CITY OF TROUTDALE

"Gateway to the Columbia River Gorge"

REVISED 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, November 24, 2015 – 7:00PM

Mayor
Doug Daoust

City Council
David Ripma
Eric Anderson
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:** September 22, 2015, Regular Meeting.
   - **2.2 RESOLUTION:** A Resolution Accepting the November 3, 2015 Special Election Results from the Director of Elections, Multnomah County, Oregon.

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. **DISCUSSION:** A Discussion on the Complaint Process for the Sheriff's Department, and Allegations in the Northwest Connection newspaper.
   Mayor Daoust

5. **MOTION:** A Motion Giving Staff Direction Regarding Elected Officials Submitting Articles to be Published in the Troutdale Champion Newsletter.
   Sarah Skroch, City Recorder

6. **PUBLIC HEARING / ORDINANCE (Introduced 11/10/2015):** An Ordinance Amending Chapter 8.40 of the Troutdale Municipal Code and Reassigning Staff Responsibility for Solid Waste. ***Amy Pepper, Civil Engineer***

7. **DISCUSSION:** A Discussion of the PDC Proposal of a Relocation Payment for the USPS Facility Siting in TRIP. ***Craig Ward, City Manager***

8. **DISCUSSION:** A Follow Up Discussion on Depot Museum use, Modifications and Staffing Needs, and Grant Writing Services. ***Craig Ward, City Manager***

9. **STAFF COMMUNICATIONS**

10. **COUNCIL COMMUNICATIONS**

11. **ADJOURNMENT**

Doug Dadust

Doug Dadust, Mayor

Dated: 11/23/15

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, September 22, 2015

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

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

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

ABSENT: None.

STAFF: Craig Ward, City Manager; Ed Trompke, City Attorney; Erich Mueller, Finance Director; and Sarah Skroch, Deputy City Recorder.

GUESTS: See Attached List.

Mayor Daoust asked are there any agenda updates?

Craig Ward replied there are no amendments to the published agenda.

2. CONSENT AGENDA:

2.1 RESOLUTION: A Resolution Allowing the Use of Alcohol at the Sam Cox Building, and Temporarily Suspending Resolution No. 1975.

2.2 RESOLUTION: A Resolution Approving the Collective Bargaining Agreement with Employees Represented by AFSCME Local 3132.

2.3 RESOLUTION: A Resolution Approving an Intergovernmental Agreement with the City of Maywood Park for the Removal of Building Inspection Services.

2.4 RESOLUTION: A Resolution Approving the Second Amendment to the Lease Agreement with Sprint Spectrum Realty Company, L.P. for the Use of Reservoir #2 as a PCS Site.

MOTION: Councilor Ripma moved to approve the consent agenda with Councilor Allen's corrections to the minutes. Seconded by Councilor Anderson. The motion passed unanimously.

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

Brian Casady, Meadow Outdoor Advertising, stated I'm here to talk to you about a freeway sign and about a piece of property that I understand the City is considering taking through a condemnation. I'm with Meadow Outdoor Advertising. We're a family owned billboard company based in the Gorge and we've been in operation for about 35 years. Up until

recently, we've had 3 signs on I-84 in Troutdale. Last year we had to remove the billboard that was located behind the Outlet Mall because our lease expired. After removing the sign I began looking for a new site to replace it. I found a small industrially zoned parcel on the north side of I-84. The property would work well for a billboard and it was for sale so I initiated the process of buying the property. In February I began conversations with the City's Planning and Public Works staff to confirm that the sign is an allowed use per the Troutdale Development Code. I began the permitting process with the relevant City, State, and Federal departments. In my conversations with Troutdale, Planning and Public Works staff, we discussed specifics of locating the sign's 4 foot support column so that we could be sure to leave plenty of space on the parcel for future development of the 40 Mile Loop Trail which is adjacent to the river. I noted early on and brought up with City staff was that in the Troutdale Development Code, Chapter 4, there's a provision where by a property owner can grant a portion or all of a parcel to the City or an "appropriate public or private non-profit agency" with the approval of City Council in order to conserve and maintain open space. I brought this up with City Staff as something we'd be interested in doing if the City were interested in the parcel. I was surprised a few weeks ago when I received a call from an appraiser telling me that he'd been asked by the City to appraise the property with an eye to possibly acquire it through condemnation in order to extend the 40 Mile Loop Trail. Given the candid conversations I've had with City staff and the signs very small footprint and my company's willingness and ability to be flexible with where the footprint is to be located, I was surprised and disappointed to hear that the City is considering taking the parcel. I would like to ask City Council not to condemn the parcel and consider working with my company to find a win-win solution where we can cooperate together to find a resolution that allows the City to get what it wants without taking a hit to the public coffer and also as a benefit of not harming a local family owned company. I'm confident we can place both the sign and the trail on the parcel and if we can do that then the City can acquire the property through a grant as outlined in the Troutdale Development Code as opposed to through a potentially expensive and contentious taking which will cost public dollars and could be better spent on trail improvements or other public uses instead of acquiring a property that the City could get for free. The handout I passed out shows the site and a couple of other signs that we own as well as the portion of the code that spells out the process of granting land to the City.

