Candidate Profile

The Novak Consulting Group will begin this engagement by developing a clear picture of the ideal candidate for City Manager. We will begin by speaking with the Mayor and each member of the City Council. It is important to recognize the individual expectations of each elected official, in addition to learning the shared goals for a new City Manager. We will engage key staff and community stakeholders, as desired. We will discuss not just the technical skills needed for the position, but what makes for the right organizational fit, in terms of traits and experiences.

Based on the information learned from our meetings, we will develop a recruitment plan that includes Oregon, the region, and the nation. We will prepare a position profile that is unique to Troutdale. The profile will identify the organization's needs, the strategic challenges of the position, and the personal and professional characteristics of the ideal candidate. This document drives the recruitment. It focuses our efforts on the most capable candidates, and it helps us to persuade candidates to pursue the position.

We will also develop first-year organizational goals for the successful candidate. These goals will ensure that: the applicants know what will be expected of them should they be hired; the City has thought about what they want the person to accomplish in the first year; and the successful candidate can hit the ground running with a work plan as soon as he/she starts. Once drafted, we will review the recruitment plan, position profile, and first-year goals with the Council. Modifications will be made as necessary before recruitment begins.

Activity 2 - Conduct Aggressive Recruitment

As part of the recruitment plan, we will identify individuals and jurisdictions to target directly through phone and email contacts. We have found that a combination of phone and email contacts is an effective way to reach top applicants, especially those who are not currently in the job market but may be willing to consider a move to an excellent organization like the City of Troutdale. The Novak Consulting Group will prepare and place advertisements. These will be placed in state and national publications and online sites to attract candidates from throughout the United States. While this will be a national search, we will target our efforts to those key areas identified in the recruitment plan.

As soon as the profile and advertisements have been completed, we will begin the process of actively and aggressively marketing the position and identifying qualified candidates for assessment. The process will identify networks and organizations, such as the International City/County Management Association (ICMA), the Oregon City/County Management Association, the League of Oregon Cities, and other state and regional organizations as outlined in the recruitment plan. We will also ask the City for names of individuals who might make outstanding candidates for the position.

As applications are received, we will acknowledge each application and keep prospective applicants aware of the status of the process.

Activity 3 – Facilitate City Manager Selection

The Novak Consulting Group will screen each applicant against the position profile and first-year goals. We will conduct interviews via phone or Skype with those who most closely meet the profile to learn more about their interest, qualifications, and experience for this position. A written summary of these candidate will be prepared and shared with the Council. We will then meet with the Council to review the entire list as well as the top seven to 10 candidates who have the requisite skills and qualities needed for success in the position. Based on our conversation, we will finalize a list of approximately five candidates to invite for in-person interviews.

Each person you wish to interview will then be contacted again by The Novak Consulting Group. We will facilitate a customized interview process specific to the City Manager position. A book that contains information about each of the candidates invited to interview will be provided to those involved in the interview process.

We will work with the City to arrange travel logistics for each candidate and plan the interview process. Expenses for the candidates will be borne by the City.

The selection of the top candidate is for the Council, and The Novak Consulting Group can help make a well-informed choice by framing what we have learned about the candidates in the context of the position and its requirements. We will speak with candidates' references to confirm the strength of their credentials. We will also review published information found in search engines, online publications, and social media. Reference and background checks will be performed on the top candidates including, but not limited to, education, criminal, financial, media, and civil litigation checks.

The Novak Consulting Group also can assist in negotiating the employment offer. We will provide information about best practices in compensation, and we will have obtained information on the candidate's salary history. At the close of the search, all applicants will be notified of the results. Those who helped you in the process will be thanked for their contribution to a successful effort.

Additionally, The Novak Consulting Group will contact the successful candidate during his/her first year on the job to discuss their progress toward implementation of the goals that were established for this position at the beginning of the process.

Timeline

A draft recruitment timeline is included as Exhibit B. We anticipate reviewing this timeline with the City during the initial project meeting.

Recent Recruitment Experience and References

Included with this proposal is a complete listing of our clients and position profiles for similar recruitments. The table below has references for comparable searches that have been completed. We encourage the City to contact any of our past clients to learn about our commitment to timely and responsive service.

Jurisdiction	Contact Information
Lane County, Oregon • Public Works Director	Steve Mokrohisky, County Administrator (541) 682-4062 steve.mokrohisky@co.lane.or.us
Shoreline, Washington • Administrative Services Director • City Manager	Keith McGlashan, Mayor (206) 801-2203 kmcglashan@shorelinewa.gov
Milford, Delaware • City Manager	Brian Shupe, Mayor 302-424-3712, ext. 309 mayor@milford-de.gov
Mequon, Wisconsin • City Administrator	Robert Strzelczyk, Alderman and Search Committee Chair (262) 502-1991 rstrzelczyk@ci.mequon.wi.us
Hudson, Ohio • City Manager	Hal deSaussure, Council President (330) 697-5190 hdesaussure@hudson.oh.us

Cost

The total, not-to-exceed fee to complete the City Manager recruitment as outlined in this proposal is \$21,800. Of this amount, \$17,525 is for professional fees and \$4,275 is for expenses for The Novak Consulting Group. Our hourly rate is \$175/hour. Below is the detailed fee structure.

Task	Total
1. Develop Candidate Profile	\$7,277
2. Conduct Aggressive Recruitment	\$9,236
3. Support City Manager Selection	\$5,287
TOTAL	\$21,800

We estimate the following additional costs to the City, which would be direct billed at cost with no markup.

- Approximately \$1,000-\$1,500 for advertising
- Civil litigation and background checks will be conducted by a third-party vendor, Corporate Screening, for the top finalists estimated at \$150-\$300/finalist

Travel for finalists' interviews will also be borne by the City. Depending on the location and travel of the candidate's, the cost for each could be up to an estimated \$1,000.

It is our practice to invoice clients monthly based on completion of tasks in the scope of work.

Service Guarantee

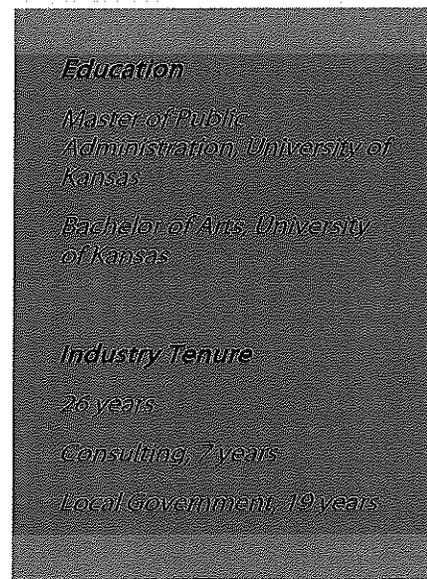
The duration of the service guarantee for this position is two years. Should the selected candidate leave the position within two years of being hired, The Novak Consulting Group will conduct a new search for no professional fee. The City would only be billed direct expenses.

Exhibit A – Resumes

Catherine Tuck Parrish, Executive Search Practice Leader

Catherine has over 25 years of management experience working for local governments of all sizes, nonprofit organizations, and associations. She currently leads The Novak Consulting Group's executive search practice.

Her work as a consultant includes executive recruitment, project management, and contributions to numerous local government projects including process improvement studies, departmental assessments, development review, and policy development. She has conducted successful executive searches for the positions of city/town/village/township manager, assistant manager, multiple department director positions, and other key staff. She has also conducted recruitments for CEO and director positions in nonprofit organizations. In addition, she has facilitated numerous governing body workshops, staff retreats, and strategic planning sessions.



Catherine's most recent local government experience was as deputy city manager in Rockville, Maryland where she oversaw parks and recreation, human resources, information technology, finance, neighborhood resources (citizen engagement), communications, customer service, and intergovernmental functions. She also served as acting city manager in Rockville for nearly a year. Prior to joining the City of Rockville, Catherine served as assistant to the county executive in Fairfax County, Virginia working on change management issues including a new pay system, employee surveys, implementation plans, and internal communication improvements. Catherine also served as ethics advisor at the International City/County Management Association (ICMA), counseling elected officials and citizen groups regarding employment agreements, form of government issues, and recruitment. Additionally, she worked for the cities of Denton and University Park, Texas.

She chaired the ICMA's Acting Manager Task Force, which produced a handbook for interim managers. She also led the Maryland City/County Management Association (MCCMA) as president and vice president. She served as president, vice president, and secretary of the Metropolitan Association of Local Government Assistants in the Washington, D.C. metro area. Catherine has spoken at national and state conferences on a variety of topics, including civility, effective councils, ethics, forms of government, human resource topics, long-term financial planning, budget strategies, developing high performing organizations, and leadership. She has also spoken at the National League of Cities' Leadership Training Institute on recruiting and evaluating the CEO. She is a certified instructor of the Myers-Briggs Type Indicator instrument.

She has a bachelor's degree in personnel administration and communication studies from the University of Kansas and a master's degree in public administration from the University of Kansas. She is an active member of ICMA and the MCCMA.

Patty Gentrup, Associate

Patty has more than 25 years of experience working for and advising local, regional, and state governments. Her work as a consultant includes extensive experience facilitating strategic planning workshops and processes for governing bodies, organizations, and communities. Patty also provides executive search services for local governments, helping them find the best candidate to fill their chief administrative officer, department director or other key staff positions.

Patty is an expert in community engagement. She knows how to involve stakeholders in assessing issues and developing solutions, using traditional as well as innovative tools and techniques and ensuring all voices are heard in community decision making. Patty also has conducted departmental analyses, process improvements, and performance measurement with a broad range of local governments.

Prior to consulting, Patty was city administrator of Liberty, Missouri, a community of 30,000 in the Kansas City metropolitan area. With a staff of nearly 200 and a budget of more than \$50 million, Patty worked with the governing body to secure new revenue sources; implement an award winning comprehensive land use plan to foster new development and redevelop key areas of the community; guide capital improvements to support a growing community while reinvesting in aging infrastructure; and to create a high performing organization.

Patty has served the Kansas University City Managers and Trainees (KUCIMAT) organization as a board member and as president. She has also served on the Missouri City/County Management Association Board.

Patty has a bachelor's degree in journalism and a master's degree in public administration, both from the University of Kansas.

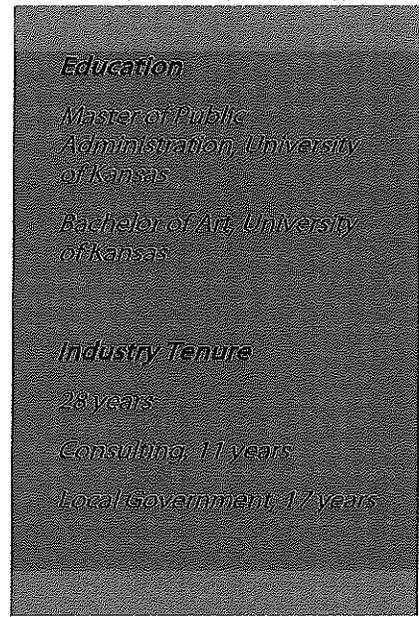


Exhibit B – Timeline

City of Troutdale														
City Manager Recruitment														
Schedule														
	start	2	3	4	5	6	7	8	9	10	11	12	13	14
	9/19	9/26	10/3	10/10	10/17	10/24	10/31	11/7	11/14	11/21	11/28	12/5	12/12	12/19
Activity 1 - Develop Candidate Profile														
Meet with Mayor and City Council to identify desired traits and experiences for the City Manager; discuss timeline and process														
Facilitate focus groups to gather input from City staff and other key stakeholders														
Develop recruitment materials and recruitment strategy														
Identify first year goals for the position, job description, and salary data														
1.4. for the position														
1.5. Present recruitment plan, position profile, and twelve month goals														
Activity 2 - Conduct Active Recruitment and Screening	9/19	9/26	10/3	10/10	10/17	10/24	10/31	11/7	11/14	11/21	11/28	12/5	12/12	12/19
2.1. Develop and place ads														
2.2. Direct outreach to develop and cultivate candidates														
2.3. Receive application materials														
2.4. Communicate with candidates														
2.5. Conduct pre-screening of candidates to develop semi-finalists														
2.6. Review applicant pool and most qualified with Mayor and Council														
Activity 3 - Support Interviews and Selection	9/19	9/26	10/3	10/10	10/17	10/24	10/31	11/7	11/14	11/21	11/28	12/5	12/12	12/19
3.1. Conduct reference and background checks														
3.2. Facilitate interview process														
3.3. Assist with negotiations, as desired														
3.4. Inform all applicants of final outcome														

Exhibit C – Sample Materials

develop candidate profile



Discuss needed skills
and organizational
culture



Develop recruitment
plan and position
profile



Develop
12-month goals

conduct aggressive recruitment



Identify target
individuals and
jurisdictions



Prepare and place
advertisements



Leverage
networks



Identify qualified
candidates for
assessment



support selection



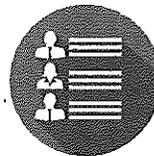
Screen each
applicant



Prepare
candidate
summaries



Develop
interview
process

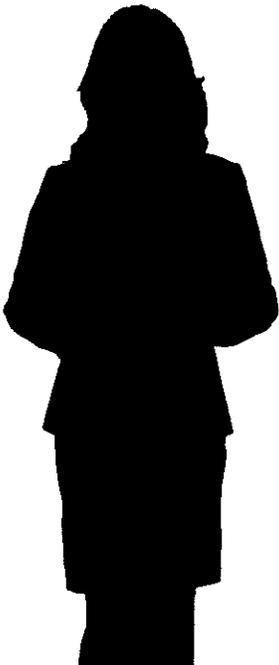


Finalize
candidate
list



Facilitate
interview and
selection

successful candidate



who we work for
executive search



State	Jurisdiction	Position	
Arizona	Peoria	Human Resources Director	
Colorado	Louisville	Director of Planning and Building Safety	
	Loveland	Budget Manager* Economic Development Director*	
Connecticut	Greenwich	Town Administrator	
	Meriden	City Manager	
	Windsor	Police Chief	
Delaware	Kent County	County Engineer/Public Works Director	
	Lewes	City Planner	
	Milford	City Manager	
	Milton	Town Manager	
Illinois	Rehoboth Beach	City Manager	
	Peoria County	Director, Animal Protection Services	
Kansas	Baldwin City	City Administrative Officer	
	Edgerton	Building Inspector CIP Project Manager Community Development Director	
		Director of APG Privatization	
Maryland	Aberdeen	Public Works Director Police Chief	
	Berwyn Heights	Code Supervisor Town Administrator	
	Cambridge	City Manager	
	Gaithersburg	Finance Director Public Works Director	
	Garrett Park	Town Manager	
	La Plata	Planning Director Police Chief	
	Mount Rainier	City Manager	
	New Carrollton	City Administrative Officer	
	Riverdale Park	Town Manager	
	Rockville	City Manager	
	Sykesville	Town Manager	
	Michigan	Novi	Assistant City Manager Finance Director
		Rochester Hills	Chief Financial Officer
	Missouri	Chesterfield	City Administrator
	Ohio	Cleveland Heights	City Manager
Dublin		City Manager Director of Public Service	
Granville		Village Manager	
Hudson		City Manager	
Miami Township		Township Administrator	
Oberlin		Fire Chief Police Chief	

State	Jurisdiction	Position
Ohio	Portsmouth	City Manager
	Sandusky	City Manager
	Upper Arlington	Assistant City Manager*
	Washington Township	Township Administrator
	Westerville	Deputy Director of Planning and Development Finance Director
	Worthington	Assistant Fire Chief
Oregon	Lane County	Public Works Director
Pennsylvania	Carlisle Borough	Police Chief
Texas	Lancaster	Assistant City Manager Finance Director
		Controller
Virginia	Alexandria	Animal Services Director Assistant County Administrator County Attorney Economic Development Director Finance Director Mental Health, Substance Abuse, and Developmental Services Director
	Loudoun County	Parks, Recreation, and Community Services Director Planning and Zoning Director
Washington	Shoreline	Administrative Services Director City Manager
Wisconsin	Mequon	City Administrator

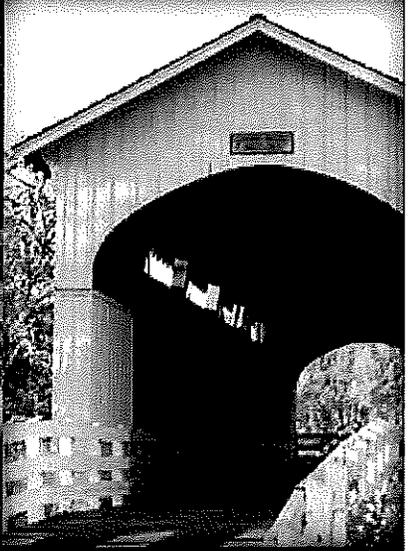
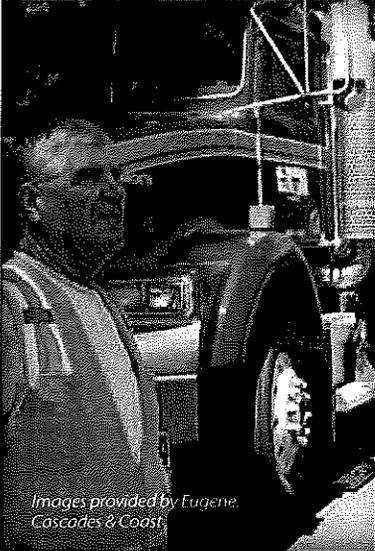
Organizations and Associations

Orleans Parish School Board Chief Operations Officer

United Methodist Church

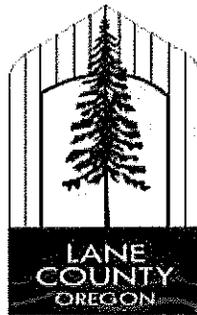
Discipleship Ministries General Secretary
 Florida United Methodist Foundation President
 General Board of Higher Education and Ministry Associate General Secretary/
 Division of Ordained Ministry
 General Secretary
 Global Ministries Deputy General Secretary Mission and Evangelism
 Director of Communications
 United Methodist Committee on Relief Deputy General Secretary
 United Methodist Frontier Foundation President and Executive Director
 Western Pennsylvania Annual Conference Treasurer

* candidate sourcing/screening



Images provided by Eugene,
Cascades & Coast

recruitment announcement

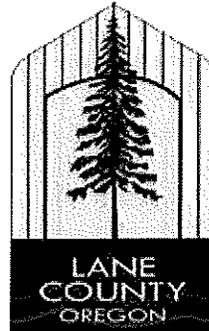


*Public Works
Director*

Public Works Director – Lane County, Oregon

The Position

Lane County's Public Works Director is responsible for long-term planning and development of a large, wide-ranging Public Works Department that provides a variety of services to the public. The Director provides oversight of the eight divisions within the department and interprets and oversees compliance with laws, regulations, codes and/or standards. The position serves on a variety of internal and external committees to secure advocacy and influence support for programs and services, including working with regional and state governments. The Public Works Director reports to the Lane County Administrator.



divisions: Engineering and Construction Services, Road and Bridge Maintenance, Parks and Animal Services, Land Management, Waste Management, and the Lane Events Center. The Director also supervises the Assistant Public Works Director, Budget and Finance Manager, grants and special projects staff, and administrative support. The Assistant Director manages two of the eight divisions: Administrative Services

and Fleet and General Services. (See Diagram A. below)

The Department

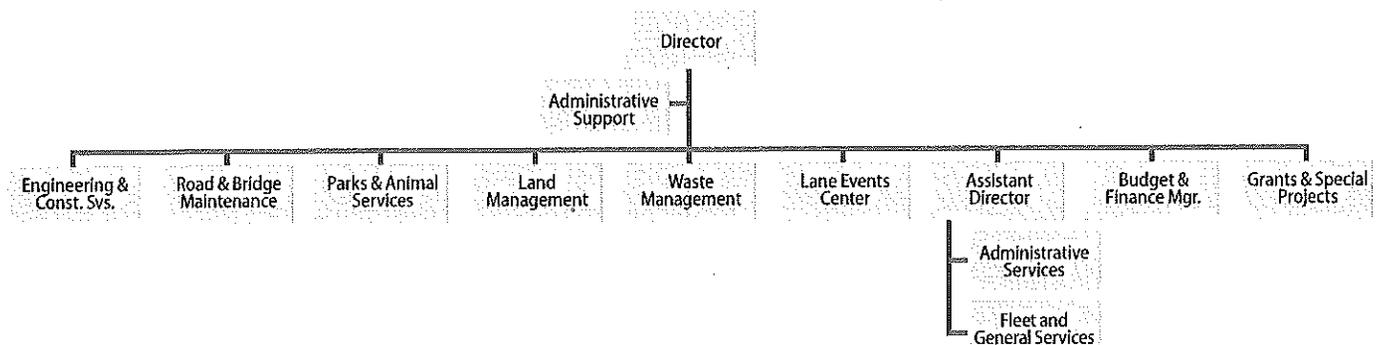
The mission of the Lane County Public Works Department is to "maintain and enhance the livability and sustainability of Lane County's natural and built environment." Further, the organization is guided by three strategic focus areas: safe and health county, vibrant communities, and infrastructure. Many of the objectives focus on strategic partnerships for an integrated transportation system, affordable housing, parks, waste management, animal services, and funding for safe roads and bridges. The department is proactive in planning for its future, as is evidenced by establishing a business plan for its events center, facilitating economic growth, developing and implementing a facilities plan, and updating a parks' master plan.

The department works together to achieve its goals by delivering services with 340 FTEs and many seasonal employees in eight divisions at 23 different work sites. The Director manages six of the

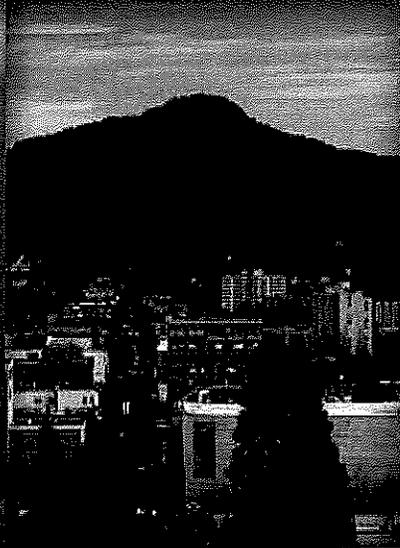
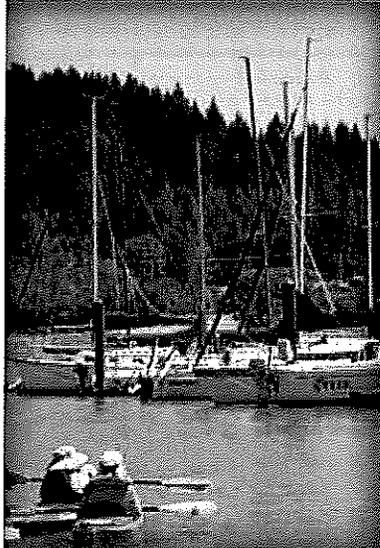
The department's total FY2015-2016 budget is \$150,796,479.

Expenditures by Fund	
General Fund	\$4,196,570
Parks and Open Space Fund	\$3,618,915
Road Fund	\$57,284,990
Public Land Corners Preservation Fund	\$1,395,029
Special Revenue Fund	\$950,444
Animal Services Fund	0
Lane Events Center Fund	\$3,912,031
Solid Waste Disposal Fund	\$38,113,035
Land Management Fund	\$6,897,894
Motor & Equipment Pool Fund	\$34,427,571
Total	\$150,796,479

Diagram A.