A copy of the handout is included in the meeting packet.

4. ORDINANCE (INTRODUCTION): An ordinance creating Chapter 3.07 of the Troutdale Municipal Code to phase in a motor vehicle fuel tax over three years and to premise the same on voter approval.

Ed Trompke, City Attorney, stated the Council sent a measure to the ballot back in August to propose voter approval of a fuel tax that would be phased in over 3 years, 1 cent a year for 3 years, for a total of 3 cents per gallon. This is the implementing ordinance and will only be effective if the voters approve the fuel tax. It basically requires a permit in order to track who's paying for the fuel tax but it allows the City Manager to enter into an agreement with ODOT in order to be more efficient and let ODOT collect the tax. The reason that there is an amendment to the memorandum of the staff report that you

received is to make clear that it does give the Manager the authority to contract with ODOT. That wasn't in the original staff report. It simply said that the City would collect the tax instead of ODOT collecting the tax. If the voters approve the fuel tax, that is probably going to be the way that it's done because it is more efficient to let ODOT do the collections and remit it. They do charge a small fee but it's far less than what it would cost the City in all likelihood. There's nothing in here that really wasn't in what was sent to the voters other than the mechanics of how to collect the tax. If you have any questions about it I'd be happy to answer them, otherwise there isn't anything really new here.

Mayor Daoust asked are there any questions on this ordinance?

There were no questions from the Council.

Mayor Daoust opened the public hearing at 7:11pm.

There was no public input.

Mayor Daoust closed the public hearing at 7:11pm.

Mayor Daoust stated this is an introduction and we will talk about it again at the next regular Council meeting.

5. STAFF COMMUNICATIONS

Craig Ward stated I will bring forward a motion of support for the Bike Hub on the consent agenda on October 13 unless I'm directed otherwise. A motion is not really necessary but I think it may save us some time as grants are being applied for by Claude and potentially the City down the road. It'll be beneficial for us to have some form of statement of support so we can go ahead with making grant applications. I also have a question, there's been a conversation among elected officials in the 3 Cities for a joint meeting of the 3 City Councils. I understand 2 topics have been conceived, 1 is a discussion about studying fire services to satisfy a mutual desire for a 4 minute response time and the other is a discussion on the Halsey Corridor. I'm not aware that a date has been selected yet, I've heard October 19th and October 26th. Is there an update on that?

Mayor Daoust replied we are working on the agenda right now with a tentative date of October 26th.

Craig Ward stated lastly I have a reminder that I that the Council has purchased 2 tables to the Trauma Intervention Program (TIP) gala event this Saturday. We have reached out to a variety of parties to see who might be available for that and we'll make the additional seats available to TIP for other folks who come in. We have a few city staff and committee chairs who will be attending but we'll have at least a table to donate to TIP to fill in with other attendees.
Councilor White asked on the Bike Hub item on the October 13th meeting, will there be a chance for design changes?

Craig Ward replied my assumption is that you're endorsing the current design and so we'll go forward with that design as the presumed Bike Hub and that is my expectation. If there's something that you feel ought to be changed then perhaps we're not ready for that action.

Councilor White stated I haven't seen the current design.

Craig Ward replied I assumed that Claude gave you that information at the previous meeting. I'll be happy to send that to you.

6. COUNCIL COMMUNICATIONS

Councilor Ripma stated I've been working with some of the residents on the east side of the Sandy River who are in Fire District 14 and also covered by the City's Fire Services contract. Fire District 14 would not oppose de-annexing the east side of the Sandy River. Those people will have the exact same service that they have now, which is service from both Fire District 14 and the Gresham Fire Department on a reciprocal support basis and they would only be paying for the fire services that the rest of the citizens pay as part of our Gresham contract. I did it because I thought I could work my way through the maze and I have never encountered such a maze. I ended up at the Secretary of State's office, the County, and nobody really knew anything until I reached someone at Metro and he knew the person to call and his name was Ken Martin. He provides services to the County Board of Commissioners who in the end make the ultimate decision on this. He provides the services for this kind of thing. Ed thought the City could be involved and he and Ken agree that the City can kick it off. I need direction from Council to authorize Ed to go forward and work with this guy and de-annex the east side of the Sandy River within the City from Fire District 14.

Ed Trompke replied I was wrong. I said the City couldn't cause this to happen a year ago because of my involvement with another case. The judge in that case said no, cities can't do it. In the legislative history they changed the statute so that sometimes cities can and sometimes they can't. In this case it looks like the City of Troutdale can help instigate this. I will reach out to Ken Martin if Council approves. It seems fair that they not pay taxes to Fire District 14 when they're also paying full City taxes including fire service. If District 14 is on board with it them it shouldn't be difficult to get the County to do it and Ken Martin is the man to do it because he was the old boundary commission chairman and after the boundary commission was taken over by Metro, he worked at Metro for 15 years. I've worked with him years ago on another boundary issue.

Councilor Ripma stated of all the people I talked to he was the one who really knew what to do. I'd add that if we couldn't have the City be involved, we were looking at having to circulate petitions among the property owners. It was doable, it was just very cumbersome. If the City can kick it off then it'll be smooth as long as Fire District 14 doesn't change their mind.

The Council was supportive and had no objections to pursuing this.

Councilor Morgan stated I think we all received the e-mail that Debbie Stickney will no longer going to be working for the City of Troutdale and I wanted to thank her publicly for her years of service to the City. In running for office last year she was a great help and a great asset. She has also been a great help and a great asset to Councilor White and myself during the fire negotiations. I just wanted to thank her.

Mayor Daoust stated we just got the word that Debbie is going to retire as of October 9th. It is an important position. We'll miss Debbie and wish her the best in her retirement.

Mayor Daoust stated I have a few things to bring up tonight:

1) There is a video on YouTube in relation to the Fall Festival of the Arts, it's a wonderful commercial that will be shown on Channel 8, I think. It's a perfect spot for the City of Troutdale.
2) I attended Deputy Eric Gustafson's Celebration of Life on Sunday, September 13th. The whole Mt. Hood Community College gymnasium was filled with people. It was a very formal and touching ceremony.
3) I would like to make an appointment to the Portland Airport Community Advisory Committee. There is 1 position to represent the 5 Cities on the east side. I've talked with the 5 Cities and they have agreed that Dick Goldie can be appointed to the PDX Community Advisory Committee.
4) Tomorrow Craig and I have a meeting on urban and rural reserves with Multnomah County, specifically Chair Kafoury at 1:30pm in the Multnomah County building in which we'll discuss the County's role and viewpoints. I image we'll talk about what we've talked about as a Council and possibly exploring the idea of Troutdale expanding. It's a long and cumbersome process to even explore it.
5) The Gateway to the Gorge half marathon was Saturday, September 12th and it was excellent. We had 500 runners go through Troutdale. This was the 3rd year that Troutdale has hosted this. I welcomed the group and my wife also ran in the race.
6) Let me talk a little bit about what's going on with the Troutdale Airport Public Advisory Committee. I went to their last meeting and they're at a point where they're narrowing down the alternatives for the Troutdale Airport. Alternative A would be maximum industrial where there would no longer be an airport and the 260 acres would support commercial development. I think it's safe to say based on the Committees discussions that Alternative A will not be considered. On the other end of the spectrum, Alternative D is maximum 100% aviation meaning the airport would be expanded so airplanes could land in bad weather including business jets. The user types would change to more jet aircraft. It would require a longer runway to the west. I can safely say that Alternative D was also not one of the preferred alternatives from the Committee. That leaves Alternatives B and C which most of the discussion is around. Alternative B is 60% aviation and 40% industrial and would shorten the runway to 3,600 feet. There would be more industrial land developed around the airport, and 90% of the aircraft could still land there mainly in good weather. Alternative B is still being considered. Alternative C tended to be where most people were gravitating towards and that was more aviation. It would 70% aviation and 30% industrial. This would accommodate more small to medium sized business jets and would be a 4,500 foot runway. In

both Alternatives B and C the runway would shorten because of new safety transition zones on both ends. When we talk about the runway being shortened, it's not to try to get rid of aviation, it's trying to meet the current FAA standards. From what I understand, the runway would be taken out completely and rebuilt so the safety zones on the east and west ends would meet the FAA standards. I think the current runway is 5,000 feet. The next meeting is November 19th. At that meeting they'll be discussing the economic impacts to the City and to the Port. There was a lot of discussion from Marv Woidyla and he brought up the fact that to maintain a flight based operation (FBO), there's a certain amount of traffic that has to be maintained for him to even stay in business. That seemed to me to be a really important point. If we lose a FBO and there's no place to get out of your plane and go inside or have someone fill your plane up with gas then I'm afraid it would be a downward spiral.