Applications will be accepted electronically by The Novak Consulting Group. Apply online at thenovakconsultinggroup.com/jobs. Complete the brief online form then submit one document that includes a cover letter, resume with salary history, and list of 3-5 professional references (submit one Word or PDF document please). Open until filled with first review of applications April 25, 2016.



A significant funding issue for Lane County's Public Works Department has been the loss of timber revenue from the federal government. This major funding source, which has been declining each year for approximately ten years, was originally provided to communities to reduce the impact of non-taxable lands owned by the Bureau of Land Management. The County has worked diligently to implement various solutions to stabilize long-term revenues and expenses. Public Works has been a leader in planning for the future and creating sustainable services in Waste Management, Land Management, Fleet and Facilities, Lane Events Center, Roads and Parks.

Requirements

Minimum requirements for this position are Bachelor's degree with six years of progressively responsible local government experience, including management and supervision. Preferred qualifications include a master's degree, labor relations experience, expertise in at least one of the service areas within the department, and strong financial and project management experience.

The Ideal Candidate

Lane County's next Public Works Director will be a strong team leader and collaborative team member, who is highly competent, passionate about providing public services, and has demonstrated experience leading and managing in a local government setting. The ideal candidate will be a dynamic presence as a leader in the organization and in the community, articulating the community's needs by engaging with residents, businesses, and other organizations. This person will be a creative problem-solver who has experience working with multiple funding sources and regulatory requirements, who will work effectively with stakeholders and partner with other entities to find solutions to common problems. The next director will be diplomatic, politically savvy, and have strong negotiation skills to broker effective solutions to complex issues. The ideal candidate will communicate effectively and continue the strong departmental values of integrity, service, and responsiveness. This person will be high energy, showing passion for the work and engaging employees with the vision for the department and the County.

The salary range for the position is \$93,516 - \$140,275 depending on qualifications, with an excellent benefit package.

Questions should be directed to Catherine Tuck Parrish at 240-832-1778 or the email address at the bottom of the page.

APPLY ONLINE:

thenovakconsultinggroup.com/jobs

QUESTIONS?

apply@thenovakconsultinggroup.com

bringing solutions into focus



The Community

Lane County (population 340,000) stretches from the rugged Oregon coast to the snowcapped Cascade Mountain range, ranging from sea level to over 10,000 feet. The County encompasses over 4,600 square miles, approximately the size of the state of Connecticut, and has 12 incorporated cities. It is a mixture of rural and urban areas and provides Public Works services to unincorporated and some incorporated parts of the County. The County seat is in Eugene, part of the thriving Eugene-Springfield metro area, which is home to a full complement of outstanding healthcare services.

The County also has access to a variety of educational institutions. The University of Oregon and Oregon State University, Lane Community College, Northwest Christian College, Eugene Bible College, and the Pioneer Pacific College all have a presence here.

The area also offers traditional and non-traditional public education options for children, including three foreign language schools and two international high schools as well as many private schools, including special education and denominational schools.

The County has something for everyone, regardless of their interest. For the outdoor enthusiast, Lane County has many beautiful parks, and biking and jogging trails. There are also several nearby lakes, camping, snow sports in the mountains to the east, and rafting and fishing in the Willamette and McKenzie rivers. With the Pacific coast just 65 miles west of Eugene, a sunset stroll on the beach is only a short drive away.

Cultural offerings include the Dorris Ranch Living History Farm, Lane County Pioneer Museum, the Springfield Railroad Depot, and the Natural History Museum and the Jordan Schnitzer Art Museum at the University of Oregon. The Hult Center for the

Performing Arts and the John G. Shedd Institute for the Arts are in Eugene, and there are a host of festivals throughout the year, including the Lane County Fair, the Bach Festival, the Scandinavian Festival and the Fiesta Latina.

Adding to the County's quality of life is the short commute time. It is possible to live in many of the beautiful rural settings in the area and still commute between work and home in less than a half-hour. When you live in Eugene the commute times are even less. For those who seek public transportation, Lane Transit District offers extensive bus service.

According to the 2010 census, the population of Lane County, whose county seat is Eugene, was 351,715.

The following table includes the racial makeup of the County.

Race/Ethnicity	Percentage
White	88.3%
Two or more races	4.2%
Pacific Islander	2.8%
Other Races	2.8%
Asian	2.4%
American Indian	1.2%
African American	1%
Hispanic or Latino	7.4%

Applications will be accepted electronically by The Novak Consulting Group. Apply online at thenovakconsultinggroup.com/jobs. Complete the brief online form then submit one document that includes a cover letter, resume with salary history, and list of 3-5 professional references (submit one Word or PDF document please). Open until filled with first review of applications April 25, 2016.

LANE COUNTY CORE VALUES

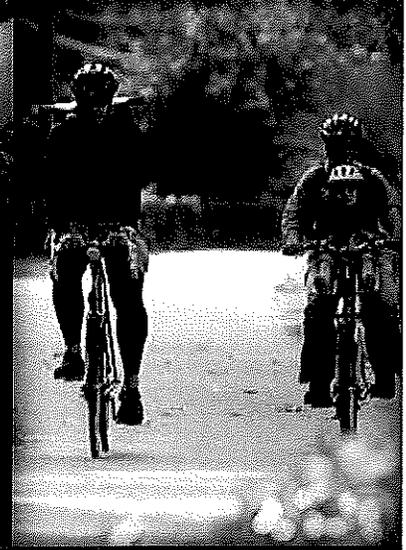
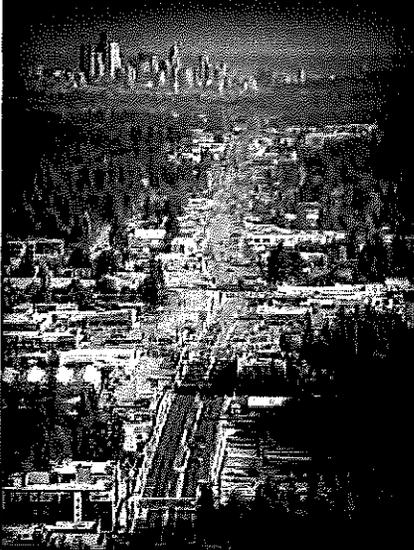
Integrity
Respect
Open and Accountable
Public Engagement
Pursuit of Excellence
Diversity
Stewardship
Empathy

APPLY ONLINE:

thenovakconsultinggroup.com/jobs

QUESTIONS?

apply@thenovakconsultinggroup.com



recruitment announcement



City Manager

position description:

City Manager – Shoreline, Washington

Applications accepted online only at thenovakconsultinggroup.com/jobs with a cover letter, resume, 5 year salary history, and a list of 3-5 professional references.



The Position

The City Manager serves as the Chief Executive Officer of the City and is responsible for implementing the policies and work plan goals of the City Council and providing leadership, coordination, and development for the City departments. The City Manager is the only employee that reports to the City Council. The City Manager oversees all City operations and staff, which are organized in the following departments: City Manager's Office, Public Works, Planning and Community Development, Administrative Services, Human Resources, City Attorney and Parks, and Recreation and Cultural Services.

The City contracts with King County for police services, though Shoreline officers wear city uniforms, drive vehicles marked as Shoreline Police, and the Police Chief serves on the City Manager's Leadership Team with other department heads. Currently, water is provided by Seattle Public Utilities and Shoreline Water District; wastewater is provided by Ronald Wastewater District. However, the City is scheduled to assume wastewater as a city service in 2017. Shoreline will also be acquiring the water service from Seattle Public Utilities and providing water service to residents in 2021. There are significant milestones to be achieved now and in the years leading up to these dates when the City will begin providing water and wastewater utility services directly to residents. Fire services are provided by the Shoreline Fire District. The City employs 139 FTE and has a 2013 General Fund budget of \$34,193,842, with total expenditures across all funds of \$67,049,762. The City has an experienced, talented Leadership Team and a dedicated, motivated, hardworking employee group.

2013-2015 CITY COUNCIL GOALS

Every year the City Council holds a strategic planning and goal setting retreat to monitor progress and determine priorities and action steps for the coming year. The result is the establishment of the Council's goals and workplan. For more information on the City's vision for 2013 and council goals and workplan go to www.shorelinewa.gov

GOAL 1: Strengthen Shoreline's economic base

GOAL 2: Improve Shoreline's utility, transportation and environmental infrastructure

GOAL 3: Prepare for two Shoreline light rail stations

GOAL 4: Enhance openness and opportunities for community engagement

GOAL 5: Promote and enhance the City's safe community and neighborhood initiatives and programs

The City of Shoreline operates as a code city under the laws of the State of Washington with a council-manager form of government. The City has a seven member City Council elected at large for four-year staggered terms with a Mayor selected by the Council for a two-year term. Three of the four incumbents are running unopposed in the November elections.



The City Manager will be politically astute, think strategically, work with partners in the region, negotiate well on the City's behalf, and adapt readily to changing needs and circumstances. He/she will bring energy and passion for public service yet remain calm under pressure. The City Manager will be a good listener, forthright and open in communication regardless of the audience. The ideal candidate will have a track record of developing and bringing out the best work of staff, attracting and retaining a talented leadership team, delegating appropriately, and keeping focused on achieving results on top priorities for the City. The City Manager will exhibit the highest ethical standards and be committed to fostering an organizational culture of service, integrity, and professional development.

Requirements and Preferred Qualifications

Requirements for the position of City Manager include a Bachelor's degree in public administration or related field and a minimum of 10 years of senior management experience in local government, including operational management experience. Preferred qualifications include a Master's degree in public or business administration, an ICMA Certified Manager (ICMA-CM), certification, and demonstrated experience in attracting and retaining a leadership team, sound budget and financial management, economic development and redevelopment in a growth management regulatory environment, and oversight of utilities.

The Ideal Candidate

The ideal City Manager will be an experienced, hard-working local government professional who has a collaborative management style that engages with staff and the community, brings fresh and innovative ideas, considers the community-wide implications, and

makes informed recommendations to the City Council. The next City Manager will be politically astute, think strategically, work with partners in the region, negotiate well on the City's behalf, and adapt readily to changing needs and circumstances. He/she will bring energy and passion for public service yet remain calm under pressure. The City Manager will be a good listener, forthright and open in communication regardless of the audience. The ideal candidate will have a track record of developing and bringing out the best work of staff, attracting and retaining a talented leadership team, delegating appropriately, and keeping focused on achieving results on top priorities for the City. The City Manager will exhibit the highest ethical standards and be committed to fostering an organizational culture of service, integrity, and professional development.

The Community

The City of Shoreline is located just north of the City of Seattle, in King County, Washington. Shoreline's western border is directly on the Puget Sound, providing residents with breathtaking views of the water and Olympic Mountains. Shoreline offers classic Pacific Northwest beauty and the convenience of suburban living with the attractions of nearby urban opportunities.

The City of Shoreline, a first-tier suburb, was an unincorporated island of King County surrounded by the older cities of Seattle, Edmonds, Woodway, and Lake Forest Park until the city formally incorporated in 1995. Covering 11.7 square miles, Shoreline has a diverse population of over 53,000 residents and is primarily residential with a limited commercial tax base. Median household income was \$66,774 in 2011 and 29% of residents reported income of \$100,000 a year or more.

(over, please)

The hiring salary range is expected to be \$150,000 to \$170,000 DDOQ with an excellent benefit package.

Deadline:

Open until filled. Apply by October 24 for first review of applications.

Apply online at www.thenovakconsultinggroup.com/jobs

bringing solutions into focus.



The Community *(continued)*

Shoreline has developed a reputation of strong neighborhoods, excellent schools and abundant parks. It values community engagement and its high quality of life. In the 2012 edition of the biannual Shoreline Community Survey, 92% of residents rated Shoreline as an excellent or good place to live and 89% rated the city as a good or excellent place to raise children. Local media, such as Seattle Magazine and Seattle Met, have named Shoreline one of the "best places to live" in the Puget Sound area several times. In 2010, Money Magazine recognized Shoreline as one of America's best small cities on their annual list, "America's Best Places to Live."

The City has maintained a strong, healthy fiscal condition. Shoreline has a perfect record of 17 years of unqualified (clean) audit opinions, 14 consecutive years receiving the GFOA's

Distinguished Budget Presentation Award, an AA+ bond rating, a Standard & Poor's Financial Management Assessment Rating of "Strong," and healthy reserves for operating, cash flow and equipment replacement. In the fall of 2010, the citizens of Shoreline passed a City property tax proposition with 56% in favor, and prior to that, in 2006, citizens passed a parks bond measure with 70% affirmative vote.

The City is focused on expanding the tax base through redevelopment along the Aurora Avenue corridor, around two future Sound Transit light rail stations, and through growth of existing businesses. The City's land use processes operate within the state's growth management regulations. It is committed to environmental stewardship and values its rich diversity.

Questions should be directed to Catherine Tuck Parrish at 240-832-1778 or at apply@thenovakconsultinggroup.com

**Proposal
to provide recruitment services for
the City of Troutdale's next
City Manager**

Presented by

PROTHMAN

Sonja Prothman: sonja@prothman.com, 206.605.0415 cell
371 NE Gilman Blvd, Suite 310, Issaquah, WA 98027

Submittal Date: September 6, 2016

Proposal is valid for 60 days from submittal date.



Sonja Prothman – Vice President

STATEMENT OF QUALIFICATIONS

ABOUT PROTHMAN

Prothman Company is a northwest based consulting firm that specializes in providing national and regional executive recruitment services to cities, counties, and other governmental agencies throughout the western United States. Founded in 2001, Prothman is an industry leader known and respected for outstanding customer service, quality candidate pools, and knowledge of local government.

OUR EXPERTISE

Recruitment Knowledge and Experience: The Prothman team has conducted over 450 recruitments and interim placements. We have read and screened over 15,000 resumes, and we have personally interviewed over 5,000 semifinalist candidates. We know how to read between the lines, filter the fluff, and drill down to the qualities and experiences required to be a good manager.

Firsthand Knowledge of Local Government: Every Prothman team member has worked in local government. Our talented consultants have a cumulative 150 years in local government service, with expertise ranging from organization management, police and fire management, human resources, finance, public works and elected official public service.

OUR PROVEN PROCESS

Clients and candidates continually tell us that we have the best process and client service in the industry. The tenure of our placements is among the best in the industry because we understand that "fit" is the most important part of the process; not just fit within the organization, but fit within the community as well.

OUR GUARANTEE

We are confident in our ability to recruit an experienced and qualified candidate who will be the perfect "fit" for your organization. Should the selected finalist leave the position or be terminated for cause within one year from the employment date, we will conduct a replacement search with no additional professional fee.

REFERENCES

City of Woodburn, OR - City Administrator, HR Director, Cmty Development Dir.,
Police Chief, Economic Development Director
Contact - City Administrator, Scott Derickson - 503.982.5228

City of Hood River, OR - City Manager
Contact - Councilor, Mark Zanmiller- 541.436.0654 or
City Manager, Steve Wheeler - 541.387.5252

City of Vancouver, WA - Asst. City Manager, HR Director, Parks & Rec Dir.,
Budget Manager
Contact - Deputy City Manager, Dave Mercier - 360.487.8610

STATEMENT OF QUALIFICATIONS

Current Recruitments

City of Yelm, WA - *City Administrator*
 City of Lake Stevens, WA – *City Administrator*
 City of Chelan, WA – *City Manager*
 City of Minot, ND – *City Manager*
 City of College Place, WA – *City Admin*
 City of Bandon, OR – *City Manager*
 City of Drain, OR – *City Manager*
 City of West Linn, OR – *Cmty Dev Director*
 Gunnison County, CO –
Dir. of Community & Economic Development
 City of Sheridan, WY - *City Administrator*
 Lincoln County, OR - *Personnel Director*
 City of Lincoln, NE – *Finance Director*
 City of Snoqualmie, WA – *Police Chief*

City of Issaquah, WA – *Finance Director*
 City of Issaquah, WA - *HR Director*
 City of Ferndale, WA – *Finance Director*
 City of Ferndale, WA – *Police Chief*
 City of College Place, WA – *Police Chief*
 City of Shelton, WA – *Finance Director*
 City of Federal Way, WA – *Cmty Dev Director*
 City of Federal Way, WA – *City Attorney*
 Maple Valley Fire & Life Safety, WA - *Chief*
 Vashon Island Fire & Rescue, WA – *Chief*
 Ben Franklin Transit, WA – *HR Director*
 Ben Franklin Transit, WA – *Operations Mgr*
 Ben Franklin Transit, WA – *Admin Services Mgr*
 City of Port Angeles, WA – *Light Operations Mgr*

Availability, Communication & Schedule

One of our first tasks will be to coordinate and commit a schedule. Then, we protect your dates on a master schedule to assure we never miss a commitment. We provide you our cell phone numbers so you have direct access to your lead consultant and support staff and we will communicate and update you as often as you desire.

Our recruitments take approximately 10-14 weeks to complete, depending on the scope and direction from the client. You can expect approximately: 2-3 weeks for stakeholder interviews and profile development & approval, 5-6 weeks for recruitment, 2-3 weeks for screening and interviewing, and 2-3 weeks for coordinating final interviews.

Sample Schedule - Blue highlighted events represent meetings with the client

Date	Topic
Week of September 12 & 19, 2016	Work contract, hold stakeholder interviews, send profile for review
September 26, 2016	Post profile and start advertising
October 30, 2016	Application Close Date
Weeks of Oct. 31 & Nov. 7, 2016	Prothman screens applications & interviews top 8 - 12 candidates
Week of November 14, 2016	Work Session to review semifinalists and pick finalists
Week of December 5, 2016	Final Interview Process

STATEMENT OF QUALIFICATIONS - PROJECT TEAM

BILL McDONALD - PROJECT LEAD

Bill has been associated with the Prothman team for nearly 15 years and brings 42 years of experience in local government in Washington and Oregon. With nearly 30 years of experience as a City Manager/Administrator, his past service includes City Manager, Puyallup, WA, City Administrator, DuPont, WA, City Manager, Snohomish, WA, and Clatskanie OR, County Commissioner, Columbia County, OR, Assistant to the City Manager, Milwaukie, OR, Criminal Justice Planner in Clackamas, OR, and CRAG (now METRO). Bill has a MPA from Portland State University; awards include the 2010 Excellence Award from the Washington City County Management Association.

JOHN HODGSON - PROJECT SUPPORT

John is a senior consultant for Prothman and brings 33 years of municipal service including, most recently, 7 ½ years as City Administrator/Chief Administrative Officer for the City of Kent, the sixth largest city in the state of Washington. Prior to that, John had 26 years in parks and recreation management for the cities of Vancouver, WA, Metropolitan Park District of Tacoma, and Director of Parks, Recreation and Community Services for the City of Kent from 1994-2005. John's awards for his service include Kent Chamber of Commerce Public Employee of the Year, WRPA Honor Fellow, Kiwanis Distinguished President, and the Kent Lions Club Community Service Award. John has a Bachelor of Science degree in Parks and Recreation Management from the University of Oregon (1980) and completed the Cascade Management Series from the University of Washington Graduate School of Public Affairs (1992).

SONJA PROTHMAN - PROJECT SUPPORT

As Vice-President of the Prothman Company, Sonja assists with recruitments and organizational assessments, and she manages the support staff and the "business" side of Prothman. Sonja is a former councilmember for the City of Normandy Park and brings to Prothman the "elected official" side of city government—an invaluable perspective for understanding our clients' needs. Sonja also brings private sector expertise having worked with the Boeing Company where she was on the start-up team as lead negotiator for schedules and deliverables for the first 777 composite empennages. A Seattle native, Sonja earned a Bachelor's Degree in Communications from the University of Washington.

BARRY GASKINS - PROJECT SUPPORT

Barry Gaskins is responsible for candidate management. His attention to detail and understanding of timeliness to the customer and candidates is remarkable. Barry works with the lead consultant in following through with scheduling interviews, arranging candidate travel, managing candidate application packets, and assembly of candidate information to give to the client. Barry came to us from the Bill & Melinda Gates Foundation where he served as a Program Assistant for four years in the US Library Program. Barry earned his Bachelor's Degree from California State University in Los Angeles.

Recruitment Strategy

Every recruitment we conduct is a national search. We have an aggressive national advertising campaign and we have the ability to mail the job announcement to every city, county, district, etc. in the US. Screening for "fit" is one of the most important elements in a recruitment and the length of tenure of our placed candidates is the highest in the industry because our process emphasizes "fit" and we learn and understand the qualities required for candidates to fit within your unique communities, cultures and weather!

We have conducted hundreds of successful executive searches and refined our process along the way. We provide the process, but you call the shots... whether you want weekly updates or monthly updates, more meetings or less meetings... we tailor every recruitment to meet your needs. We will partner with you and find you a highly qualified candidate who is the perfect "fit" for your organization, guaranteed!

Recruitment Process

Project Review

The first step will be to review the following topics:

- ◆ Review the scope of work and project schedule
- ◆ Identify the geographic scope of the search (local, regional or national)
- ◆ Review compensation and decide if a salary survey is needed
- ◆ Identify key stakeholders

Information Gathering and Research (*Soliciting Input*)

We will travel to Troutdale and spend as much time as it takes to learn the values and culture of your organization, as well as the preferred qualifications you desire in your next City Manager. We will:

- ◆ Meet with the City Council
- ◆ Meet with Department Directors and Staff as directed
- ◆ Meet with community and business stakeholders as directed
- ◆ Review all documents related to the position

Position Profile Development (*Identifying the Ideal Candidate*)

We will develop a profile of your ideal candidate. Once the Position Profile is written and approved, it will serve as the foundation for our determination of a candidate's "fit" within the organization and community. Profiles include the following:

- ◆ **A description of the ideal candidate's qualifications**
 - Years of related experience and education required
 - Ideal personality traits and work habits
- ◆ **Organization-specific information**
 - Description of the organization, position and key responsibilities
 - Priorities and challenges facing the organization
- ◆ **Community-specific information**
 - Overview of the region
 - Description of the environment and quality of life details
- ◆ **Compensation package details**
- ◆ **Information on how to apply**

Recruitment and Advertising Strategy (*Locating Qualified Candidates*)

We recognize that often the best candidates are not actively looking for a new position--*this is the person we want to reach and recruit*. We have an aggressive recruitment strategy which involves the following:

- ◆ **Print and Internet-based Ads** placed nationally in professional publications, journals and on related websites.
- ◆ **Direct Mail Recruitment Brochures** sent directly to hundreds of highly qualified city/county management professionals who are not actively searching for a new position.
- ◆ **Direct Contact Calls or Emails** placed directly to city/county management professionals we know.
- ◆ **Posting the Position Profile on the Prothman Website**, which receives thousands of hits per month.