7) Another thing that happened yesterday is that Craig, Steve Winstead and I went to downtown Portland and met with the Portland Development Commission (PDC) and the Port of Portland. The discussion topic was the PDC's desire to move the U.S. Postal Service "compound" from downtown Portland. We had a good discussion. Some of our concerns were brought up as a City because one of the sites that they're looking at is our TRIP property, namely lots 7 and 8 which are just south of FedEX. The Post Office says they need about 40+ acres. What that would mean is the Post Office and the PDC are looking at combining 3 facilities into 1 and it would be a 789,000 square foot facility. The facility in Portland is located by the train station on SW Broadway. It takes up a large area of The Pearl District. There's been plenty of articles in the newspaper about the PDC's vision. The downtown facility is 411,000 square feet, so they are looking at doubling their size. Both sides are collecting information. When we know more about this then we'll bring it to the Council for further direction. It will be a Council decision on the development of our prime industrial land to a Federal Agency that does not pay property taxes. Fairly soon both sides are going to come to an agreement on what that means for the City of Troutdale as far as what kind of payment in lieu of taxes that we can agree on with PDC and the Port of Portland. The Port of Portland has expressed that they will support whatever the City of Troutdale wants to do. The Port is looking to us to provide leadership and to make the decisions that the City sees as the best for the City.

Councilor Ripma stated my understanding is that if the Federal Government wants to site a post office then the City really can't really stop it. But now would be the time to discourage it if we possibly could. This facility is another FedEX only worse because it won't pay any taxes. I would encourage that we should wonder why Portland is so anxious to get rid of it and why we should be anxious to get it. I don't think we should be unless I can be convinced. Frankly it'll be low paid jobs, lots of traffic, and no taxes. It eats up industrial land that could be used for high paying jobs and less traffic impact.

Mayor Daoust replied we're being smart about it. All of the points that you've brought up are points that we brought up at the meeting. We're looking out for Troutdale. But it doesn't hurt to negotiate and it doesn't hurt to sit at the table and talk.

Councilor Ripma stated I forgot to mention during my turn. You might have read in the papers that the lowest river levels in 14 years were over the weekend. Sunday I took my boat out on the Columbia and we pulled up to shore for lunch like I always do and I couldn't move it. The only phone number I had was Commander Anderson's and I called him and he said to call 9-1-1. The Sheriff Patrol came out and within a few minutes of them coming out they had a towing service come out and pulled us out. I must commend the Sheriff's River Patrol, they run a great service.

Councilor White stated first of all I'd like to compliment your decision on Dick Goldie. He's been a longtime advocate for Troutdale regarding the airport and I think he's an excellent addition to that team. I appreciate your comments on the airport protecting businesses that we currently have there. I thought we narrowed it down to the choice they wanted so I was a little surprised that there are still 2 options. After reading the article in the Outlook, maybe we weren't clear on our last work session. Next, I have a question, were you clear on the direction from our last work session regarding Park Districting and possibly a Recreation Center or do we need to discuss that?

Craig Ward replied I didn't get the sense that staff was to pursue the issue at all. I conveyed that I've already had meetings with Fairview and Wood Village and I'm open to continue to discuss options with them. Having had discussions with the City Managers of the 2 cities, it's been clearly stated to me that Wood Village has no desire to do anything more than they're already doing. We already provide a regional recreation service and I think the Mayor's PowerPoint showed that we get quite a few people from all 3 cities. My sense is that unless one of the other cities is willing to put some hard cash towards adding staff which would allow us to try to add programs because we don't have the capacity to add more programs without the addition of staff. I conveyed that to the other City Managers and if they should come back to me with that proposal then I'll be happy to talk to our Recreation Manager and figure out a way to serve them.

Councilor White stated at the last Executive Session on Urban Renewal we were asked to be more careful with our comments and I want to remind the Mayor that that also includes him. I'd appreciate any further communication