Candidate Screening (*Narrowing the Field*)

Once the application deadline has passed, we will conduct an extensive candidate review designed to gather detailed information on the leading candidates. The screening process has 4 key steps:

- 1) **Application Review:** Using the Position Profile as our guide, we will screen the candidates for qualifications based on the resumes, applications, and supplemental questions (to determine a candidate's writing skills, analytical abilities and communication style). After the initial screening, we take the yes's and maybe's and complete a second screening where we take a much deeper look into the training, work history and qualifications of each candidate.
- 2) **Personal Interviews:** We will conduct in-depth videoconference or in-person interviews with the top 8 to 15 candidates. During the interviews, we ask the technical questions to gauge their competency, and just as importantly, we design our interviews to measure the candidate's fit within your organization.
- 3) **Internet Publication Background Search:** We conduct an internet publication search on all semifinalist candidates prior to their interviews. If we find anything out of the ordinary, we discuss this during the initial interview and bring this information to you.
- 4) **Work Session:** We will prepare and send to you a detailed summary report and binders which include each candidate's application materials and the results of the personal interviews and publication search. **We will travel to Troutdale** and advise you of the candidates meeting the qualifications, our knowledge of them, and their strengths and weaknesses relative to fit within your organization. We will give you our recommendations and then work with you to identify the top 4 to 6 candidates to invite to the final interviews. We will discuss the planning and design of the final interview process during this meeting.

Final Interview Process (*Selecting the Right Candidate*)

The design of the final interviews is an integral component towards making sure that all stakeholders have the opportunity to learn as much as possible about each candidate.

- ◆ **Elements of the final interview design process include:**
 - **Deciding on the Structure of the Interviews**
The final interview process may involve using various interview panels (which can include community stakeholders), a public evening reception or one-on-one interviews with the decision makers.
 - **Deciding on Candidate Travel Expenses**
We will help identify the expenses your organization wishes to cover.
 - **Identifying Interview Panel Participants & Panel Facilitators**
We will work with you to identify the participants of the interview panels to ensure that all stakeholders identified have been represented.
- ◆ **Background Checks**
Prior to the final interviews, we will conduct a background check on each of the finalist candidates. Background checks include the following:
 - **References**
We conduct 5-8 reference checks on each candidate. We ask each candidate to provide names of their supervisors, subordinates and peers for the last several years.
 - **Education Verification, Criminal History, Driving Record and Sex Offender Check**
We contract with Sterling for all background checks.
- ◆ **Candidate Travel Coordination**
We work with the candidates to organize the most cost effective travel arrangements.
- ◆ **Final Interview Binders**
The Final Interview Binders include the candidate's application materials and are the tool that keeps the final interview process organized.
- ◆ **Final Interviews with Candidates**
We will travel to Troutdale and facilitate the interviews. The interview process usually begins with a morning briefing where schedule and process will be discussed with all those involved in the interviews. Each candidate will then go through a series of one-hour interview sessions, with an hour break for lunch.
- ◆ **Panelists & Decision Makers Debrief:** After the interviews are complete, we will facilitate a debrief with all panel participants where the panel facilitators will report their panel's view of the strengths and weaknesses of each candidate interviewed. The decision makers will also have an opportunity to ask panelists questions.
- ◆ **Candidate Evaluation Session:** After the debrief we will facilitate the evaluation process, help the decision makers come to consensus, discuss next steps, and organize any additional candidate referencing or research if needed.
- ◆ **Facilitate Employment Agreement:** We will assistance in developing a letter of offer and negotiating terms of the employment agreement.

Warranty

- ◆ **Repeat the Recruitment:** Should a top candidate not be chosen; we will repeat the recruitment with no additional professional fee.

FEE, EXPENSES & GUARANTEE

Professional Fee

The fee for conducting a City Manager recruitment with a one-year guarantee is **\$18,500, plus expenses**. The professional fee covers all Prothman consultant and staff time required to conduct the recruitment. This includes all correspondence and three (3) on-site meetings with the client, writing and placing the recruitment ads, development of the candidate profile, creating and sending invitation letters, reviewing resumes, coordinating and conducting semifinalist interviews, coordinating and attending finalist interviews, coordinating candidate travel, professional reference checks on the finalist candidates and all other search related tasks required to successfully complete the recruitment.

Expenses

Expenses vary depending on the design of the recruitment. We work diligently to keep expenses at a minimum and keep records of all expenditures. The City of Troutdale will be responsible for reimbursing expenses Prothman incurs on your behalf. Expense items include but are not limited to:

- Newspaper, trade journal, websites and other advertising (approx. \$900 - 1,600)
- Direct mail announcements (approx. \$1,600 – 2,100)
- Final Interview Binders & printing of materials (approx. \$400 - 700)
- Delivery expenses for Interview Binders (approx. \$75 - 250)
- Consultant travel - airfare, rental car, travel time @ \$50 per hour, lodging, (approx. \$900 - 1,200 per trip)
- Background checks performed by Sterling (Approx. \$175 per candidate)
- Any client-required licenses, fees or taxes
- Candidate travel: We cannot approximate candidate travel expenses because they vary depending on the number of candidates, how far the candidates travel, length of stay, if spouses are included, etc. If you wish, we will coordinate and forward to your organization the candidates' travel receipts for direct reimbursement to the candidates.

A 3% charge will be added to all expenses which reflects our City of Issaquah and Washington State B&O tax obligations on every dollar we invoice for. Professional fees are billed in three equal installments throughout the recruitment. Expenses are billed monthly.

Guarantee

Our record of success in placing highly qualified candidates provides that Prothman will guarantee with a full recruitment that if the selected finalist is terminated or resigns within **one year** from the employment date, we will conduct a replacement search with no additional professional fee, your only cost would be the expenses; on the condition that the position has been recruited at market rate salary.

Cancellation

You have the right to cancel the search at any time. Your only obligation would be the fees and expenses incurred prior to cancellation.

2015-2010 Manager/Administrator Recruitments

City of Yakima, WA - *City Manager*
City of Woodinville, WA - *City Manager*
City of Puyallup, WA - *City Manager*
City of Pasco, WA - *City Manager*
City of Sultan, WA - *City Administrator*
City of Riverton, WY - *City Administrator*
City of Shoreline, WA - *City Manager*
City of Gillette, WY - *City Administrator*
City of Casper, WY - *City Manager*
City of Stanwood, WA - *City Administrator*
City of Issaquah, WA - *Deputy City Admin.*
San Juan County, WA - *County Manager*
City of Stevenson, WA - *City Administrator*
City of Othello, WA - *City Administrator*
City of Lynden, WA - *City Administrator*
City of Lincoln City, OR - *City Manager*
City of Covington, WA - *City Manager*
WACO, WA - *Executive Director*
City of Gladstone, OR - *City Administrator*
City of Scappoose, OR - *City Manager*
City of Bandon, OR - *City Manager*
City of Canby, OR - *City Administrator*
City of McMinnville, OR - *City Manager*
City of Hood River, OR - *City Manager*
City of Hermiston, OR - *City Manager*
Lane County, OR - *County Administrator*
City of Duvall, WA - *City Administrator*
City of Kenmore, WA - *City Manager*
City of Lake Forest Park, WA - *City Admin.*
City of Chelan, WA - *City Administrator*

Snohomish County, WA - *Executive Director*
Summit County, UT - *County Manager*
City Belgrade, MT - *City Manager*
City of Lebanon, OR - *City Manager*
City of Polson, MT - *City Manager*
City of Fife, WA - *City Manager*
City of Bothell, WA - *Asst. City Manager*
City of Lakewood, WA - *City Manager*
Grays Harbor Transit, WA - *General Manager*
City of Newcastle, WA - *City Manager*
City of Waldport, OR - *City Manager*
City of Lake Oswego, OR - *City Manager*
Deschutes County, OR - *County Administrator*
SW Clean Air Agency, WA - *Executive Director*
City of Issaquah, WA - *City Administrator*
City of Sunnyside, WA - *City Manager*
eCityGov Alliance, WA - *Executive Director*
Paine Field, WA - *Airport Director*
Intercity Transit, WA - *General Manager*
Snohomish Health District, WA - *Deputy Director*
CAM-PLEX, Gillette, WY- *General Manager*
City of Ontario, OR - *City Manager*
Clatsop County, OR - *County Manager*
City of Port Angeles, WA - *City Manager*
City of Ridgefield, WA - *City Manager*
MRSC, WA - *Executive Director*
City of White Salmon, WA - *City Administrator*
City of Lewiston, ID - *City Manager*
City of Milwaukie, OR - *City Manager*



CITY OF
West Linn

OREGON

CITY MANAGER

\$135,000 - \$160,000

Plus Excellent Benefits

Apply by

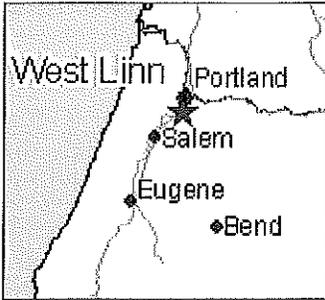
February 21, 2016

(open until filled)

PROTHMAN



WHY APPLY?

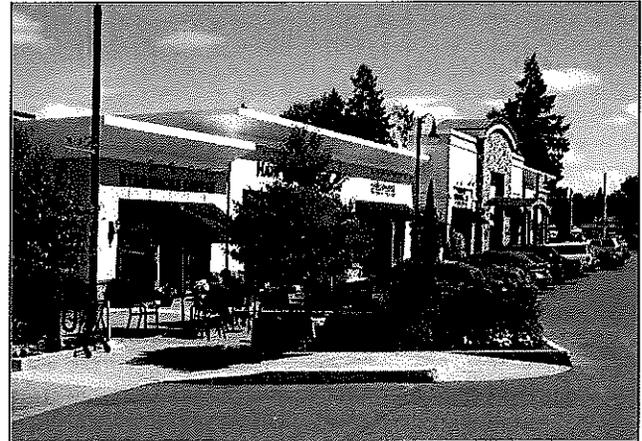


West Linn, Oregon, is located in the Portland metropolitan area at the north end of the productive Willamette Valley agricultural region. Bordered by the beautiful Willamette and Tualatin rivers, farmland and natural

areas, West Linn is known as the "city of hills, trees and rivers." Residents enjoy scenic views of the Willamette Falls and Mount Hood, and are in close proximity to many of Oregon's greatest attractions, such as the Cascade Mountains, Oregon Wine Country, the Columbia Gorge and the Oregon Coast.

West Linn enjoys high ratings for livability and safety. Awards and recognitions in 2015 include making the list of Money Magazine's Best Places to Live 2015; Family Circle Magazine named West Linn as one of the top 10 cities to raise a family; Only in Your State ranked West Linn as the safest and most peaceful place to live in Oregon; and West Linn was named the third safest city in the state by Value Penguin. Vibrant neighborhoods, community involvement, and award-winning schools make West Linn one of the finest residential areas in the state.

This is an excellent opportunity for an experienced public sector management professional to lead a team of talented and dedicated staff in providing excellent services to a community that takes pride in its exceptional quality of life.

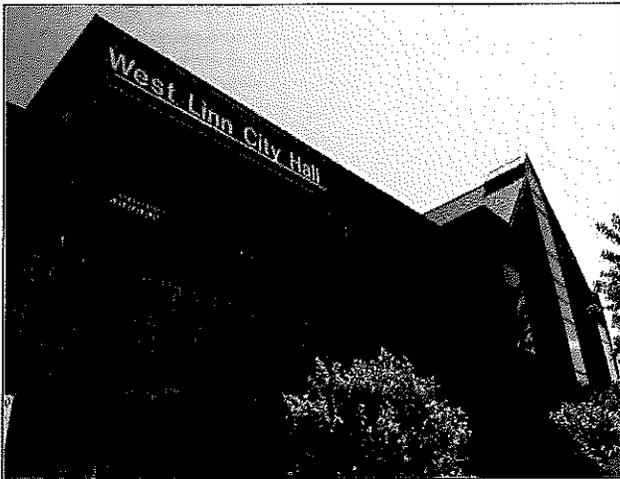


THE COMMUNITY

West Linn is approximately 10 miles south of Portland, situated along the west bank of the Willamette River and north bank of the Tualatin River in Clackamas County. The City has a total area of approximately 8 square miles and a population of about 26,000. The median household income of West Linn residents is \$92,342.

The community takes great pride in its heritage formed around the Willamette Falls at the end of the Oregon Trail and in numerous annual events, including Movies and Music in the Park, The Great West Linn Outdoor Adventure, an Ugly Holiday Sweater Dash, a Community Tree Lighting, annual Street Dance, Locks Festival and an Old Time Fair. West Linn is situated at the junction of the Willamette and Tualatin rivers so waterfront activities are popular. Swiftshore Park and Willamette Park are just two of West Linn's 32 stunning parks, both of which are used year-round by fishermen, and, in the summer months, by swimmers and picnickers.

West Linn is served by the West Linn-Wilsonville School District which has an enrollment of approximately 8,400 students. Within West Linn, there are five elementary schools, one middle school, one charter school (grades 4th through 8th), and one high school, all of which have a reputation for exceptional quality and high standards. West Linn High School is ranked 5th in the state by US News & World Report Best High Schools. District SAT scores are among the highest in the state and approximately 90 percent of all West Linn-Wilsonville high school graduates go on to two- and four-year colleges.



THE CITY

Incorporated in 1913, the City of West Linn employs a Council-Manager form of government. The West Linn City Council consists of the Mayor and four Councilors who act as the board of directors of the City of West Linn municipal corporation. The Council sets policies for the City Government; enacts ordinances; and hires, directs and evaluates the City Manager and the City Attorney.

West Linn is a full-service City with an annual General Fund of nearly \$9.5 million, and an annual total budget of nearly \$59 million. The City's finances are stable as a result of careful forecasting and budgeting. There are 12 departments employing 127 FTE's. City departments include: City Management, Human Resources, Finance and Municipal Court, IT, Facility Services, Public Works & Engineering, Community Development, Police, Streets, Water, Wastewater & Stormwater, Parks & Recreation, and Library. The City's parks and library consistently rank among the best in the region. In 2004, West Linn became a partner in the Tualatin Valley Fire & Rescue (TVF&R).

THE POSITION

Appointed by and under the policy direction of the City Council, the City Manager is actively involved in planning, directing and coordinating the services of City departments and providing executive support and direction to department heads and staff.

Other responsibilities include:

- Guides and is responsible for City administration and operations in accordance with municipal

management principles, City ordinances, and applicable county, regional, state and federal laws.

- Directs the formulation and development of the City budget and establishes controls and programs, as necessary, to ensure the financial integrity of the City. Serves as the City's Chief Budget Officer.
- Serves as the principal advisor to the City Council on a variety of policy and administrative issues regarding budget, funding, developing features for effective management, long range planning, developing service oriented goals and programs, and fostering open and candid relations between the City government and the public.
- Prepares and submits to the Council a complete report on finances and administrative activities of the City for the preceding year.
- Assumes a leadership role in important community and regional matters. Serves as liaison between the City and civic groups, neighborhood representatives and private citizens, regional governmental agencies, and neighboring cities and counties.
- Directs City staff in the development of positive customer service perspectives and openness with regard to City activities, regulations and processes.
- Represents the City in negotiations in a variety of situations, including utility franchise agreements, labor negotiations, property management and other responsibilities.
- Works with department heads on special projects, such as the Water System Improvement project.
- Prepares agendas for City Council meetings and facilitates Council meetings and effective implementation of Council goals and interests.



OPPORTUNITIES & CHALLENGES

- Guide the City through the master planning of a major redevelopment around the Arch Bridge area, in accordance with the vision of the citizens and the West Linn Comprehensive Plan and regional heritage interests and goals.
- Negotiate with surrounding cities to maintain and develop as necessary regional infrastructure in a manner that does not place an unfair burden on West Linn.
- Create and maintain a culture that unites and empowers citizens and encourages meaningful citizen involvement.
- Address the issues of regional growth from the perspective of a small City that is largely built out as a bedroom community with limited ability to increase taxes.
- Monitor the Bolton Reservoir project to ensure that delivery meets the high quality standards West Linn citizens expect.
- Ensure West Linn's best interests are represented in the future management of the Stafford area, a 4,000-acre buffer of rolling hills and woodlands between the cities of Lake Oswego, West Linn and Tualatin. The cities are interested in maintaining the current rural buffer and in protecting citizens from the unreasonable cost to develop the area which has been driven by minority development interests.
- Represent West Linn's best interests in the completion of the controversial \$250 million Lake Oswego-Tigard (LOT) Water Treatment Plant project being constructed and operated in West Linn by Lake Oswego and Tigard. This continues to be a somewhat disruptive development in a quiet neighborhood of the City and requires close monitoring to ensure that contract provisions and Conditions of Approval are followed.
- Coordination with the Willamette Falls Legacy Project in Oregon City on the south side of the Willamette River which will provide public access to the Willamette Falls, the second most powerful waterfall in North America and an important Oregon and West Linn historical and cultural treasure.
- Support efforts to repair and reopen the Willamette Falls Locks. Once a pathway on the Willamette River for freight and recreation, the Locks were closed in 2011 by the U.S. Army Corps of Engineers. Representatives and advocates from a number of local and state agencies and stakeholders are working to

reverse the closure. In December 2014, the West Linn City Council unanimously passed a resolution urging the Corps to reopen the Locks and Council representatives and many West Linn citizens are actively participating in these efforts.

- Champion the City's efforts to redesign Highway 43 to advocate multimodal transportation (walking, bicycling, transit and vehicles) and facilitate likely jurisdictional transfer or management of the highway with the Oregon Department of Transportation (ODOT).
- Represent West Linn's best interest in future planning and development by ODOT to widen I-205 with critical interconnections in the middle of the City.
- Represent West Linn regarding governance issues and infrastructure development for wastewater treatment services of the Tri-City Service District in partnership with the cities of Gladstone, Oregon City and West Linn. Clackamas County is the governing body of the District and the County is considering a merger of the District with Clackamas County Service District No. 1.



THE IDEAL CANDIDATE

The City of West Linn is seeking an experienced manager and strong leader who understands all aspects of municipal government. He or she will be a City Manager who is forward-thinking with high professional standards and ethics. The new City Manager will be skilled in working with City Council members, both individually and as a corporate body, and in assisting reasonable consensus based on factual data and information.

Candidates should be able to organize and express ideas through excellent oral and written communication to a wide variety of audiences. The

new City Manager will also be an excellent listener working closely with City Council, City staff and the community.

The ideal candidate will be approachable and responsive, and must embrace effective community engagement and involvement in City affairs. Reaching out to citizens and inspiring community involvement and trust will be a high priority.

The selected candidate will be politically astute and must be able to accept and support decisions in a positive manner and take a collaborative approach in providing City services. The successful candidate will have excellent organizational development skills, will delegate appropriately, and have the ability to foster a strong team environment. He/She will be a skilled practitioner and effective team player and have a track record of implementing policies and systems to create and maintain a high-performance, customer service focused, organizational culture.

EDUCATION & EXPERIENCE

- A bachelor's degree from a four-year college or university in public administration, business administration, or closely related field is required.
- A master's degree in a related field is preferred.
- Ten years of experience, with a minimum of five years of related experience as a City Manager, Assistant City Manager, or exempt level department head, is required.

- Experience with Oregon land use rules and regulations, and background in land use planning is desired.
- Or, any satisfactory combination of experience and training which demonstrates the knowledge, skills and abilities to perform the above duties.
- ICMA certification is preferred.
- The selected candidate must be bondable and pass an extensive background check.
- A valid Oregon driver license, or the ability to obtain one within six months of employment, is required.
- Residence within the City of West Linn is preferred.

COMPENSATION & BENEFITS

- **\$135,000 - \$160,000 DOQ**
- Medical, Dental, Vision
- Long Term Disability - \$4,000/mo
- 10 Holidays
- 15 Days of Vacation, 10 Days of Sick Leave
- 6 Days of Paid Management Leave
- \$50,000 Life Insurance
- Car Allowance and Cell Phone Allowance
- Flexible Spending Account
- Participation in Oregon PERS
- Deferred Compensation Plan
- Employee Assistance Program

Please visit:

www.westlinnoregon.gov



The City of West Linn is an Equal Opportunity Employer. All qualified candidates are strongly encouraged to apply by **February 21, 2016** (first review, open until filled). Applications, supplemental questions, resumes and cover letters will only be accepted electronically. To **apply online**, go to www.prothman.com and click on "submit your application" and follow the directions provided. Resumes, cover letters and supplemental questions can be uploaded once you have logged in. If you are a veteran and wish to request veterans' preference credit, please indicate that in your cover letter, and complete and submit the veterans' preference form posted on the website as instructed on the form.

PROTHMAN

www.prothman.com

371 NE Gilman Blvd., Suite 350
Issaquah, WA 98027
206.368.0050



10220 SW Greenburg Road
Suite 380
Portland, OR 97223

Agenda Item 6
Exhibit E
Council Meeting 09-13-2016

phone: 503.620.1106
fax: 503.244.7431
www.waldronhr.com

September 5, 2016

Erich Mueller
City Personnel Officer and Finance Director
City of Troutdale
219 E Historic Columbia River Highway
Troutdale, OR 97060

Dear Mr. Mueller,

Waldron is pleased to submit this proposal to assist in the selection of a new City Manager for the City of Troutdale. We have been working within the public sector for nearly 30 years and are well positioned to partner with you on this critical search. We enjoyed working with the City when Craig Ward was hired and would welcome the opportunity to work with the City of Troutdale again.

We have provided services to many local communities and will leverage our knowledge and expertise to bring forward a diverse pool of qualified candidates for consideration. Waldron excels in the recruitment of candidates who share our client's vision and values. Collaboration, transparency and stakeholder participation are key elements of our recruiting. We firmly believe that this attention to our clients' needs and desires has been a major contributing factor to our success.

We have a proven track record of recruiting and screening high quality, ethical, and accomplished executive-level candidates for our clients to choose from that have demonstrated long tenures. This is a testament of our ability to conduct a thorough organizational assessment, provide sound judgment, and specifically match candidates to the needs of the organizations we serve.

Our Portland Office would take the lead on this important search and I would serve as the Search Lead. We have the team in place and the ability to focus on the City's needs.

Thank you once again for the opportunity. We look forward to partnering with the City of Troutdale.

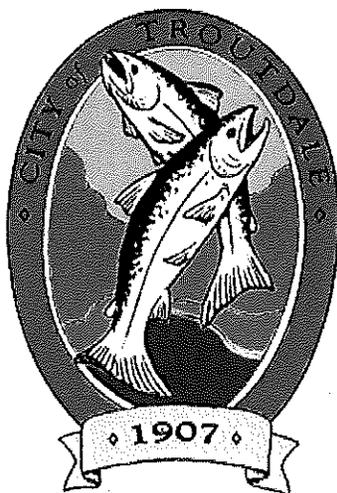
Sincerely,

Heather Gantz
Branch Director



waldron

PROPOSAL TO PROVIDE
EXECUTIVE SEARCH SERVICES



CITY OF TROUTDALE

CITY MANAGER

Heather Gantz
Branch Director
Executive Search
heather@waldronhr.com

Seattle | Portland | San Francisco
[LinkedIn](#) | [Twitter](#) | www.waldronhr.com | 503.620.1106

We are proud to be a Certified B Corporation™

TABLE OF CONTENTS

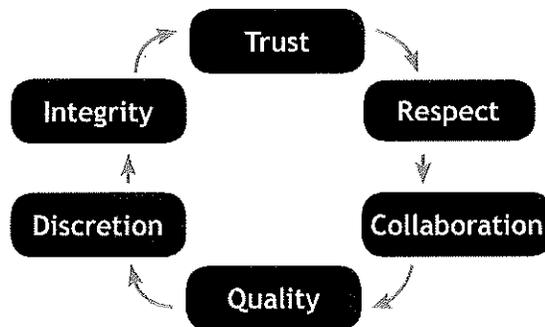
- 1** ABOUT WALDRON
- 2** WALDRON'S FOUR-STAGE SEARCH PROCESS
- 4** PROJECT COST
- 5** CLIENT REFERENCES
- 6** SAMPLE PROJECT TIMELINE
- 7** EXECUTIVE SEARCH TEAM
- EX. A** SELECTED PUBLIC SECTOR RECRUITMENTS
- EX. B** WORK SAMPLE - CITY OF CORVALLIS - CITY MANAGER

ABOUT WALDRON

Waldron specializes in finding leaders who make transformative contributions to our clients' organizations, preserve the best of their cultures and who stay committed for the long term. As a dedicated partner to the public sector, we help to create impact by identifying, attracting and integrating effective leaders who drive success in their communities.

Waldron has earned a strong reputation for success in conducting executive searches for key leaders and board members, helping organizations fulfill their missions and mandates. We work closely with councils, governing boards, staff leadership, financial sponsors and other key stakeholders to understand the context in which our client organizations operate, as well as the culture into which a new leader must integrate. We are known for our discretion, judgment, care and sound strategic counsel, combined with our state-of-the-art candidate research and national networks across a number of relevant sectors. We have demonstrated high efficacy with important projects where diligent use of sound process is critical.

OUR VALUES



EEO/INCLUSION

Since the 1980s, Waldron has been recognized for diversity and inclusion in the candidate pools that we present. Our work requires high levels of cultural competency, as do the roles we help fill. Our commitment to facilitating an open and inclusive search process enables you to uphold your organization's values and policies regarding a diverse and progressive workplace.

WALDRON'S FOUR-STAGE SEARCH PROCESS

STAGE 1 DISCOVERY

A distinctive part of our delivery model is our in-depth background discovery work. We interview key stakeholders, including Mayor, City Council, City leadership, staff members, key stakeholders, and community members, to ensure that we have a comprehensive understanding of the culture and operating environment, selection criteria, geographical preferences, key issues and any concerns relating to the position and organization.

What you can expect from us:

- Waldron representatives will meet with the City of Troutdale's leadership to outline the project plan and timeline.
- Waldron representatives will speak confidentially to anyone who will be included in the process to gain input for the position profile (i.e. Mayor, City Council, City leadership, City staff, and others as directed).
- Waldron will review documents related to the position such as strategic plans, marketing/communications collateral, annual reports, budget documents, job descriptions and goals, among others.
- Waldron will create a comprehensive position profile that addresses the priorities, responsibilities, operational issues, education, training, competencies and other factors relevant to the position.

STAGE 2 OUTREACH

Another differentiating feature of Waldron's approach is our engagement with potential candidates proactively, frequently and personally, using a variety of methods. Our background information gathering informs the development of a custom database of targeted candidates for the position. We design a recruiting strategy incorporating the organization type, position/title, and geographic parameters that have surfaced in the discovery phase.

What you can expect from us:

- An open dialogue with you to guide and refine our outreach to ensure that we target the right level and type of domain expertise.
- A targeted visibility campaign for position postings.
- A customized recruitment strategy and a target list developed using leading-edge research technology, contemporary social networking techniques and engagement of our full-time, dedicated in-house research team.
- Networking, collaboration and direct inquiries to prospects, with targeted distribution of the position profile to high-potential candidates.
- Our approach is heavily recruitment driven and our success in bringing the best candidates forward relies on our ability to discretely and directly solicit known, desirable candidates, in-person, by phone, email and social media.
- Preliminary phone, video and in-person interviews with candidates.
- Initial backgrounding on candidates (online media searches, network contacts, etc.).
- Weekly confidential dashboard progress reports detailing our outreach efforts, titles and employers of applicants and a list of high-potential candidates. No other firm offers this level of reporting detail and transparency.

WALDRON'S FOUR-STAGE SEARCH PROCESS

STAGE 3 CANDIDATE PRESENTATION

Extensive recruitment, refinement, screening interviews, peer reviews and background research allows us to bring the best prospects forward for your consideration. We use the position profile as our roadmap to establish the assessment criteria for evaluating each candidate to ensure we bring forward leaders with the skills and attributes required for success. Waldron uses a unique internal peer review process to ensure the candidates presented to you meet or exceed qualifying standards. ALL candidates presented will have had at least one interview with Waldron, whether they are internal or external candidates.

What you can expect from us:

- Waldron conducts interviews with high potential candidates and performs competency evaluations.
- Waldron will deliver weekly dashboards of all active candidates and their status.
- Candidate materials are compiled, delivered and presented.
- Waldron provides an assessment of each candidate's key strengths and potential weaknesses.
- Waldron representatives facilitate a discussion with you concerning the relative merits of each high potential candidate.
- Finalists are identified during a work session with the City of Troutdale's Leadership.
- All candidates are notified about their continuing status on a timely basis

STAGE 4 FINAL CANDIDATE SELECTION

Waldron will work with the City of Troutdale's leadership to select the top candidates as finalists. We facilitate the involvement of the Mayor, City Council, City leadership, staff members, and other stakeholders in the interview process and drive completion by ensuring excellent project management through the extension of an offer and acceptance.

What you can expect from us:

- Working with your team, an appropriate interview process is designed.
- Communication with all candidates about their continuing status, including respectful notifications to unsuccessful candidates.
- All logistical arrangements for interviews and any desired follow-up such as on-site visits or special additional meetings to close the process.
- Candidate materials are compiled and distributed to all interviewers and panelists.
- Orchestrate debriefing sessions to ensure all voices are heard.
- In depth reference checks are conducted with individuals who are or have been in a position to evaluate each candidates' performance and behaviors in past professional roles.
- Waldron will facilitate formal background checks from a third party provider.
- Facilitation of the offer and negotiation process with selected candidates.
- Should you elect to not hire any candidates from the initial pool of finalists, Waldron will re-open recruiting until an acceptable candidate is engaged.

PROJECT COST

Professional Services Fee: Our typical fee is one-third (33 1/3 percent) of the starting salary for each position. In the interest of partnering with the City of Troutdale, and our knowledge of the public sector, Waldron proposes a flat fee of \$28,000 for the City Manager search.

Expenses: Costs incurred by Waldron in the course of conducting the search are at the expense of the client. Waldron will pre-approve expenditures over \$1,500 and maintain accurate records at all times. Relevant expenses include, but may not be limited to: advertising the position, final candidate travel (airfare, hotel, car rental, and meals), consultant travel, and background checks.

Invoicing: Professional fees are invoiced in three equal installments during the course of the search. The initial installment is invoiced at the time Waldron is engaged. The second installment is invoiced following the Candidate Presentation. The final installment is invoiced at the conclusion of the search. Expenses may be billed monthly. All invoices are due upon receipt by the client.

Early Termination: You have the right to cancel the search at any time, with 15 days notice to allow for an orderly disengagement. Your only obligation to Waldron would be the fees incurred pro-rata and expenses actually incurred through the search termination date. The fee is pro rated over a 90-day schedule for these purposes. Cancellation must be in writing; via email is acceptable.

Guarantee: Waldron guarantees placement of a qualified candidate. Waldron will provide a one year search guarantee of the selected individual. If the selected individual leaves the position for any reason other than death, physical or mental incapacity or separation initiated by the client without cause, we will conduct a replacement search on a cost-sharing basis at one third of the original search fee. Within the guarantee period, Waldron must be notified in writing of a separation within 30-days of its occurrence.

Follow-Up: Waldron continues its involvement throughout the first year following the completion of the search by conducting check-in meetings with the board and the candidate at the three months, six months, and one year marks.

CLIENT REFERENCES

City of Wilsonville, OR
Bryan Cosgrove, City Manager
503-570-1504
cosgrove@ci.wilsonville.or.us

City of Hillsboro, OR
Michael Brown, City Manager
503-681-6139
michael.brown@hillsboro-oregon.gov

City of Corvallis, OR
Mary Beth Altmann Hughes, Human Resources Director
541-766-6902
Marybeth.AltmannHughes@corvallisoregon.gov

City of Salem, OR
Mina Hanssen, Human Resources Director
503-588-6162 x7250
mhanssen@cityofsalem.net

Additional references available upon request

SAMPLE PROJECT TIMELINE

Week	Activity	Status	City of Troutdale Participation
Week 1	Kick-Off		
	Kick-off meeting		✓
	Gather input from leadership, staff and other key stakeholders		✓
	Discuss position profile		✓
	Refine research strategy		
Week 4	Position Profile Development		
	Deliver draft position profile		
	Develop visibility campaign strategy		
Week 5	Outreach/Recruitment Phase		
	Launch visibility and outreach campaign		
	Targeted recruitment, networking and sourcing for referrals		
Week 8	Mid-point status report and first dashboard; dashboards thereafter until presentation of candidates; continue screening and interviewing of potential candidates		✓
	Complete active recruitment phase. Interested candidates should provide materials (cover letter and resume) by this time		
	Screening and interviewing in progress		
Week 12	Candidate Presentation and Review		
	Deliver materials for candidates Waldron has shortlisted		
	Waldron presents candidates to City leadership and facilitates round table discussion to determine which candidates will proceed for interviews		✓
Week 13	Interview Phase		
	Final in-person interviews and candidate visits, with a debriefing sessions facilitated by Waldron		✓
	Successful candidate selection; background check		✓
	Waldron assists with offer and negotiations as needed; notifies unsuccessful candidates		✓

EXECUTIVE SEARCH LEADERS

Heather Gantz, Branch Director

A human resource professional with over 15 years of experience, Heather successfully leads executive searches for public sector agencies, non-profit organizations, foundations, and select private sector clients. Within the public sector Heather has recruited City Administrators, City Managers, Finance Directors, Community & Economic Development Directors, Public Safety Officials, Parks & Recreation Directors and many more. Heather also manages account relationships for our public sector clients. She is known for her thoroughness as well as engendering trusting relationships with both the client and candidate while providing exceptional customer service throughout the entire process.

Heather has a strong background in staffing, recruiting, coaching and program management. Prior to joining Waldron, Heather managed two large staff augmentation programs for Nike and Freightliner. She has recruited individuals for information technology, finance and creative divisions. Heather holds a Bachelor's degree in Business Management from University of Phoenix. Additionally, Heather serves as an Advisory Board Member for ELGL, a local government organization with the mission of connecting, communicating, and educating about local government topics.

Robert Colichio, Consultant

Robert is a Consultant who works closely with the Executive Search and Career Transition practice. He helps Search Leads in recruiting the best candidates and is directly responsible for developing materials, research, monitoring projects and metrics, and supporting clients and participants.

Prior to joining Waldron, Robert worked in project management and market research for several firms in Portland, Oregon. He has an M.B.A. from Portland State University and a B.S. in Business Administration from the University of Oregon.

SELECTED PUBLIC SECTOR RECRUITMENTS

PACIFIC NORTHWEST

City	State	Population	Recruitment(s)
Boulder	CO	103,000	Housing Director (2014)
Camas	WA	20,000	City Administrator (2012)
Canby Utility	OR	11,000 Customers	General Manager (2015)
Clatsop County	OR	37,500	County Manager (2016)
Corvallis	OR	55,000	City Manager (2015)
Damascus	OR	11,000	City Manager (2012) Director of Marketing and Public Relations (2012)
Federal Way	WA	93,000	City Attorney (2014) Economic Development Director (2014)
Hillsboro	OR	93,000	Library Director (2014) Police Chief (2013) Human Resources Director (2012)
Lacey	WA	45,000	Assistant City Manager (2012) Finance Director (2009) Parks and Recreation Director (2009) Fire Chief (2009) Community Development Director (2008) Public Works Director (2007)
Medford	OR	76,000	City Manager (2012)
Milwaukie	OR	20,500	City Manager (2016)
NORCOR (N. OR Regional Corrections)	OR	Residents of 4 Counties	Administrator (2015 & 2007)
Portland Development Commission	OR	Portland Population 609,500	Human Resources Director (2012)
Richland	WA	52,000	Community Development Director (2015) Police Chief (2010) Assistant City Manager (2008)

SELECTED PUBLIC SECTOR RECRUITMENTS

CONTINUED

Salem	OR	160,000	City Manager (2015)
Sherwood	OR	19,000	City Manager (2012)
Silverton	OR	10,000	City Manager (2011)
Talent	OR	6,000	City Manager (2008)
Tigard	OR	49,000	Community Development Director (2012 & 2008) Finance Director (2008) Accounting Supervisor (2008)
Troutdale	OR	16,000	City Manager (2010)
Tualatin	OR	27,000	Public Works Director (2013) Economic Development Program Manager (2013) Finance Director (2007)
Vancouver	WA	165,000	Deputy Chief of Operations (2012) Fire Chief (2010) City Manager (2010) Parks and Recreation Director (2008) Deputy Fire Chief (2007) Police Chief (2007)
Wilsonville	OR	20,000	Finance Director (2014 & 2012) Parks & Recreation Director (2012) City Manager (2011)



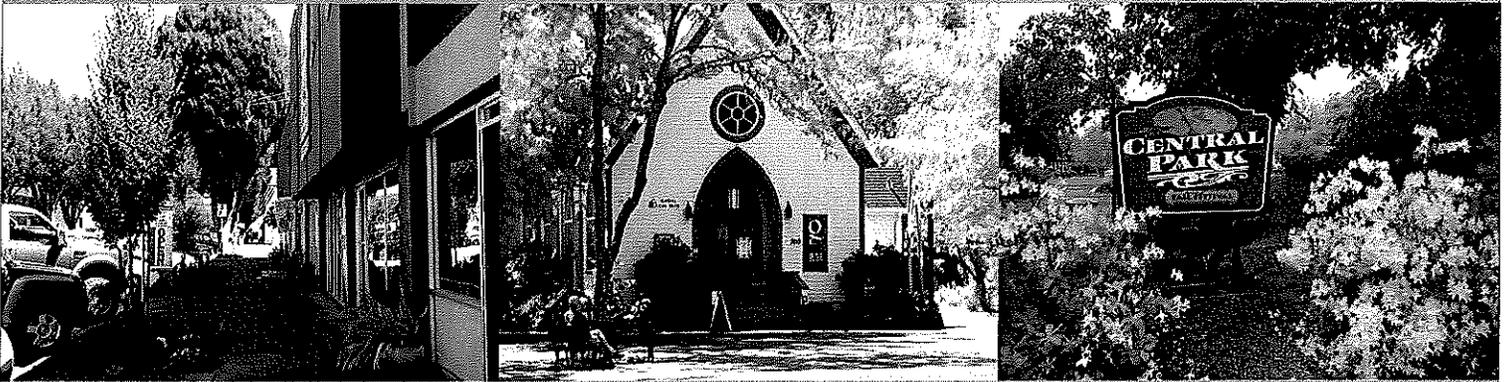
"A place fueled by curiosity and innovation."

City of Corvallis City Manager

Search conducted by:



waldron



CORVALLIS COMMUNITY

Corvallis is in the heart of Oregon's Willamette Valley. Ideally located, the City is 90 minutes from Portland and close to the Cascade Mountains and Pacific Coast shoreline. Located in Benton County, Corvallis is the County seat, has a residential population of 56,535 and is home to Oregon State University.

Corvallis is a community that focuses on livability. The downtown and University neighborhoods are walkable and Corvallis is one of the best cities in the nation for bicycling. In addition, the fareless public transit service, Corvallis Transit System (CTS) provides bus service throughout the City with connections to neighboring communities, Philomath and Albany.

With a beautiful waterfront and vibrant businesses, Corvallis is a place to shop. The downtown shops and restaurants are predominantly locally owned and operated. Additional shopping opportunities are located throughout town and include major retail outlets mixed alongside trendy stores, unique coffee bars and restaurants. From affordable to whimsical, Corvallis offers something to suit every style.

Surrounded by rich and productive farmland, Corvallis is home to many creative chefs whose restaurants feature both locally grown food and wine from locally owned, nationally recognized wineries. Also decidedly local are dozens of offerings from the six local brewers producing quality craft beer and cider.

Corvallis has a thriving arts and cultures community. Great artists, photographers, musicians and performing artists routinely display their talents at a variety of venues in town. The City has more than 45 beautiful parks and recreational areas with 2,000 acres of parks, play grounds, playing fields, trails, open spaces and natural areas. Given its location in the heart of the Willamette Valley, Corvallis is also minutes away from a multitude of other recreation opportunities.



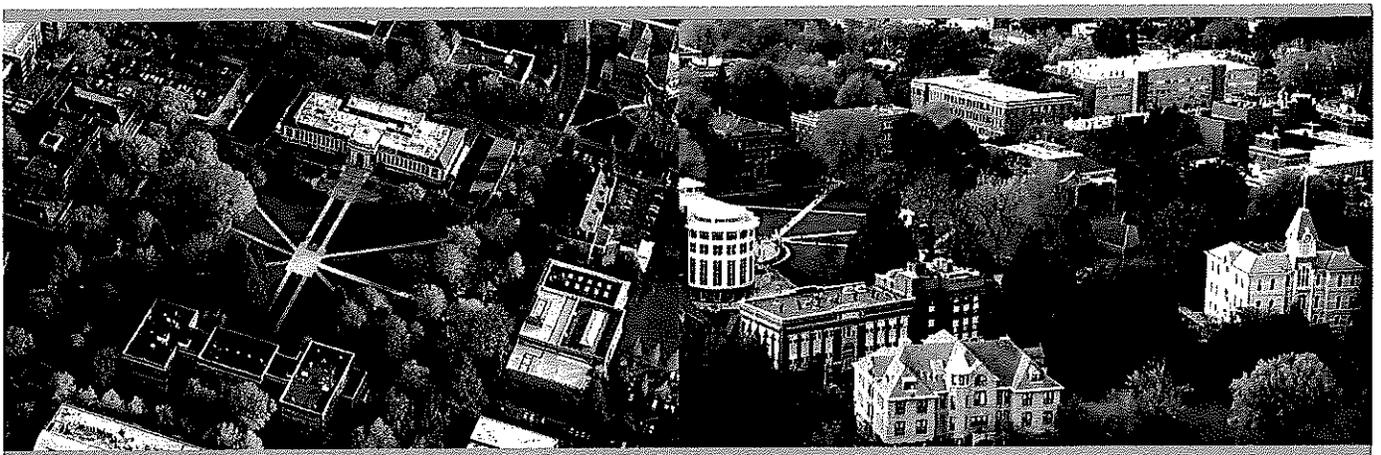


Education plays an important role in Corvallis and begins early with an active preschool population. The well-regarded Corvallis Benton County Public Library emphasizes early literacy and hosts many events focused on lifelong learning for all ages. Benton County has the reputation for having some of the strongest schools in the State and the Corvallis School District is no different. With approximately 6,200 students, many of the local K-12 schools achieve awards for academics, activities and athletics.

The presence of Oregon State University contributes to the City's vibrancy. It is an integral part of the local community with approximately 24,980 students and roughly 9,280 employees. The University is considered one of the nation's leading research universities and serves as Oregon's leading source of basic applied research in forestry, agriculture, fisheries, engineering, electronics, home economics and the sciences for the development of human, land, atmospheric and oceanic resources.

Linn-Benton Community College (LBCC) based in Albany has a strong presence in Corvallis at the Benton Center, which serves more than 7,000 students each year. LBCC is the sixth-largest community college in Oregon and offers a wide variety of transfer, career and technical programs. In addition, the college offers the LBCC/OSU Degree Partnership Program providing dual enrollment services to students.

The influence of a major research university, thriving sectors of high tech, agribusiness, biosciences, healthcare and green energy, along with an educated workforce result in a solid local economy. In fact, Forbes magazine ranks Corvallis among its top 20 Best Small Places for Business and Careers. Additionally, scientists at Los Alamos National Laboratory and the Santa Fe Institute in New Mexico found that Corvallis led the nation in patented inventions as well as economic output, personal income and preventing violent crime.



CITY GOVERNMENT

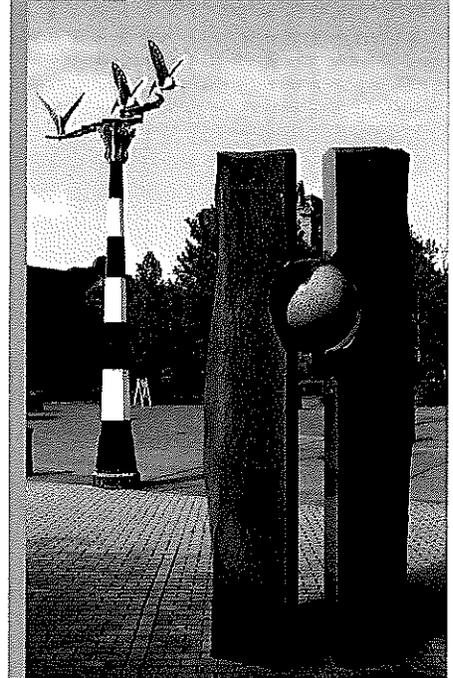
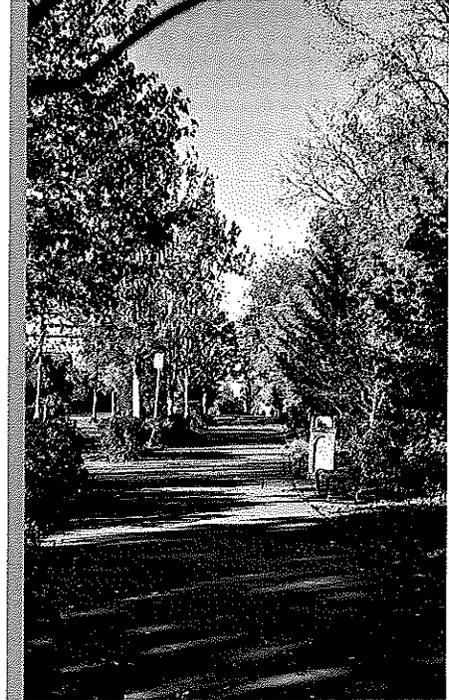
The City of Corvallis is a Council/Manager form of government with a nine member City Council that is elected by ward to serve a two-year term. The Mayor presides at Council meetings and is elected at-large for a four-year term. The Mayor and Council provide community leadership, develop policies to guide the City in delivering services and achieving community goals, and encourage citizen awareness and involvement.

The Mayor and City Council are advised by three standing committees: the Administrative Services Committee, the Human Services Committee and the Urban Services Committee. Each committee includes three Councilors who review issues and topics and make recommendations to the full Council. Corvallis also has numerous Boards and Commissions that serve in an advisory capacity to the City Council. The Advisory Boards and Commissions are designed to directly involve citizens in local government to have a positive impact on the future of their community, and to ensure the City Council receives timely input and information regarding issues and potential impacts on citizens.

The City Council appoints the City Manager to oversee the administrative operations of the City and a City Attorney to advise the Council and City staff on legal affairs. Additionally, the Council appoints a Municipal Judge to preside over the Corvallis Municipal Court and ensure that cases involving municipal offenses are fairly decided in a manner consistent with community values on a timely basis.

Corvallis is a full service city with a FY 2014-15 budget of more than \$138M. The City employs 404 staff members including 359 full-time and 45 part-time employees who deliver city services through the following departments: City Manager's Office, Community Development, Finance, Fire, Library, Parks and Recreation, Police and Public Works.

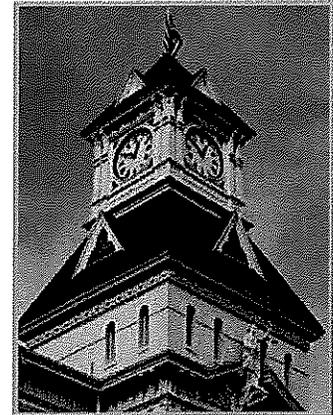
Sustainability has been important to Corvallis for many years. In 2004, the City Council adopted an organizational sustainability policy to provide guidance and direction to staff. Sustainability is defined as using natural, financial and human resources in a responsible manner that meet existing needs without compromising the ability of future generations to meet their own needs. Since implementation of the policy, the organization's sustainability efforts have continued to evolve.



POSITION

The City Manager serves as the City of Corvallis' chief executive with responsibility for the administration of the various functions of City government as described in the City Charter and in accordance with legislative policy established by the City Council. The City Manager:

- devotes their time to the discharge of official duties, attends all meetings of the Council and keeps the Council advised at all times of the affairs and needs of the City; develops and delivers reports annually, or more frequently if requested by the Council, of all the affairs and departments of the City; may take part in the discussion of all matters before the Council.
- ensures that all ordinances are enforced and that the provisions of all franchises, leases, contracts, permits and privileges granted by the City are observed.
- appoints all City officers and employees except as the City Charter otherwise provides, and shall have general supervision and control over them and their work; has the power to transfer an employee from one department to another, and shall exercise supervision and control over the departments.
- acts as purchasing agent for all departments of the City.
- is responsible for preparing and submitting to the Budget Commission the annual budget estimates and any such reports that commission requests.
- supervises the operation of all public utilities owned and operated by the City and shall have general supervision over all City property.
- performs other duties as required by the City Charter or as the Council requires.



PRIORITIES AND OPPORTUNITIES

- Develop and maintain positive relationships with the Mayor, City Council, and City staff. Work to understand the current organization, operations, culture and structure. Establish trust and encourage collaboration to prioritize and execute on achievable goals.
- Embrace the Corvallis community and quickly establish self as a visible figure. Develop relationships that not only encourage but increase public participation and engagement.
- Continue to drive financial stability. Develop sustainable budgets, maintain fiscal accountability and build City reserves. Identify new revenue streams and work to understand financial impacts of council goals, projects and staffing to balance the fiscal reality with the City's needs.
- Support the City's interest and focus on the environment. Work with the Mayor and Council to further define, develop and implement any environmental and sustainability goals they set.
- Develop an understanding of the City's aging infrastructure and maintenance needs. Proactively move forward with planning and project prioritization with a focus on maintaining community livability.
- In partnership with the Mayor and City Council, further define and prioritize projects pertaining to Homelessness, Housing, Parking, and Transportation. Consider the proper timing, planning, funding and community support to bring reality to these initiatives.
- Participate and proactively engage in strategic, long term planning for the City. This may include anticipated updates to the 2020 Vision Statement, Comprehensive Plan, Oregon State University District Plan and the Transportation System Plan.
- Proactively collaborate with Oregon State University. Develop relationships, ensure open and transparent communication and maintain effective partnerships with University leadership and key stakeholders that encourage and support a mutually beneficial relationship.



IDEAL CANDIDATE

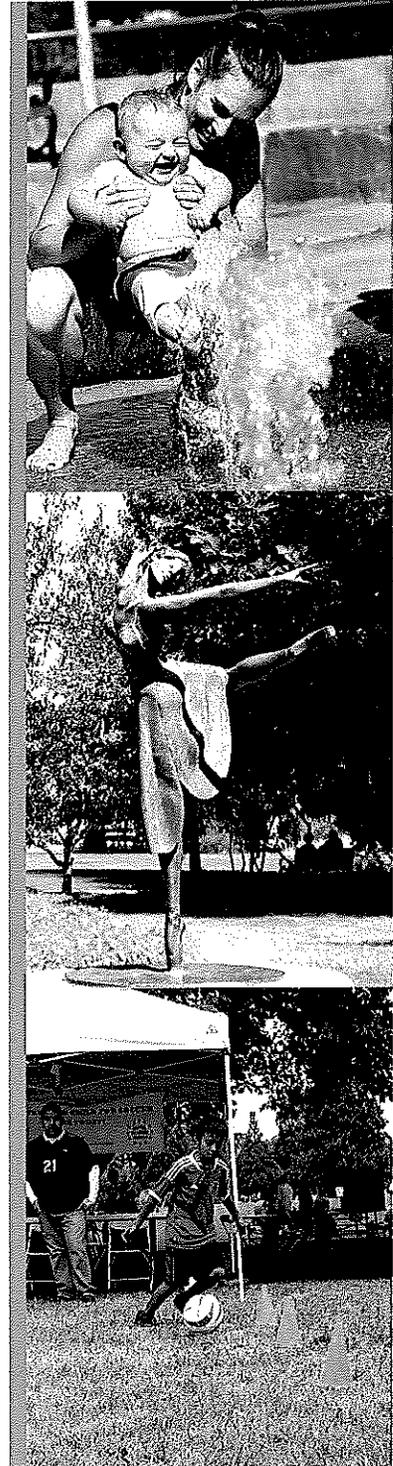
The City of Corvallis seeks a City Manager with genuine interest in and appreciation for public processes, partnerships and planning. The ideal candidate is an established leader with a successful track record of balancing process with driving decisions and moving projects and initiatives forward. The City Manager is considered creative and forward thinking and will bring those skills to Corvallis.

With strong situational awareness, the City Manager is transparent and recognizes the importance of relationships and partnerships at all levels. The City Manager is also clear about his or her role and the role of the City Council. Considered neutral and unbiased, the City Manager maintains objectivity in working with elected officials. The successful candidate is an active listener who values honesty and integrity. The ideal candidate is also confident, yet humble and diplomatic with a willingness to push back as necessary. The City Manager demonstrates an ability to build consensus and guide others to decisions.

The City Manager naturally develops positive relationships in the community. The ideal candidate establishes a high level of trust, encourages public engagement and enjoys being an active member of the community. The City Manager values the opinions of others and encourages diversity of thought. A good sense of humor with the ability to laugh is essential. Importantly, the preferred candidate is genuinely excited about the Corvallis community and its dedication to sustainability.

The City Manager is a dynamic leader with a strong background in re-energizing and effectively managing staff. Considered genuine and thoughtful, the successful candidate leads by example and is supportive and trusting of City staff. The ideal candidate is fair, establishes clear expectations and holds others accountable. The City Manager promotes a culture where creativity, communication and collaboration are highly valued. Additionally, the successful candidate embraces technology and innovation and utilizes both to drive efficiency.

A strategic thinker, the City Manager can easily see the big picture and values the goals of Corvallis as well as the broader region. The ideal candidate embraces regional initiatives and looks for opportunities to partner effectively. The successful candidate has a track record for developing and executing strategies and follow through. With experience in budgeting and finance, the City Manager is financially savvy and views economic development opportunities through a sustainable lens. The preferred candidate works well with the business community and supports the growth of incubators and accelerator programs. With a mindful eye, the City Manager monitors best practices and innovative trends to keep Corvallis moving forward.



QUALIFICATIONS

At least seven years of progressively responsible leadership experience in public or municipal administration, ideally in a full service city. Strong managerial experience is essential, preferably with a well-rounded background that includes a combination of public and private sector experience. Highly developed communication skills and experience working closely with elected officials is crucial as is a background in facilitation and conflict management. An exceptional ability to collaborate and develop effective partnerships is required with experience in a college or university community desired. Experience working in a union environment highly desired. A bachelor's degree is required with a Master's in Public or Business Administration strongly preferred.

COMPENSATION AND BENEFITS

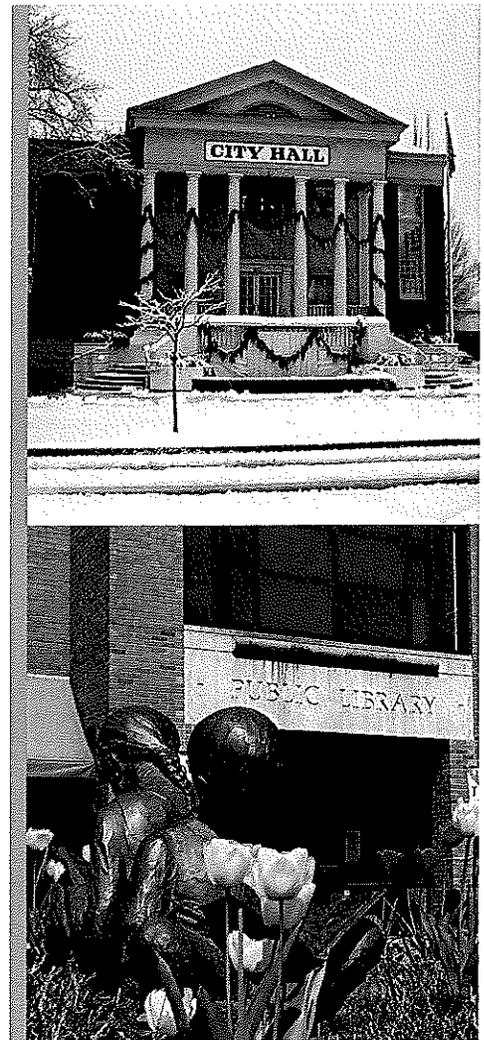
\$140,000 - \$160,000 DOQ

The City of Corvallis offers an attractive benefits package, including: City-paid contribution to OPSRP, Deferred Compensation Plan (457), City-paid life insurance, Cafeteria 125 Plan to use towards medical, dental, vision. Excellent vacation and sick leave accrual rates with 10 paid holidays per year.

APPLY

For immediate consideration, please apply at candidates.waldronhr.com no later than February 8, 2015. Included with your resume should be a cover letter expressing how your interest and accomplishments align with the needs of Corvallis. For additional information or questions, please contact Heather Gantz at heather@waldronhr.com.

The City of Corvallis is committed to the principles of equality of opportunity for all citizens of the community. The City is an equal opportunity employer and is in compliance with the Immigration and Naturalization Reform Act (INRA) and the Americans with Disabilities Act (ADA). The City does not discriminate on the basis of age, sex, religion, national origin, sexual orientation, race, color, political affiliation, or mental or physical disabilities. It is the policy of the City of Corvallis to comply with all applicable laws regarding veterans' preference.



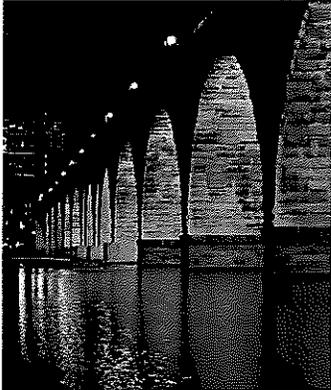
waldron

Waldron is honored to work with the City of Corvallis in the search for a City Manager. We believe in and support the work of the City of Corvallis and we are doing our best to recruit a talented team member who will accelerate this mission. As the consulting partner strategic leaders choose to help attract, engage, and inspire effective leaders, Waldron provides a unique combination of executive search, leadership development, and career transition services across sectors and industries. Our passion is helping people and organizations realize their full potential and increase their impact.

Seattle | Portland | Phoenix | Salt Lake City | Boise | San Francisco

www.waldronhr.com

1. Firm Information



Agenda Item 6
Exhibit F
Council Meeting 09-13-2016



Proposal

City of Troutdale, Oregon

Proposal to Provide Professional Recruitment Services

September 6, 2016

Waters & Company, a Springsted Company
14285 Midway Road, Suite 340
Addison, Texas 75001

Chuck Rohre, Senior Vice President / Consultant
crohre@waters-company.com
214-466-2436

Miguel Ozuna, Vice President / Consultant
mozuna@waters-company.com
214-842-6478

Remittance Address
380 Jackson Street, Suite 300
Saint Paul, Minnesota 55101-2887

2. Table of Contents

1	FIRM INFORMATION	
2	TABLE OF CONTENTS	
3	HISTORY AND INTRODUCTION	1
4	RECRUITMENT STRATEGY AND WORK PLAN	2
5	RECENT EXPERIENCE	3
6	PROPOSED COSTS	4
	ADDITIONAL BACKGROUND MATERIAL	EXHIBIT A
	ADDITIONAL PROFESSIONAL BACKGROUND	EXHIBIT B
	SAMPLE POSITION PROFILE.....	EXHIBIT C
	LIST OF SIMILAR RECRUITMENTS	EXHIBIT D

City of Troutdale, Oregon
Proposal to Provide
Professional Recruitment Services of City Manager

3. History and Introduction

Brief History

Waters & Company (W&C) recently merged with Springsted Incorporated, establishing one of the largest public sector executive recruitment and organizational management firms in the United States. Springsted Incorporated, the parent corporation, is a WBE. Three employee-owners lead the firms and their 70-member staff. Our corporate office is located in Saint Paul, Minnesota, with regional offices located in Dallas, Texas; Milwaukee, Wisconsin; Des Moines, Iowa; Kansas City, Missouri; Richmond, Virginia; and Denver, Colorado.

W&C has a team of seven recruitment consultants available to meet your executive recruitment needs. Each consultant assigned to this recruitment has experience working with cities and the many different disciplines that comprise the City of Troutdale organization. Our consultants bring an experienced, participatory and energetic perspective to each engagement; our unique approach and personal touch are reflected in our internal standard to provide outstanding services that exceed the City's expectations. Since 2010 our combined consultant team has conducted more than 490 executive recruitments.

The W&C Recruitment Project Team will partner with the Mayor, City Council and designated staff as your technical advisor to ensure that the recruitment process for your next City Manager is conducted in a thorough and professional manner. Our objective is to generate high-quality candidates and assist you with the screening and evaluation of these candidates.

We have structured the W&C Recruitment Project Team to draw upon W&C's and Springsted's 50-plus years of service to the public sector and to leverage W&C's experience and capacity to focus nationwide to find the most qualified candidates.

Recruitment Project Team

Mr. Rollie Waters, Executive Vice President

Direct Phone: (214) 466-2424

Email: rwaters@waters-company.com

Mr. Chuck Anderson, Senior Vice President

Direct Phone: (817) 965-3911

Email: canderson@waters-company.com

Recruitment Co-Project Team Leader

Mr. Chuck Rohre, Senior Vice President

Direct Phone: (214) 466-2436

Email: crohre@waters-company.com

Ms. Jada Kent, Project Manager

Direct Phone: (214) 466-2429

Email: jkent@waters-company.com

Recruitment Co-Project Team Leader

Mr. Miguel Ozuna, Vice President

Direct Phone: (214) 842-6478

Email: mozuna@waters-company.com

Ms. Jenelle Stapleton, Project Coordinator

Direct Phone: (214) 466-2445

Email: jstapleton@waters-company.com

Subcontractors will not be utilized as part of this executive recruitment

4. Recruitment Strategy and Work Plan

Recruitment Strategy

Our proven process includes five major tasks:

1. Recruitment brochure development and advertising
 - Meetings with the Major and City Council and key stakeholders to understand the City's needs as well as its strategic directions and expectations
2. Execution of recruitment strategy and identification of quality candidates
 - Aggressive recruitment and direct contact with prospective candidates
 - Interactive searchable applicant database
 - Utilization of an applicant tracking system
3. Screening of applications, recommendation of semi-finalists and selection of finalists
 - Candidate questionnaires provide in-depth information
 - Due diligence questions and internet review
 - Management style assessment and analysis of fit with the approved management/leadership profile for the ideal candidate
 - Video interviews of semi-finalists
 - Semi-finalists booklet of the top candidates
 - Selection of 3 – 5 finalists by the Major and City Council
4. Conducting background checks, reference checks and academic verifications
 - Background records checks and academic verification
 - References
5. Final interview process
 - Interview design, coordination, attendance and support
 - Employment offer assistance

Timeline

Below is an estimated Timeline for the executive recruitment process. You will be asked during the first on-site meeting to review and approve a Timeline for the recruitment project. It is our intent to conduct the recruitment expeditiously, but not at the expense of finding high-quality candidates for you.

CITY OF TROUTDALE, OREGON EXECUTIVE RECRUITMENT PRELIMINARY TIMELINE		
The following Timeline represents a preliminary schedule for your executive recruitment based on a commencement date of September 20, 2016. Actual target dates will be developed in consultation with and approved by the Mayor and City Council.		
Project Milestone	Deliverables	Target Date
Profile development, advertising and candidate outreach.	<ul style="list-style-type: none"> • W&C completes on-site interviews to develop candidate profile and recruitment brochure; the City approves ad placement schedule and timeline. • W&C sends draft recruitment brochure to the City. • The City returns draft recruitment brochure (with edits) to W&C. 	September 20 – November 7

	<ul style="list-style-type: none"> • W&C commences executive recruitment advertising and marketing. • Online data collection and profile development. 	
Applicant screening and assessment and recommendation of semi-finalists.	<ul style="list-style-type: none"> • W&C commences formal review of applications and sends most promising applicants a Candidate Questionnaire to provide additional information about background and experience. Candidates complete recorded interview online. • W&C completes formal review of applications and sends selected resumes and questionnaire responses to the City for review. Also candidates' recorded interviews are presented. • Semi-finalists complete candidate management style assessment and responses are reviewed and interview questions are developed. • W&C meets with the City and recommends semi-finalists; the City selects finalists for on-site interviews. 	November 7 - 18
Comprehensive background check and reference checks completed for finalists.	<ul style="list-style-type: none"> • W&C completes reference checks/background checks/ academic verification on finalists. 	December 2
On-site Interviews with finalists.	<ul style="list-style-type: none"> • W&C sends documentation for finalists to the City. • The City conducts on-site interviews with finalists. 	Week of December 5
Employment offer made / accepted.	<ul style="list-style-type: none"> • The City extends employment offer to selected candidate. 	Week of December 12

Triple Guarantee

Our Triple Guarantee is defined as: (1) A commitment to remain with the recruitment assignment until you have made an appointment for the fees and tasks quoted in this proposal. If you are unable to make a selection from the initial group of finalists, W&C will work to identify a supplemental group until you find a candidate to hire. (2) Your executive recruitment is guaranteed for 24 months against termination or resignation for any reason. The replacement recruitment will be repeated with no additional professional fee, but only for project-related expenses. Candidates appointed from within your organization do not qualify for this guarantee. This guarantee is subject to further limitations and restrictions of your state laws. (3) W&C will not directly solicit any candidates selected under this contract for any other position while the candidate is employed with your organization.

5. Recent Experience

City of Westminster, Colorado

Ms. Debbie Mitchell, Administrative Services

Director

303-658-2155

dmitchell@cityofwestminster.us

Project: Selection of City Manager

City of Ashland, Oregon

Ms. Tina Gray, Director of Human Resources

541-488-6002

grayt@ashland.or.us

Project: Assistant City Administrator, Information Technology Director, Fire Chief

City of West Jordan, Utah

Mr. Jonathan Gardner, PHR, HR Manager

801-569-5038

jong@wjordan.com

Project: Selection of City Manager

City of Medford, Oregon

Ms. Alison Chan, Interim City Manager

541-774-2089

alison.chan@cityofmedford.org

Project: Selection of City Manager

6. Proposed Costs

The all-inclusive professional fee to conduct the recruitment is provided below and includes the cost of professional services by the Recruitment Co-Project Team Leaders, the project support staff and all project-related expenses such as advertising, preparation of the recruitment brochure, printing, candidate background, reference and academic verification checks and travel expenses for on-site visits. Travel expenses incurred by candidates for on-site interviews with the client are not the responsibility of W&C and are handled directly by the client organization.

The all-inclusive professional fee will be billed in four installments: 30% of the fee will be billed at the beginning of the recruitment; 30% at the implementation of Phase I; 30% at the implementation of Phase II; and 10% upon acceptance of an offer by the candidate. We are open to negotiate an alternative payment schedule if selected for this recruitment.

All questions regarding the professional fees and project-related expenses should be directed to Chuck Rohre at crohre@waters-company.com, 214-608-7477 or Miguel Ozuna at mozuna@waters-company.com, 214-842-6478.

PHASE	DESCRIPTION OF PROFESSIONAL SERVICES	FEES
Phase I	Task 1 – Candidate Profile Development/Advertising/Marketing (includes one day on site by Recruitment Co-Project Team Leaders) Task 2 – Identify Quality Candidates	
Phase II	Task 3 – Screening of Applications and Submission of Recommended Semi-Finalists to Client (includes one day on site by the Recruitment Co-Project Team Leaders) Task 4 – Reference Checks, Background Checks and Academic Verifications	
Phase III	Task 5 – Final Process/On-Site Interviews with Finalists (includes two days on site by Recruitment Co-Project Team Leaders)	
Conclusion	Acceptance of offer by candidate	
TOTAL ALL-INCLUSIVE PROFESSIONAL FEE		\$24,500

OPTIONAL SERVICES FOR CONSIDERATION	FEES
At the City's option, W&C will conduct a web-based survey to determine key community-wide issues and priorities that could be considered in the selection of a new City Manager. This survey is completed by community leaders, citizens, and City employees and would alter the project timeline.	\$1,650
On rare occasions, W&C is asked to provide additional search services that are not included in this scope of service or to provide more than three on-site visits to the City. Additional work specifically requested by the City which is outside of the scope of this project will be invoiced at the hourly rate of \$220 plus expenses. W&C will submit a written explanation of the additional services to be provided and the estimated hours that will be required prior to commencing any additional services.	\$220 per hour plus expenses

Exhibit A
Additional Background Material



Waters & Company
14285 Midway Road, Suite 340
Dallas, TX 75001

Tel: 972-481-1950
Fax: 972-481-1951

www.waters-company.com

LETTER OF TRANSMITTAL

September 6, 2016

Mr. Erich Mueller
City Personnel Officer and Finance Director
City of Troutdale
219 East Historic Columbia River Highway
Troutdale, OR 97060

Re: Request for Proposal to Provide Professional Recruitment Services

Dear Mr. Mueller,

I appreciate the opportunity to submit our proposal for executive recruitment services for the City of Troutdale's next City Manager. Our extensive experience in providing executive recruitment services to cities, counties and other public sector organizations nationwide will be beneficial for this recruitment and allow us to find the ideal candidate for the City of Troutdale.

We know that you have options for using other recruitment firms. However, we believe that our approach sets us apart from our competitors in the following unique ways:

- Management/Leadership Style Assessment Analysis completed by the candidates to determine if a candidate's management style matches the approved management/leadership style profile for the ideal candidate;
- Video candidate interviews through a proprietary system will be made available to the Mayor and City Council to assist in the selection process;
- Utilization of a proprietary online application system exclusively licensed to Waters & Company, a *Springsted Company* (W&C) to facilitate talent management. The system has been designed by W&C to customize applicant flow and tracking. It allows ease of communication with applicants and the ability to conduct database inquiries for candidates based on characteristics important to the City such as geographic location and specific experience, expertise and qualifications; and

- If selected as an option, our web-based survey can be used to determine the key community-wide issues and priorities that are essential considerations for the City and the selection committee to consider. This survey is completed by the City's employees, community leaders and citizens and would alter the estimated duration of the project timeline. The results of the survey will provide the City Council with important feedback for development of the profile for the ideal candidate.

The proposal document will provide you the details about our approach, expertise, client references and pricing for this executive recruitment. If you have any questions, please contact either one of us for additional information:

Co-Project Leader Information

Chuck Rohre, Senior Vice President
214-608-7477
crohre@waters-company.com

Miguel Ozuna, Vice President
214-842-6478
mozuna@waters-company.com

Firm Information

Waters & Company, a Springsted Company
14285 Midway Road, Suite 340
Addison, Texas 75001

Our Team would consider it a professional privilege to provide these services to the City of Troutdale.

Respectfully submitted,



Chuck Rohre, Senior Vice President
Consultant



Miguel Ozuna, Vice President
Consultant

sml

Exhibit B
Additional Professional Background

Rollie Waters

Executive Vice President

Rollie Waters is an Executive Vice President with Waters & Company, *A Springsted Company*. Since 1976, Rollie has been a management consultant to private and public sector clients. He has consulted with national and international clients in the area of HR Management system design and strategic management. He has given various lectures and seminars for organizations in the areas of compensation as it relates to performance management. He is viewed on a national level as one of the foremost authorities in succession planning and performance management system design for the public sector. He has spoken before such organizations as the International City/County Managers Association, American Management Association, The Alliance for innovation, Southern Methodist University, the University of Maryland, National Forum of Black Public Administrators, California Institute of Technology, the Texas Municipal League (TML), the International Personnel Management Association (IPMA-HR), several international companies in Great Britain, and various other U.S. public and private sector agencies and organizations.

Rollie has been actively involved in the development of competency-based knowledge selection and development tools over the past twenty years. He has been instrumental in ensuring the proprietary profiles that he has designed attract the right candidates that fit the organization's needs. In addition, Rollie's extensive knowledge of performance management solidifies matching the management style most compatible with the organization's success. His research on succession planning has led him and his team to be able to help shape the future of organizations through their executive recruitment activities.

Rollie has been widely published in national journals and magazines focusing on human resource challenges. His publications include a research article in the Public Personnel Management Journal titled "The Impact of Behavioral Traits on Performance Appraisal." Prior to founding W&C, Rollie held an executive position with Dun & Bradstreet Co., Inc., and a management position with Owens Corning Fiberglass.

Areas of Expertise

- Executive Recruitment
- Web-Based Compensation Support
- Management Development
- Competency-based Systems and Development Systems
- Organizational Strategy
- Mentoring Programs
- Performance Management
- Succession Planning

Professional Accomplishments and Education

Rollie is a member of Mensa, a Strategic Partner with the International City/County Managers Association, International Management Consultants and Alliance for Innovation, a member of the National Corporation Advisory Council of the National Forum for Black Public Administrators, and numerous other professional groups. He has also appeared in several professional directories such as Who's Who in the World, Who's Who in Finance and History, and many others. Rollie has an extensive background in the behavioral sciences and strategic planning. He received his MBA at Pepperdine University and his Bachelor of Science degree in Psychology from the University of South Carolina. In addition, he is a Certified Management Consultant (CMC); CMC is a certification mark awarded by the Institute of Management Consultants USA and represents evidence of the highest standards in consulting and adherence to the ethical canons of the profession.

Chuck Rohre

Senior Vice President and Consultant

Chuck Rohre a Senior Vice President and Consultant with Waters & Company, a *Springsted Company*. In this role, he is responsible for managing and conducting executive recruitment engagements for the firm to insure their integrity, timeliness and adherence to budget parameters. Chuck has more than 35 years of experience in managing and consulting in both the private and public sectors. He has served as Police Chief and Director of Public Safety for North Texas municipalities with populations ranging from 9,000 to 200,000 plus. Prior to beginning his consulting career, Mr. Rohre served for three years as Police Chief of Plano, Texas.

Chuck joined the firm in January 2006 following a 13-year engagement with another nationally recognized public sector search firm where he managed the Texas and Southwestern operations. He has an extensive and successful track record of completed recruitment across the nation, especially in the Midwestern and Southwestern states. Among others, he has led recruitment processes for City and Assistant City Managers, Police Chiefs, Fire Chiefs, Library Directors, Chief Information Officers, City/County Attorneys, Parks & Recreation Directors, Finance Directors and Public Works Directors. The clients range from as small as 2,500 to as large as 700,000 in population. He has also conducted management consulting assignments in a number of areas including public safety, career development and strategic planning. He has written and presented training in a variety of subject areas including personnel assessment, leadership and management skills, and career development for public sector employees.

Areas of Expertise

- Executive Recruitment
- Background Investigations
- Assessment Centers
- Career Development
- Strategic Planning
- Organizational Assessment

Professional Accomplishments and Education

Chuck received his bachelor's degree in Career Development from the Dallas campus of Abilene Christian University and his Master's degree in Human Relations and Management from the same institution. He has completed advanced management training at the Institute for Law Enforcement Administration and now serves on its adjunct faculty and advisory board. Chuck completed the Federal Bureau of Investigation's prestigious LEEDS course at Quantico, Virginia. He is a veteran of the United States Army, serving in the United States and the Republic of Viet Nam.

Miguel Ozuna

Vice President and Consultant

Miguel Ozuna is a Vice President and Consultant with Waters & Company, *A Springsted Company*. Prior to joining W&C, Miguel served as Director of Human Resources for the City of Cedar Park (Central Texas) and the City of Weslaco (Rio Grande Valley). His extensive experience of over 15 years in municipal human resources has given Miguel broad familiarity and knowledge of municipal government operations making him ideal to provide executive recruitment and organizational management services. His expertise encompass all aspects of the municipal human resources function to include recruiting, benefits administration, compensation, employee relations, training and organizational management.

Miguel’s work in municipal human resources has propelled him to leadership positions in statewide municipal organizations to include the Texas Municipal Human Resources Association and the Texas Public Employers Labor Relations Association.

Areas of Expertise

- Recruitment
- Labor Relations (Civil Service, Collective Bargaining & Meet and Confer)
- Organizational Management
- Employee Relations

Education and Professional Affiliations

Education

Sam Houston State University, Huntsville, Texas; Bachelor of Arts in History

Affiliations

Texas Municipal Human Resources Association
Texas Public Employer Labor Relations Association
National Public Employer Labor Relations Association
International Public Management Association for Human Resources

Charles (Chuck) Anderson
Senior Vice President and Consultant

Charles (Chuck) S. Anderson is a Senior Vice President and Consultant with Waters & Company, a Springsted Company. Prior to joining W&C, Chuck worked for local governments and non-profit organizations, including City Manager for Dallas, Texas; Executive Director for the Dallas Area Rapid Transit (DART); and Executive Director for the Michigan Education Association.

Chuck also served as Director for Local Government Reform for the International City/County Association (ICMA), managing a U.S. government contract for the planning and delivery of technical assistance to local governments in Central and Eastern Europe. His last assignment in this role with ICMA was to recruit and supervise a team of technical consultants to assist in rebuilding local governments in Bosnia following agreement on the Dayton Accords.

During his service with the Michigan Education Association, Chuck also served as Senior Consultant for Urban Planning and Management for Michigan State University's Institute for Public Policy and Social Research.

Areas of Expertise

- Executive Recruitment
- Leadership/Management Development
- Organizational Design
- Organizational Development

Professional Accomplishments and Education

Chuck received a Bachelor of Arts degree in political science and human resources management and a Masters of Public Administration degree from the University of Kansas. He received the prestigious L.P. Cookingham Award for Development of Young Professionals from the International City/County Management Association (ICMA) and the Minority and Women Advancement Award from the American Public Transit Association (APTA). He was also recognized as Public Administrator of the Year by the American Society of Public Administration (ASPA) and Outstanding Management Innovator (Honorable Mention) by ICMA. Chuck was recognized in 2007 with the Lifetime Achievement Award from his Public Administration Alumni Association at the University of Kansas.

Jada Kent

Project Manager

Jada Kent is a Project Manager with Waters & Company, a Springsted Company. Jada is responsible for managing the recruitment process by organizing and coordinating administrative support for each project. She is also responsible for backing up the lead consultant throughout the entire scope of a recruitment, to include communication with the client and vetting of candidates.

Areas of Expertise

- Human Resources Management (HRM)
- Public Policy Analysis
- Public Administrative Best Practice
- Comparative Studies

Professional Accomplishments and Education

Jada received a bachelor's degree in United States History, with a minor in Political Science from the University of North Texas. While at UNT, she was the recipient of multiple oral litigation awards and even competed nationally in the Texas Undergraduate Moot Court Association. Jada has also completed a Master's in Public Administration from the University of Texas – at Dallas. As a Public Affairs Specialist in both the Army (active duty) and the Air National Guard, respectively, Ms. Kent presented the Air Force story to a global audience as a journalist for the 136th Airlift Wing's Public Affairs Staff.

Jada is in the process of acquiring her certification with Society for Human Resource Management (SHRM-CP).

Jenelle Stapleton

Project Coordinator

Jenelle Stapleton is a Project Coordinator with Waters & Company, a *Springsted Company*. She is responsible for supporting the lead consultants throughout the entire scope of the recruiting process, as well as providing administrative support to the Executive Vice President, Rollie Waters.

In this role, Jenelle coordinates communications with candidates, processes resumes and distributes candidate questionnaires. She is also responsible for providing support to candidates regarding technical and logistic issues. She assists the consultants in scheduling the semifinalist interviews, submitting profiles for background checks and education verification, as well as notifying the finalists of project status. Her responsibilities extend to editing presentations, advertisement placements and general office administration.

Professional Accomplishments and Education

Jenelle is a very task oriented professional with over 13 years of experience in Office Administration – at least 6 of those years have been spent in executive level support and two have been spent in Human Resources Administration. She also has over eight years of experience in sales and marketing including over seven years overseeing employees. The majority of this experience began in branch banking as a Financial Sales Supervisor where, in addition to managing day to day branch operations, she also took on the role in coordinating the branch's business development. She went on to Merchant Services as the Client Relations Executive where she also filled the role of the Commissions Analyst with the Human Resource Department. This dual-position entailed managing client escalations, analyzing and adjusting pricing structures, contract negotiation, monitoring non-compete agreements and the paying and reversal of commissions. Prior to joining Waters & Company, Ms. Stapleton was involved in Real Estate Investment as the Operations Manager. In this position, she managed the renovation and budgets of over 200 single family homes and provided administrative support once the properties were tenant occupied.

Jenelle has her Associates of Applied Sciences in Financial Operations and an Associates in Business Administration. She is currently pursuing her bachelor's degree in HR Management at Texas Women's University. Her major outside interest involves volunteering with Dogs on Deployment ("DoD"), a non-profit dedicated to helping military members keep their pets while overseas. DoD arranges pet fosters and thus alleviates the need for pet relinquishment from military members due to the hardships of deployment.

Exhibit C
Sample Position Profile



MEDFORD IS SEEKING A VISIONARY PROFESSIONAL WHO IS AN OUTSTANDING LEADER AND MANAGER TO SERVE AS THE NEXT...

THE COMMUNITY

Medford, Oregon, is located in the heart of Southern Oregon's beautiful Rogue Valley on the I-5 corridor approximately twenty-five miles north of the California border and seventy-five miles from the Pacific Ocean. Medford, the largest community in the Rogue Valley, and a variety of surrounding cities, including Ashland, Jacksonville, and Grants Pass comprise the commercial and tourist hub of Southern Oregon and Northern California. Portland is readily accessible to the north as are Sacramento and San Francisco to the south. With a city population of 77,000 and a service area population of over 450,000, the Rogue Valley is comprised of a series of excellent family communities offering outstanding public and private education alternatives and an abundance of youth activities. Medford also houses two major medical centers; Asante Rogue Regional Medical Center and the Providence Medford Medical Center; each having over 2,000 employees. Medford, due to its central locations also serves as the commercial center for the Rogue Valley.

One of our nation's largest auto retailers, Lithia Motors has been headquartered in Medford for 45 years. Medford also

CITY MANAGER

ORGANIZATION

Governed and managed under the Council-Manager form of government, Medford has a Mayor and eight Council Members, two from each of four wards. The elected body has been stable, with Mayor Gary Wheeler in office since 2005. Every two years, one member from each ward is elected to serve a four-year term, which allows for overlapping terms. The City Manager is appointed by the Mayor and Council and serves as the Chief Executive Officer for the organization, with responsibility for the administration of various functions of the City as defined in the City Charter and supplemented by policies established by the City Council. The Deputy City Manager/Economic Development Director is serving as the City Manager Pro Tem and is not a candidate for the position.

Primary expectations and activities for the next City Manager include a) Identification of opportunities for productivity increases and revenue enhancement; b) Analysis of the efficiency of the workforce and its work outcomes, with an eye for continuous improvement; c) Communication to the workforce, elected offices and the community in a clear, accurate and timely fashion; d) Implementation of processes and projects to fulfill the mission and vision of the City as identified and modified by the City Council; and e) A results-oriented leadership and management style that exemplifies a resource-efficient and customer-service approach.

The City's biennial budget (2015-17) is \$129 million with a staffing level of 463 full-time equivalents, with services provided in the following areas: administration, finance, human resources, economic development, police, fire rescue, emergency management, parks and recreation, public works, planning and development, building and safety, and code enforcement. Water service is provided by a separate Water Commission.





THE COMMUNITY (Continued)

has historical roots in orchard agriculture and timber production, including the largest direct marketer of fruits and food gifts in the nation, Harry and David, Inc. More recently, viticulture grapes are now literally "growing" with over 60 wineries drawing accolades from the Atlantic to the Pacific, The New York Times and Wine Enthusiast, plus an avalanche of medals.

To the south, Ashland is home to Southern Oregon University and to the North; Grants Pass is home to Rogue Community College. Both have campuses in Medford and share the Higher Education Center. The Rogue Valley's temperate climate has four distinct seasons. The spectacular terrain offers world-class outdoor recreational opportunities including hunting, fishing, boating and river rafting, skiing, road and mountain biking, hiking and camping. Crater Lake National Park and Crater Lake, one of the deepest and most spectacular fresh water lakes in the world is a short ninety-minute drive away. The region also supports an abundance of arts and cultural venues showcasing the best live performances, including the Craterian Theater at the Collier Center for Performing Arts; Britt Music & Arts Festival, one of the best outdoor performance settings in the Northwest; and the Oregon Shakespeare Festival, the largest repertory theater company in the nation.

High-quality pre-K through secondary education is provided by the nine area School Districts and several private schools. Medford offers its next City Manager temperate climate, an inviting quality of life and an outstanding professional opportunity to serve the

HIGH-PRIORITY ISSUES

The following listing of issues and challenges is representative of the issues the City Manager will encounter in the first six to eighteen months on the job and is not intended to be all-inclusive.

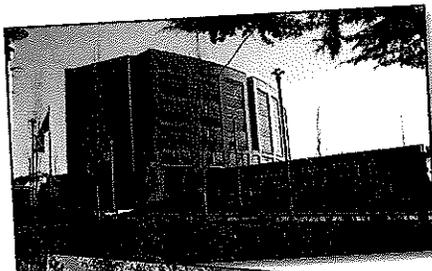
- Fiscal Sustainability - The Manager will review the current and long-term financial status of the City and recommend financial strategies that maximize fiscal resources and protect the City from fluctuations in individual sectors of the local, state and national economies
- Organizational Assessment - The new City Manager will review staffing, organizational structure and productivity measures of the municipal organization and recommend improvements and potential realignments based on a detailed and insightful analysis of the current structure
- Economic Development - Medford is a regional economic center for seven counties in two states and livability issues are a high priority. With multiple opportunities for redevelopment within the community, a primary focus of the City Manager will be advising the City Council regarding economic development opportunities and working in partnership with public and private entities to ensure that future development is sustainable and in the best long-term interests of the City. A diverse and vibrant local economy is a key priority of the City Council
- Community Development and Redevelopment - Medford is a vibrant city with a mix of unique neighborhoods. The manager will be proactive in leading efforts to attract quality development and redevelopment that maintains the City's character. Efforts will continue to support strong neighborhood integrity and spark increased quality residential and commercial development dispersed throughout the community. Initiative to maintain a viable Downtown including consideration of a conference center feasibility. A unified development code is currently under consideration for adoption
- Community Engagement - As Medford becomes more diverse in terms of its age, income, racial and ethnic demographics, the City will need to employ multiple strategies and languages to connect with a variety of residents. In concert with the Mayor and City Council, the City Manager will be a visible presence and ambassador within the community
- Succession Planning and Leadership - Medford has an experienced senior staff of department heads and division managers. The new City Manager will need to ensure mechanisms are in place to capture institutional knowledge and facilitate transitions in departmental and divisional leadership as seamlessly as possible
- Collaboration and Partnerships - The manager will be open and approachable to public, private and regional partnerships and collaboration. The manager will serve as an effective and articulate advocate for the City's interests in discussions and negotiations with other organizations, including other cities, Jackson County, and the State of Oregon

THE COMMUNITY (Continued)

community and make a difference in its future. To learn more, visit travelmedford.org or ci.medford.or.us

Medford offers:

- *Scenic beauty*
- *A family-friendly atmosphere*
- *Abundant land for development*
- *Strategic west coast location*
- *Young, well-educated citizens*
- *Affluent, active retirees*
- *Temperate, four seasons climate*
- *Motivated workforce*
- *Available incentives for business expansion/location*
- *Enterprise Zone*
- *Urban Renewal District*
- *Foreign Trade Zone*
- *HUB Zone*
- *Booming housing industry*



CANDIDATE PROFILE

Prepared in consultation with the Mayor and members of the City Council, the following listing reflects the leadership and management style and personal characteristics of the ideal candidate:

- An individual with a shared vision, willing to collaborate and share credit for accomplishments
- A passion for public service and a commitment to leading highly experienced and competent staff committed to outstanding levels of service
- A penchant for a transparent, management and operational approach
- A willingness to maintain a high degree of visibility in the community, both on and off the job. The successful candidate will have the desire to enter into a long-term relationship with the City of Medford and the community
- An approachable, outgoing, open and participatory management style.
- High personal energy and a positive approach
- Highly-developed financial management, analytical and budgetary skills
- Outstanding leadership and management skills
- The ability to anticipate problems, identify alternative courses of action, and prepare proactive recommendations and to promote those recommendations before the City Council
- The ability to be an effective and articulate advocate for the City's interests in discussions and negotiations
- The ability to maintain effective working relationships with the department directors and other City employees while maintaining a high level of accountability and productivity. The Manager should employ personnel policies and procedures that demonstrate a strong commitment to teamwork, customer service and excellence. The City Manager must be committed to organization development and growth
- The ability to work with and communicate effectively with all levels of the organization and all elements of the community on a straightforward and equitable basis, with sensitivity to the organizational and community cultures
- The willingness to accept personal accountability, with the ability to effectively delegate authority and responsibility while maintaining appropriate levels of operational control
- Handles stress well; retains sense of balance when the unexpected happens

Other required personal characteristics include:

- A visionary approach to Medford's future
- The ability to navigate the political process to achieve favorable, positive outcomes
- Initiative, resourcefulness, creativity and problem-solving ability
- Outstanding interpersonal skills; relates well with all constituents
- Exceptional written, oral and presentation communication skills
- The tenacity to work through complex, long-term and often difficult issues and projects
- Personal and professional integrity of the highest order, demonstrated in both the candidate's public and private life
- Widely trusted by others; represents himself/herself honestly without promoting a personal agenda
- Does not become defensive or irritated under difficult circumstances

EDUCATION AND EXPERIENCE

The successful candidate will hold a minimum of an undergraduate degree in business or public administration or a related field from an accredited college or university, a graduate degree is preferred. A minimum of five years senior managerial service in a municipality or the equivalent is sought. Candidates with service as a city manager, assistant/deputy city manager in an equivalent or larger municipal organization or service as a department head in a large, complex municipal organization will be considered. Candidates with private sector or not for profit experience in complex organizations with challenges similar to those of Medford may be considered on a case-by-case basis.

The candidate's background and experience should include a diverse exposure to all aspects of managing a full-service city or county, preferably in a like environment and in a community undergoing substantial redevelopment and revitalization. The City Council is open to candidates from any region of the nation with experience relevant to Medford, with a focus on candidates from growing and involved communities.

COMPENSATION AND BENEFITS

A highly competitive starting salary based on the successful candidate's qualifications and experience will be offered. The City offers a superior benefits package, including an employment agreement; relocation assistance; vehicle allowance; medical, dental, vision, as well as life, survivor, and disability insurance; sick and vacation leave; contributions to a retirement account; and other highly competitive benefits. The quality of life offered in Medford is outstanding and the City Manager must reside within the corporate limits of Medford while employed by the city.



APPLICATION & SELECTION PROCESS

Qualified candidates please submit your resume online by visiting our website at <https://waters-company.recruitmenthome.com>. This position is open until filled; however, interested applicants are strongly encouraged to apply not later than **March 14, 2016**. Following this date, applications will be screened against criteria outlined in this brochure. On-site interviews in Medford will be offered by the Mayor/Council to those candidates named as finalists with reference checks, background checks and academic verifications conducted after receiving candidates' permission.

For more information, please contact:

Chuck Rohre
(214) 466-2436 (direct)
(214) 608-7477 (mobile)
Email: crohre@waters-company.com

Applicants selected as finalists for this position will be subject to a criminal history/credit/driver's license check prior to the interview.

The City of Medford is an Equal Opportunity Employer and values diversity at all levels of its workforce!



W&C | Waters & Company
A Springsted Company

14285 Midway Road
Suite 340
Addison, TX 75001

Phone: 972.481.1950
Toll-free: 800.899.1669
Fax: 972.481.1951

Springsted Incorporated
380 Jackson Street
Suite 200
Saint Paul, MN 55101

Phone: 651.223.3000
Fax: 651.223.3002

waters-company.com

Helping

PUBLIC & PRIVATE

SECTOR CLIENTS

manage their HR needs



Exhibit D
List of Similar Recruitments

List of Relevant Executive Recruitments: 2011 to Present

Year	Client	State	Recruitment	Population
2011	Altus	OK	City Administrator	19,591
2011	Ashland	OR	Assistant City Administrator	20,713
2011	Decorah	IA	City Administrator	8,172
2011	Elk River	MN	City Administrator	23,447
2011	Fredericksburg	TX	City Mgr	10,829
2011	Gardner	KS	City Administrator	20,473
2011	Grain Valley	KS	City Administrator	13,125
2011	Manassas	VA	City Manager	41,705
2011	Mesa	AZ	Deputy City Manager	457,587
2011	Petersburg	VA	City Manager	33,740
2011	Sachse	TX	City Manager	22,026
2011	Salisbury	NC	City Manager	33,604
2011	Socorro	TX	City Manager	32,517
2011	St. Anthony	MN	City Administrator	8,583
2011	Virginia Beach	VA	Deputy City Manager	448,479
2011	Willmar	MN	City Administrator	19,680
2011	Carrboro	NC	Town Manager	20,433
2011	Christiansburg	VA	Town Manager	21,041
2011	Dumfries	VA	Town Manager	4,937
2011	Osceola	WI	Village Administrator	2,421
2012	Albertville	MN	City Administrator	7,230
2012	Brainerd	MN	City Administrator	13,487
2012	Charlotte	NC	City Manager	792,862
2012	Eau Claire	WI	City Manager	61,704
2012	Fairview	TX	Town Manager	8,148
2012	Martinsville	VA	City Manager	15,416
2012	Rockville	MD	City Manager	47,388
2012	Scandia	MN	City Administrator	3,936
2012	Sun Prairie	WI	City Administrator	29,364
2012	Thief River Falls	MN	City Administrator	8,661
2012	Winchester	VA	City Manager	27,216
2012	Windsor Heights	IA	City Administrator	4,860
2012	Exmore	VA	Town Manager	1,458
2012	Morehead City	NC	City Manager	9,203
2012	Ocean City	MD	Town Manager	7,092
2013	Alexandria	MN	City Administrator	11,580
2013	Bayport	MN	City Administrator	3,496
2013	Belle Plaine	MN	City Administrator	6,838
2013	Burnsville	MN	City Manager	61,434
2013	Clinton	NC	City Manager	8,676
2013	East Grand Forks	MN	City Administrator	8,602
2013	International Falls	MN	City Administrator	6,357
2013	Irving	TX	City Manager	228,653
2013	Justin	TX	City Manager	3,333
2013	Manassas	VA	Director of Finance and Administration	41,705
2013	Montgomery	MN	City Administrator	2,933
2013	Moose Lake	MN	City Administrator	2,787
2013	Muskegon	MI	City Manager	37,213
2013	Newport News	VA	City Manager	179,611

List of Relevant Executive Recruitments: 2011 to Present

Year	Client	State	Recruitment	Population
2013	Norwood Young America	MN	City Administrator	3,583
2013	Raleigh	NC	City Manager	423,179
2013	Sherburn	MN	City Administrator	1,128
2013	Watertown	MN	City Administrator	4,239
2013	West Saint Paul	MN	City Manager	19,708
2013	Bellevue	WI	Village Administrator	14,570
2014	Atlantic Beach	FL	City Manager	12,864
2014	Belle Plaine	MN	City Administrator	6,838
2014	Bloomington	MN	City Manager	86,319
2014	Eustis	FL	City Manager	19,214
2014	Hutchinson	MN	City Administrator	13,871
2014	Irving	TX	City Manager	225,427
2014	Lakeville	MN	City Administrator	58,562
2014	Lexington	VA	City Manager	6,998
2014	Midlothian	TX	City Manager	19,891
2014	Novi	MI	City Manager	123,099
2014	Oakdale	MN	City Administrator	27,780
2014	Springfield	MN	City Manager	2,114
2014	Boone	NC	Town Manager	17,774
2014	Cape Charles	VA	Town Manager	990
2014	Castle Rock	CO	Town Manager	53,063
2014	Township of Lower Merion	PA	Township Manager	59,850
2014	Narberth Borough	PA	Borough Manager	4,295
2015	Bemidji	MN	City Manager	14,435
2015	Big Lake	MN	City Administrator	10,298
2015	Brooklyn Park	MN	City Manager	78,373
2015	Coon Rapids	MN	City Manager	62,103
2015	Cottage Grove	MN	City Manager	35,399
2015	Diboll	TX	City Manager	5,323
2015	Fairfield County	SC	County Administrator	23,109
2015	Golden Valley	MN	City Manager	20,845
2015	Grand Junction	CO	City Manager	59,778
2015	Kingsville	TX	City Manager	26,312
2015	Manassas	VA	Deputy City Manager	41,705
2015	Sachse	TX	City Manager	22,026
2015	Scandia	MN	City Administrator	3,936
2015	Shakopee	MN	City Administrator	39,167
2015	Socorro	TX	City Manager	32,517
2015	Virginia Beach	VA	City Manager	448,479
2015	West Jordan	UT	City Manager	110,077
2015	Westminster	CO	City Manager	109,169
2015	Williamsburg	VA	City Manager	15,206
2015	Davidson	NC	Town Manager	11,750
2015	Monument	CO	Town Manager	5,817
2015	Provincetown	MA	Town Manager	2,994
2015	Warrenton	VA	Town Manager	9,862
2016	Circle Pines	MN	City Administrator	4,953
2016	Farmers Branch	TX	City Manager	31,664
2016	Fredericksburg	VA	City Manager	28,132

List of Relevant Executive Recruitments: 2011 to Present

Year	Client	State	Recruitment	Population
2016	Greensboro	NC	Assistant City Manager	279,639
2016	Medford	OR	City Manager	77,677
2016	Moose Lake	MN	City Administrator	2,787
2016	Norwalk	IA	City Manager	9,639
2016	Shakopee	MN	Assistant City Administrator	39,167
2016	Virginia	MN	City Administrator	8,661
2016	Wayzata	MN	City Manager	4,217
2016	Williamsburg	VA	Assistant City Manager	15,206
2016	Cary	NC	Town Manager	151,088
2016	Christiansburg	VA	Town Manager	21,533
2016	Hayden	CO	Town Manager	1,801
2016	Warsaw	VA	Town Manager	1,498
2016	Charter Township of Kalamazoo	MI	Township Manager	20,918
2016	Commerce	TX	City Manager	8,276
In Progress	Deerfield Beach	FL	Assistant City Manager	78,041
In Progress	Mankato	MN	Deputy City Manager	40,641
In Progress	Moorhead	MN	City Manager	39,398
In Progress	Roswell	NM	City Manager	48,611
2016	Crested Butte	CO	Town Manager	1,519

RESOLUTION NO.

A RESOLUTION AUTHORIZING A CITY OFFICIAL TO NEGOTIATE AND EXECUTE AN AGREEMENT FOR PROFESSIONAL RECRUITMENT SERVICES FOR THE CITY MANAGER POSITION.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. That the City Manager has informed the City Council that it is his intention to retire at the end of 2016.
2. That the successor City Manager recruitment process is likely to require several months.
3. That it is necessary and desirable to begin successor City Manager recruitment as promptly as the appropriate purchasing process provides.
4. That in response to the Council directed public Request For Proposals (RFP), the City has received proposals for professional recruitment services from several purportedly qualified firms.
5. That City Council has evaluated the several proposals and has conditional selected a qualified recruitment firm.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE:

Section 1. The City Council hereby selects the firm of _____ to provide professional recruitment services for the City Manager position substantially consistent with their proposal, and subject to negotiation of an appropriate agreement.

Section 2. The City Attorney, Ed Trompke, and Finance Director and City Personnel Officer, Erich Mueller, (each a "City Official") are designated to act jointly and cooperatively, on behalf of and in the best interest of the City consistent with the direction of the City Council, and without further action by the City Council, the City Officials are hereby, authorized, empowered and directed to negotiate the terms of, and to execute a recruitment services agreement on behalf of the City.

Section 3. Further, the City Officials are authorized to negotiate and execute any and all other required and necessary supporting documents to implement the of the terms of the agreement, to determine, execute, acknowledge and deliver any subsequent addendums, extensions, revisions, modification, or successor documents of the agreement, and to take any other action as may be advisable, convenient, necessary, or appropriate to give full force and effect to the terms and intent of the agreement, and the execution thereof by any such City Official shall be conclusive as to such determination.

Section 4. The Finance Director is authorized to disburse funds, as necessary to fulfill the terms and conditions of the agreement, and is further directed to implement all such actions necessary to ensure budgetary compliance.

Section 5. This Resolution shall take effect immediately upon adoption.

YEAS:
NAYS:
ABSTAINED:

Doug Daoust, Mayor

Date

Sarah Skroch, City Recorder
Adopted:



CITY OF TROUTDALE



STAFF REPORT

SUBJECT / ISSUE: A resolution approving the real property acquisition on NE Harlow Place and authorizing a City Official to execute the transaction.

<p>MEETING TYPE: City Council Regular Mtg.</p>	<p>MEETING DATE: September 13, 2016 STAFF MEMBER: Erich Mueller DEPARTMENT: Finance</p>
<p>ACTION REQUIRED Resolution PUBLIC HEARING No</p>	<p>ADVISORY COMMITTEE/COMMISSION RECOMMENDATION: Not Applicable Comments:</p>

STAFF RECOMMENDATION: Approve the proposed resolution.

- Exhibits:**
- A. Photo map of the subject property.
 - B. Summary pages of the appraisal report.
 - C. Draft Purchase and Sale Agreement.

Subject / Issue Relates To:

- Council Goals
 Legislative
 Other (describe)

Goal: Pursue the connection of the 40-Mile Loop Trail.

Issue / Council Decision & Discussion Points:

- ◆ Since at least 2006 the City has planned for a public trail along the Sandy River.
- ◆ Multiple entities are involved in the construction of the 40-mile loop trail.
- ◆ The cost to acquire the three properties required to construct this segment of the trail may be paid from parks system development charge funds.
- ◆ Council held a public hearing on the potential acquisition of 3 lots along the Sandy River and NE Harlow Place on November 10, 2015.

Reviewed and Approved by City Manager:

BACKGROUND:

The 40-mile loop stems from a 1903 vision to provide an interconnected system of parks and parkways around the city of Portland. The planned loop around the city has extended much like the city itself, but the original name has stuck even while the full loop now exceeds 140 miles and connects more than 30 parks in six cities.

Many sections of the trail are now constructed and in use. However, a few gaps remain and one of which exists in Troutdale. The adopted 2006 Parks Master Plan includes development of a public trail along the Sandy River as a public recreational amenity.

The 40 Mile Loop trail is listed in the city's adopted Parks Master Plan capital improvements and thus qualifies for use of park system development charge (SDC) funds.

In early 2015 Council gave staff direction to obtain an appraisal of 3 lots along the Sandy River and NE Harlow Place, and subsequently to contact the property owners with the City's interest in acquiring the properties.

During public comment at the September 22, 2015 Council meeting a billboard company representative made a proposal regarding one of the 3 lots, and their plan to erect a billboard.

At the November 10, 2015 Council meeting a public hearing was held to consider the potential acquisition of 3 lots along the Sandy River and NE Harlow Place through condemnation. Council delayed action that evening on the potential condemnation. During the public hearing a billboard company representative testified that they were seeking to erect a billboard on the lot immediately north of I-84. Subsequently litigation was settled with the billboard company, which also subsequently withdrew their proposed billboard project.

Exhibit A identifies the subject property. Exhibit B are summary pages from the real property appraisal performed by Zell and Associates, the full 74 page report included in the Council packet of November 10, 2015. For subject property tonight, the appraisal indicates a Fee Simple Value of Tax Lot 200 as \$3,300 as of July 22, 2015.

The riverside lot, and the larger parcel directly west across NE Harlow Place, are currently both owned by the Columbia Ridge Community Church. The real estate broker for the pending buyer of both parcels has offered the riverside lot to the City for the \$3,300 appraisal value. The anticipated closing for these transactions is April 30, 2017. Exhibit C is the draft Purchase and Sale Agreement.

Several parcels on the west side of NE Harlow Place have plan and permit applications in various stages of planning and development review. The development of these lots will trigger required public improvements for utilities and street improvements.

Upon acquiring the subject property the City will also acquire a portion of the cost obligation for the street improvements along NE Harlow Place. Potentially requiring the new owner to pay for the subject property street improvement costs, then have the City condemn the property for the \$3,300 appraised value would not been viewed as developer friendly. Additionally, requiring the construction of the standard street improvements would also likely result in additional unnecessary expense as some of those installed improvement would likely need to be removed and replaced with trail related improvements.

SUMMARY:

The proposed acquisition is just one step toward filling part of the trail gap to connect with the planned to be constructed trail along the Sandy River through the urban renewal area. In the future, this property acquisition will also help the 40-mile trail connect to the future Gorge Hub bicycle facility which is planned for Depot Park, and the other future trail facilities reaching toward the south.

PROS & CONS:

- A. Approving the proposed resolution authorizes the next step in the acquisition process and demonstrates progress toward designated Parks Master Plan projects. Also obligates the City for a portion of the NE Harlow Place street improvements.

- B. Not approving the proposed resolution halts the acquisition process and progress on a Parks Master Plan goal. Saves the acquisition costs and avoids a portion of the NE Harlow Place street improvements.

RECOMMENDATION: Staff recommends adoption of the proposed resolution.

<p>Current Year Budget Impacts: <input checked="" type="checkbox"/> Yes (describe) <input type="checkbox"/> N/A Budgeted appropriations are available in the current year from the Parks Improvement Fund for this real property acquisition.</p> <p>Future Fiscal Impacts: <input type="checkbox"/> Yes (describe) <input checked="" type="checkbox"/> N/A</p> <p>City Attorney Approved <input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A</p> <p>Community Involvement Process: <input checked="" type="checkbox"/> Yes (describe) <input type="checkbox"/> N/A Adopted Parks Master Plan, adopted FY 2016-17 Budget, and prior public hearing.</p>
--



ZELL & ASSOCIATES

Real Estate Appraisers and Counselors

An Appraisal Report

Three Riverside Industrial Zoned Lots
Located at:

East of NE Harlow Road and North of Interstate 84
In the City of Troutdale, OR 97060

Prepared for:
City of Troutdale
Attn: Erich Mueller, Finance Director
219 East Historic Columbia Highway
Troutdale, OR 97060

Date of Appraisal: July 22, 2015

Prepared by:
Craig Zell, MAI, SRA &
Jason K. Russell, MAI

Zell Report No.: 15-104 Troutdale Riverside Lots

Zell & Associates

Appraisers and Consultants

August 19, 2015

City of Troutdale
Attn: Erich Mueller, Finance Director
219 East Historic Columbia Highway
Troutdale, OR 97060

Zell Report Number: 15-104 – Troutdale Riverside Lots

Mr. Mueller:

At your request, we have personally inspected and performed an appraisal report of the fee simple interest in the three vacant tax lots totaling 1.33-acres of industrial zoned land in the City of Troutdale, Oregon more fully described herein.

The purpose of this report is to present a supportable estimate the 'as is' value of each tax lot that comprises the subject properties. It is understood this report is for use by the Client to establish supportable market value for potential acquisition to connect to a 40-mile loop trail project.

In the appraisal process, we have reviewed the data from the market area, trends in the district, sales and asking prices of comparable properties. We have considered the "as is" values of the property through the use of the sales comparison approach after other approaches were considered.

After due consideration of the information contained in the report and based upon our knowledge of market conditions as of the date of inspection, July 22, 2015, the market value of the subject property is estimated to be:

As Is Fee Simple Value Tax Lot 100:	\$8,900
As Is Fee Simple Value Tax Lot 200:	\$3,300
As Is Fee Simple Value Tax Lot 300:	\$34,100

SUMMARY OF FACTS AND CONCLUSIONS

- Client:** City of Troutdale, Attn: Erich Mueller, Finance Director
- Intended User:** City of Troutdale, Attn: Erich Mueller, Finance Director.
- Subject Property:** The subject property consists of three contiguous tax lots totaling 1.33-acres. The parcels have little usable area as the eastern side slopes steeply down to the Sandy River. The parcels will allow the extension of a 40-mile loop trail that was conceived over 100-years ago and only now being realized.
- Location:** The subject property lots are located east of NE Harlow Road and north of Interstate 84 in the City of Troutdale, OR.
- Legal Description:** The subject property consists of three contiguous parcels which can be legally described by the County Assessor's map numbers as Tax Lots 100, 200 and 300 within Township 1 North, Range 3 East, Section 25B, Multnomah County, Oregon.
- Site Size:** According to public records, the subject property contains a total of 1.33 acres. The following table details each parcel size.

<i>Map & Tax Lot</i>	<i>Size (AC)</i>	<i>Size (SF)</i>
1N-3E-25B, TL 100	0.89	38,768
1N-3E-25B, TL 200	0.33	14,375
1N-3E-25B, TL 300	0.11	4,792
Totals	1.33	57,935

It is noted that Tax Lot 200 has both a 0.33-acre and 0.63-acre size listed on county records. The plat map indicates a size of 0.33-acres for TL 200. Based on comparison with the adjacent tax lots we conclude that TL 200 is 0.33-acres.

- Zone:** The subject parcels are zoned Industrial Park (IP), by the City of Troutdale. Consistent with the adjacent parcels to the west that have larger site areas.
- Property Rights Appraised:** Fee Simple
- Effective Date of Value:** July 22, 2015
- Date of Inspection:** July 22, 2015

Date of Report: August 19, 2015

Purpose of the Appraisal: The purpose of this report is to present a supportable estimate of the 'as is' market value of the subject property and to communicate the data and reasoning used by the appraisers to support the opinion of market value.

Intended Use: The use of this report is to establish the market value for potential acquisition to connect to a 40-mile loop trail project.

Assignment Conditions: None that would affect the value conclusions.

Report Organization: This is an Appraisal Report as defined by Uniform Standards of Professional Appraisal Practice under Standards Rule 2-2. This format provides a summary-level narrative of the appraisal process, subject and market data and valuation analyses.

Scope and Identification of the Appraisal Problem: The purpose of this report is to estimate the market value of the subject property.

Assessment and taxation: According to Multnomah County the subject property tax assessments are summarized in the following table.

<i>Tax ID</i>	<i>Map & Tax Lot</i>	<i>Land Assess.</i>	<i>Impr. Assess.</i>	<i>Total RMV</i>	<i>MAV</i>	<i>Taxes</i>
R320586	1N-3E-25B, TL 100	\$80,620	\$0	\$80,620	\$45,270	\$873.01
R320621	1N-3E-25B, TL 200	\$57,110	\$0	\$57,110	\$28,160	\$565.72
R320622	1N-3E-25B, TL 300	\$10,400	\$0	\$10,400	\$9,400	\$181.03
Totals		\$148,130	\$0	\$148,130	\$82,830	\$1,619.76

These taxes have been paid in full.

Flood Hazard area: According to FEMA Flood Map 41051C0217H, dated December 18, 2009, the subject lies within Zones AE and X. Zone AE is within the flood plain.

Census Tract: The subject lies within census tract 103.06.

Ownership and Sales History: Title to Tax Lot 100 is currently vested in John R. Meyer, which has owned this parcel for many years. Title to Tax Lot 200 is currently vested in Columbia Ridge Community Church, which has owned the parcel for many years. Title to Tax Lot 300 is currently vested in Gary Dempsey and Molly Hall, which have also owned this parcel for many years. After a cursory check the subject property is not listed for lease or for sale and no other transactions have occurred within the past 3 years.

Highest and Best Use: The subject properties are within a floodplain that is effectively comprised of small areas near the roadway and steeply sloped topography down to the Sandy River. Due to the limited building area between flood zone "AE" and the roadway Tax Lots 100 and 200 are suited for open space only. The highest and best use is therefore as open space. It is noted that a preliminary approval for a billboard was approved on Tax Lot 300 by the City of Troutdale in June 2015, suggesting that it is possible to site a billboard on this parcel. As such, there is additional value beyond the open space use.

Valuation Methodology: Each approach to value is considered in this report but only the sales comparison approach is applicable, which is used to determine the value of the land. Consideration is given to the potential of Tax Lot 300 to site a billboard via the income approach.

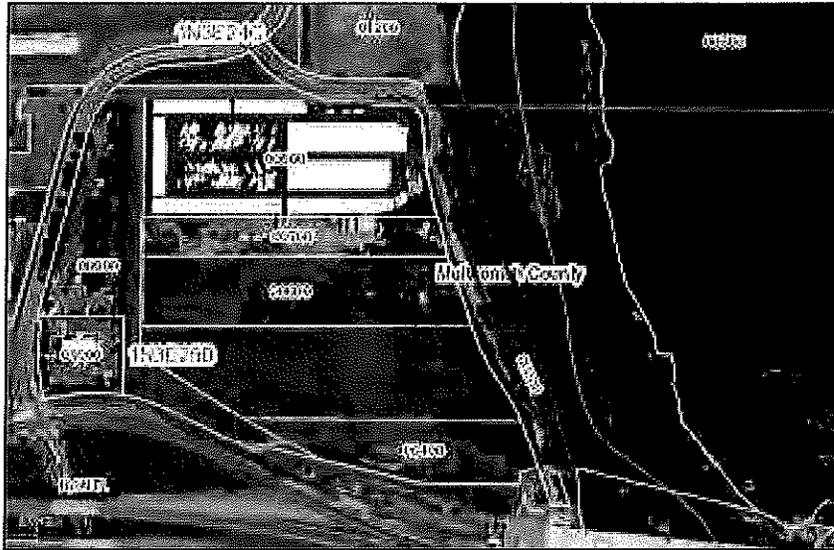
Exposure Time: 12 months

The estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; a retrospective estimate based on an analysis of past events assuming a competitive and open market. Exposure time is always presumed to occur prior to the effective date of the appraisal. The overall concept of reasonable exposure encompasses not only adequate, sufficient and reasonable time but also adequate, sufficient and reasonable effort. Exposure time is different for various types of real estate and value ranges and under various market conditions. *(Appraisal Standards Board of The Appraisal Foundation, Statement on Appraisal Standards No. 6)*

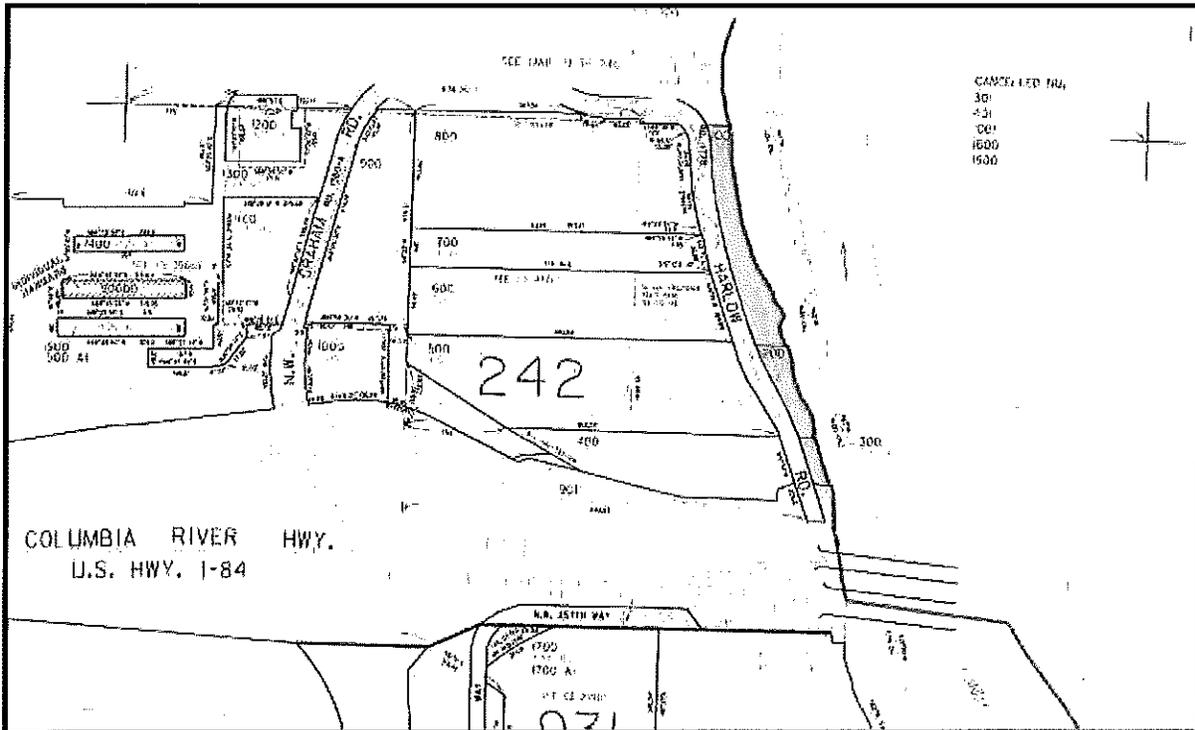
Indicated Value:

As Is Fee Simple Value Tax Lot 100:	\$8,900
As Is Fee Simple Value Tax Lot 200:	\$3,300
As Is Fee Simple Value Tax Lot 300:	\$34,100

SITE DESCRIPTION



Aerial Photo



Plat Map

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40

PURCHASE AND SALE AGREEMENT AND RECEIPT FOR EARNEST MONEY
(Oregon-Commercial Form)

Dated: August 22, 2016

BETWEEN: Scott Bird or assigns of an entity he is a member of (Seller)

Address: 2208 NW Birdsdales Ave. Gresham, Ore. 97030

currently the offeror under a contract to purchase subject property (not now legal owner)

AND: City of Troutdale, an Oregon municipal corporation ("Buyer")

ADDRESS: 219 East Historic Columbia Hwy, Troutdale, Oregon

Buyer agrees to buy and acquire and Seller agrees to sell, assign and convey on the following terms: (i) the real property and all improvements thereon known as:

and located at: to Wit: 1N3E25B-200, bare land of prox. 0.33 Acres fronting on Sandy River, and east side of NE Harlow Place opposite to the East of 801 NE Harlow Place in the City of Troutdale, County of: Multnomah, State of Oregon

("the property"). If no legal description is attached, Buyer and Seller will attach a legal description upon receipt and reasonable approval by both parties of the Preliminary Commitment or, if applicable, the Survey, and if applicable (ii) all of Seller's right, title and interest in and to certain lease(s) by which the Property is demised as described on Exhibit B attached hereto. As partial consideration for the assignment of the Lease(s) to Buyer, at the Closing (as defined in Section 7 hereof) Buyer shall assume all of the obligations of the Lessor under the Lease(s) which first accrue on or after the Closing Date (as defined in said Section 7). The parties shall accomplish such assignment and assumption by executing and delivering to each other through Escrow and Assignment of Lessor's Interest Under Lease substantially in the form of Exhibit C attached hereto (the "Assignment"). The occupancy of the Property by said Lessee(s) are hereinafter sometimes referred to as the "Tenancies".

1. Purchase Price. The total purchase price is : three thousand three hundred dollars (\$ 3,300.00) (the "Purchase Price") payable as follows: Cash
Each party shall cooperate with the other party in documenting an IRC 1031 tax deferred exchange provided it does not delay closing nor incur additional costs upon the requested party. This sale contingent upon offeror, Scott Bird, coming into good legal, marketable title of subject real property on or before April 30, 2017

1.1. Earnest Money Deposit. Upon execution of this Agreement, Buyer shall deliver to the Escrow Holder as defined herein, for the account of Buyer \$3,300.00 earnest money (the "Earnest Money") in the Form of [] cash or [] check or [x] promissory note (the "Note"). If the Earnest Money is in the form of a check being held undeposited by

1 Selling Firm, it shall be deposited no later than 5 PM Pacific Time three days after execution
2 of the Agreement by Buyer and Seller in the Listing Selling Firm's Clients' Trust
3 Account to the Escrow. If the Earnest Money is in the form of the Note, it shall be due
4 and payable no later than 5 PM Pacific Time one day after execution of this Agreement
5 by Buyer and Seller or upon satisfaction or waiver by Buyer of the conditions to Buyer's
6 obligation to purchase the Property set forth in this Agreement. Note to be redeemed
7 directly to escrow. If the Note is not redeemed and paid in full when due, then (i) the Note
8 shall be delivered to and endorsed to Seller, (ii) Seller may collect the
9 Earnest Money from Buyer, either pursuant to an action on the Note or an action on this
10 Agreement, and (iii) this Agreement shall be of no force or effect. The purchase and sale of
11 the Property shall be accomplished through an escrow (the "Escrow") which Seller has
12 established with: WFG National title Insurance Co. Portland, Or.
13 _____ (the "Title Company") and the Earnest Money shall be
14 deposited with Title Company or Other: _____ The Earnest
15 Money shall be applied to the payment of the purchase price for the Property at Closing.
16 Any interest earned on the Earnest Money shall be considered to be part of the Earnest
17 Money. The Earnest Money shall be returned to Buyer in the event any condition to Buyer's
18 obligation to purchase the Property shall fail to be satisfied or waived through no fault of
19 Buyer.

20 2. Conditions to Purchase. Buyer's obligation to purchase the Property is
21 conditioned on the following: a. Offeror coming into legal title to the property
22 on or before April 30, 2017

23
24
25
26 and b. on the results of Property inspection described in Section 3 below. If Buyer has not
27 given written waiver of these conditions, or stated in writing that these conditions have been
28 satisfied, by written notice given to Seller within 21 days after the Execution Date
29 (defined below), the Agreement shall be deemed automatically terminated, the Earnest
30 Money shall be promptly returned to Buyer, and thereafter, except as specifically provided
31 to the contrary herein, neither party shall have any further right or remedy hereunder:

32 3. Property Inspection. Seller shall permit Buyer and its agents, at Buyer's sole
33 expense and risk, to enter the Property, at reasonable times after reasonable prior notice to
34 Seller and after prior notice to the tenants of the Property as required by the tenants' leases,
35 to conduct any and all inspections, tests, and surveys concerning the structural condition of
36 the improvements, all mechanical, electrical and plumbing systems, hazardous materials, pest
37 infestation, soils conditions, wetlands, American with Disabilities Act compliance, and all
38 other matters affecting the suitability of the Property for Buyer's intended use and/or other
39 wise reasonably related to the purchase of the Property including the economic feasibility of
40 such purchase. Buyer shall indemnify, hold harmless, and defend Seller from all liens, costs,
41 and expenses, including reasonable attorney's fees and experts' fees, arising from or relating
42 to Buyer's entry on and inspection of the Property. This agreement to indemnify, hold
43 harmless, and defend Seller shall survive closing or any termination of the Agreement.

1 4. Seller's Documents. Within 7 days after the Execution Date, Seller shall deliver
2 to Buyer, at Buyer's address shown below, legible and complete copies of the following
3 documents and other items relating to the ownership, operation, and maintenance of the
4 Property, to the extent now in existence and to the extent such items are within Seller's
5 possession or control: Any notices of governmental violations in effect, reports as to the
6 condition of the property, operating statements, drawings, contractors quotations, leases

7 5. Title Insurance. Within ten days after the Execution Date, Seller
8 shall deliver to Buyer a preliminary title report from the Title Company (the "Preliminary
9 Commitment"), together with complete and legible copies of all documents shown therein as
10 exceptions to title, showing the status of Seller's title to the Property. Buyer shall have
11 3 days after receipt of a copy of the Preliminary Commitment within which to give
12 notice in writing to Seller of any objection to such title or to any liens or encumbrances
13 affecting the Property. Within 3 days after the date of such notice from Buyer, Seller
14 shall give Buyer written notice of whether it is willing and able to remove the objected-to
15 exceptions. Within 3 days after the days of such notice from Seller, Buyer shall elect
16 whether to (i) purchase the Property subject to those objected-to exceptions which Seller is
17 not willing or able to remove or (ii) terminate this Agreement. On or before the Closing Date
18 (defined below), Seller shall remove all exceptions to which Buyer objects and which Seller
19 agrees Seller is willing and able to remove. All remaining exceptions set forth in the
20 Preliminary Commitment and agreed to by Buyer shall contain no exceptions other than the
21 Permitted Exceptions and the usual preprinted exceptions contained in an owner's standard
22 form title insurance policy.

23 6. Default; Remedies. If the conditions, if any, to Buyer's obligation to close this
24 transaction are satisfied or waived by Buyer and Buyer nevertheless fails, through no fault of
25 Seller, to close the purchase of the Property, Seller's sole remedy shall be to retain the
26 Earnest Money paid by Buyer. In the event Seller fails, through no fault of Buyer, to close
27 the sale of the Property, Buyer shall be entitled to pursue any remedies available at law or in
28 equity, including without limitation, the remedy of specific performance.

29 7. Closing of Sale. The sale shall be closed on or before April 30, 2017
30 or days after the Execution Date (the "Closing Date") in escrow at the Title
31 Company. The sale shall be deemed "closed" when the document conveying title to the
32 Property is recorded and the Purchase Price (increased or decreased, as the case may be, by
33 the net amount of credits and debits to Seller's account at Closing made by the Escrow
34 Holder pursuant to the terms of this Agreement) is disbursed to Seller: At Closing, Buyer
35 and Seller shall deposit with the Title Company all documents and funds required to close
36 the transaction in accordance with the terms of this Agreements. At Closing, Seller shall
37 deliver a certification in a form approved by Buyer that Seller is not a "foreign person" as
38 such term is defined in the Internal Revenue Code and the Treasury Regulations
39 promulgated under the Internal Revenue Code. If Seller is a foreign person and this
40 transaction is not other wise exempt form FIRPTA regulations, the Title Company shall be
41 instructed by the parties to withhold and pay the amount required by law to the Internal
42 Revenue Service. At Closing, Seller shall convey fee simple title to the Property to Buyer by
43 statutory warranty deed or _____ (the "Deed"). If
44 this Agreement provides for the conveyance by Seller of a vendee's interest in the Property
45 by a contract of sale, Seller shall deposit with the Title Company (or other mutually
46 acceptable escrow) the executed and acknowledged Deed, together

1 with written instructions to deliver such deed to Buyer upon payment in full of the
2 purchase price. At Closing, Seller shall pay for and deliver to Buyer a standard form
3 owner's policy of title insurance (the "Policy") in the amount of the Purchase Price
4 insuring fee simple title to the Property in Buyer subject only to the Permitted
5 Exceptions and the standard preprinted exceptions contained in a standard form policy.

6 8. Closing Costs; Prorates. Seller shall pay the premium for the Policy. Seller and
7 Buyer shall each pay one-half of the escrow fees charged by the Title Company, any excise
8 tax, and any transfer tax. Real property taxes for the tax year in which the transaction is
9 closed, assessments (if a Permitted Exception), personal property taxes, rents on existing
10 tenancies paid for the month of Closing, interest on assumed obligations, and utilities shall
11 be prorated as of the Closing Date. Prepaid rents, security deposits, and other unearned
12 refundable deposits regarding the Tenancies shall be assigned and delivered to Buyer at
13 Closing. Seller Buyer N/A shall be responsible for payment of all taxes, interest,
14 and penalties, if any, upon removal of the Property from any special assessment or program.

15 9. Possession. Buyer shall be entitled to exclusive possession of the Property,
16 subject to the Tenancies existing as of the Closing Date, on the Closing Date or

17
18 10. Condition of Property. Seller represents that, to the best of Seller's knowledge
19 without specific inquiry, Seller has received no written notices of violation of any laws,
20 codes, rules, or regulations applicable to the Property ("Laws"), and Seller is not aware of
21 any such violations or any concealed material defects in the Property.
22 Risk or loss or damage to the Property shall be Seller's until
23 Closing and Buyer's at and after Closing. No agent of Seller nor any agent of Buyer has
24 made any representations regarding the condition of the Property, the operations on or
25 income from the Property, the Tenancies, or whether the Property of the use thereof
26 complies with Laws. Except for Seller's representations set forth in this Section 11, Buyer
27 shall acquire the Property "AS IS" with all faults and Buyer shall rely on the results of its
28 own inspection and investigation in Buyer's acquisition of the Property. It shall be a
29 condition of Seller's representations and warranties stated in this Agreement are materially
30 true and correct on the Closing Date. Seller's representations and warranties stated in this
31 Agreement are materially true and correct on the Closing Date. Seller's representations and
32 warranties stated in this Agreement shall survive Closing for one (1) year:

33 11. Personal Property. This sale includes the following personal property:
34 NONE _____ or the personal
35 property located on and used in connection with the Property and owned by Seller which
36 Seller shall itemize in a schedule. Seller shall deliver to Buyer such schedule within
37 30 days after the Execution Date. Seller shall convey all personal property owned by
38 Seller or in the Property to Buyer by executing and delivering to Buyer through Escrow a
39 Bill of Sale substantially in the form of Exhibit D attached hereto (the "Bill of Sale").

40 12. Final Agency Acknowledgement Both Buyer and Seller acknowledge having
41 received the Oregon Real Estate Agency Disclosure Pamphlet, and hereby acknowledge and
42 consent to the following agency relationships in this transaction.

43 (a) Robert Butler, (selling real estate licensee) of Butler Brokers Inc.
44 is the agent of (check one) The Buyer exclusively; The Seller exclusively,

1. [X] both the Buyer and the Seller (Disclosed Limited Agency)
 2 (b) [X] Robert Butler of Butler Brokers (listing agent) is the agent of
 3 (check one): [] Seller exclusively; [X] both Seller and Buyer (Disclosed Limited Agency)
 4 (c) If the name of the same Real Estate Firm appears at both (1) and (2) above, and the
 5 licensees are supervised by the same principal broker in that Real Estate Firm, Buyer and
 6 Seller acknowledge that said principal broker shall become the disclosed limited agent for
 7 both Buyer and Seller as more fully described in the Disclosed Limited Agency Agreements
 8 that been reviewed and signed by Buyer, Seller and Licensee(s) Robert Butler (real
 9. estate licensee) both Seller and Buyer in a limited dual agency relationship pursuant to
 10. separate agreement.

11. ACKNOWLEDGED

10 Buyer: _____ Dated: _____
 11 Buyer: _____ Dated: _____ Designated
 12 Seller: _____ Dated: _____ Broker(s)
 13 Seller: _____ Dated: _____ Initials

14 13. Notices. Unless otherwise specified, and notice required or permitted in, or
 15 related to, this Agreement must be in writing and signed by the party to be bound. Any
 16 notice or payment will be deemed given when personally delivered or delivered by facsimile
 17 transmission (with electronic confirmation of delivery), or will be deemed given on the day
 18 following delivery of the notice by reputable overnight courier or three (3) days after
 19 mailing in the U.S. mails, postage prepaid, by the applicable party to the address of the other
 20 party shown in this Agreement, unless that day is a Saturday, Sunday, or legal holiday, in
 21 which event it will be deemed delivered on the next following business day. If the deadline
 22 under this Agreement for delivery of a notice or payment is a Saturday, Sunday, or legal
 23 holiday, such last day will be deemed extended to the next following business day.

24 14. Assignment. Buyer [] may assign [] may not assign [X] may assign, if the
 25 assignee is an entity owned and controlled by Buyer (may not assign, if no box is checked)
 26 this Agreement or Buyer's rights under this Agreement without Seller's prior written
 27 consent. If Seller's consent is required for assignment, such consent may be withheld in
 28 Seller's sole discretion.

29 15. Attorney's Fees. In the event a suit, action, arbitration, or other proceeding of any
 30 nature whatsoever, including without limitation any proceeding under the U.S. Bankruptcy
 31 Code, is instituted, or the services of an attorney are retained, to interpret or enforce any
 32 provision of the Agreement or with respect to any dispute relating to this Agreement, the
 33 prevailing party shall be entitled to recover from the losing party its attorneys', paralegals',
 34 accountants', and other experts' fees and all other fees, costs, and expenses actually incurred
 35 and reasonable necessary in connection therewith. In the event of suit, action, arbitration, or
 36 other proceeding, the amount thereof shall be determined by the judge or arbitrator, shall
 37 include fees and expenses incurred on any appeal or review, and shall be in addition to all
 38 other amounts proved by law.

39 16. Statutory Land Use Disclaimer: THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM AND FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND WHICH LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 IN ALL

1 ZONES. BEFORE SIGNING OR ACCEPTING
2 THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO PROPERTY
3 SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING
4 DEPARTMENT TO VERIFY APPROVED USES AND THE EXISTENCE OF FIRE
5 PROTECTION FOR STRUCTURES.

6 17. Miscellaneous. Time is of the essence of this Agreement. The facsimile
7 transmission of any signed document including this Agreement shall be the same as delivery
8 of an original. At the request of either party, the party delivering a document by facsimile
9 will confirm facsimile transmission by signing and delivering a duplicate original document.
10 This Agreement may be executed in two or one and the same Agreement. This Agreement
11 contains the entire agreement and understanding of the parties with respect to the subject
12 matter of this Agreement and supersedes all prior and contemporaneous agreements between
13 them with respect thereto. Without limiting the provisions of Section 15 of this Agreement,
14 this Agreement shall be binding upon and shall inure to the benefit of the parties and their
15 respective successors and assigns. The person signing this Agreement on behalf of Buyer
16 and person signing this Agreement on behalf of Seller each represents, covenants and
17 warrants that such person has full right and authority to enter into this Agreement and to
18 bind the party for whom such person signs this Agreement to the terms and provisions of this
19 Agreement. This Agreement shall not be recorded unless the parties otherwise agree.

20 18. Addendums; Exhibits. The following named addendums and exhibits are
21 attached to this Agreement and incorporated within this Agreement: [] none or [X]
22 copy of offering memo dated Oct. 20, 2015 by City of Troutdale, Or. for subject property

23 19. Time for Acceptance. Seller has until 5:00 p.m. Pacific Time on September 15
24 2016 to accept this offer. Acceptance is not effective until a copy of this
25 Agreement which has been signed and dated by Seller is actually received by Buyer. If this
26 offer is not so accepted, it shall expire and the Earnest Money shall be promptly refunded to
27 Buyer and thereafter, neither party shall have any further right against the other.

28 20. Seller's Acceptance and Brokerage Agreement. Seller agrees to sell the Property
29 on the terms and conditions in this Agreement and further agrees to pay a commission in the
30 total amount computed in accordance with the listing agreement of other commission
31 agreement dated N/A between Seller and _____.
32 If there is no written listing agreement or other commission agreement, Seller hereby agrees
33 to pay a commission of [X] no percent (0 %) of the purchase
34 price or [] \$ _____ Seller and Butler Brokers Inc.
35 agree that the commission is deemed earned as of the date this Agreement is signed by Seller
36 and Buyer and closes. Unless otherwise provided in a separate written agreement, the
37 commission is due on the Closing Date or upon Seller's breach of this Agreement,
38 whichever occurs first. If the Earnest Money is forfeited and retained by Seller in accordance
39 with this Agreement. In addition to any other rights the Listing Agent may have, the Listing
40 Agent shall be entitled up to no percent (0%) of the Earnest Money, not to exceed any
41 agreed commission, and Seller hereby assigns to the listing agent such amount.

42 21. Execution Date. The Execution Date is the later of the two dates shown beneath
43 the parties' signatures below.

44 22. Governing Law. This Agreement is made and executed under, and in all respects
45 shall be governed and construed by the laws of the State of Oregon.

1 CONSULT YOUR ATTORNEY. THIS DOCUMENT HAS BEEN PREPARED FOR
2 SUBMISSION TO YOUR ATTORNEY FOR REVIEW AND APPROVAL PRIOR TO
3 SIGNING. NO REPRESENTATION OR RECOMMENDATION IS MADE BY THE
4 COMMERCIAL ASSOCIATION OF REALTORS® PORTLAND/VANCOUVER OR BY
5 THE REAL ESTATE LICENSEES INVOLVED WITH THIS DOCUMENT AS TO THE
6 LEGAL SUFFICIENCY OR TAX CONSEQUENCES OF THIS DOCUMENT.

7 THIS FORM SHOULD NOT BE MODIFIED WITHOUT SHOWING MODIFICATIONS
8 BY REDLINING, INSERTION MARKS, OR ADDENDA.

9	Buyer: _____	Seller: _____
10	_____	_____
11	By: _____	By _____
12	Title _____	Title _____
13	Execution Date _____	Execution Date _____
14	Time of Execution _____	Time of Execution _____
15	Home Phone _____	Home Phone _____
16	Office Phone _____	Office Phone _____
17	Address _____	Address _____
18	_____	_____
19	_____	_____
20	Fax No. _____	Fax No. _____
21	E-mail _____	E-mail _____

22
23
24
25
26 Broker's approval _____

27
28

\$3,330.00

August 22, 2016

PROMISSORY NOTE

I/we jointly and severally promise to pay to the order of WFG National Fidelity National Title Co. Portland, Or . the sum of \$3,330.00 with interest thereon at a rate of seven percent (7%) per annum from date hereof until paid. The sums owed under the terms of this note, both principal and interest, shall be due and payable upon satisfaction or waiver by Buyer of the conditions to Buyers obligation to purchase the Property set forth in that certain Purchase & Sale Agreement of even date between the maker of this note, "Buyer" and "Seller" for the property commonly known as Tax lot 200, NE Harlow Place , 0.33 , acres proximately fronting west bank Sandy River, 801 NE Harlow Place

Provided the sums owed hereunder are, paid when due, interest shall be waived. In the event this note is placed in the hands of an attorney for collection, I/we promise and agree to pay holder(s) reasonable attorney's fees and collection costs even though no suit or action is filed hereon. In the event a suit or an action is filed, the amount of such reasonable attorney's fees shall be affixed by the court or courts in which the suit or action, including any appeal thereof, is tried, heard, or decided.

Undersigned Buyer(s)

By:.....dated.....

RESOLUTION NO.

A RESOLUTION APPROVING THE REAL PROPERTY ACQUISITION ON NE HARLOW PLACE AND AUTHORIZING A CITY OFFICIAL TO EXECUTE THE TRANSACTION.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. That portions of the existing and planned segments of the "40-mile Loop" regional trail are located in the City.
2. That increasing the connections and filling gaps within the "40-mile Loop" regional trail is an identified and approved project of the City's Parks Master Plan.
3. That an identified trail gap exists along NE Harlow Place which the City has been seeking fill.
4. That it is necessary and desirable to acquire real properties and property interest in order to construct trail improvements in a manner that will be most compatible with the greatest public good and the least private injury.
5. That real property covering a portion of the gap along NE Harlow Place has been offered to the city, and Oregon law authorizes such acquisition under ORS 271.390(2)(b), and the real property is offered without requiring condemnation.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE:

Section 1. The City Council finds and declares that acquiring the real property will serve a valuable and necessary public purpose, and is for an authorized public purpose.

Section 2. The City Council approves the purchase the real property described by map reference 1N-3E-25B, and tax lot number 200, which is necessary and desirable to build a segment of the 40-mile loop trail.

Section 3. The City Council approves the purchase the real property on the terms conditions substantially consistent with Exhibit C of the Staff Report, and that the City Attorney, Ed Trompke, and Finance Director, Erich Mueller, (each a "City Official") are designated to act jointly and cooperatively, on behalf of and in the best interest of the City, and without further action by the City Council, and are authorized, empowered and directed to negotiate the final terms of, and to execute a purchase agreement on behalf of the City.

Section 4. The City Council does hereby acknowledge the authorized purchase of the real property and accepts of conveying title and interest, in fulfillment of requirements of ORS 93.808.

Section 5. The City Official is hereby authorized to execute, acknowledge and deliver the purchase agreement, including any deeds, certificates of acceptance and other supporting and implementing documents, and to take any other action as may be advisable, convenient, necessary, or appropriate to give full force and effect to the terms and intent of the agreement, and the execution thereof by any such City Official shall be conclusive as to such determination.

Section 6. Further, consistent with intent of the purchase agreement, and in the best interest of the City, the City Official is authorized to determine, execute, acknowledge and deliver any subsequent addendums, extensions, revisions, modification, or successor documents of the purchase agreement, and the execution thereof by any such City Official shall be conclusive as to such determination.

Section 7. The Finance Director is authorized to disburse funds, subject to annual appropriations, as necessary to fulfill the purchase agreement obligations, and is further directed to implement all such actions necessary to ensure budgetary compliance.

Section 8. This Resolution shall take effect immediately upon adoption.

YEAS:
NAYS:
ABSTAINED:

Doug Daoust, Mayor

Date

Sarah Skroch, City Recorder

Adopted: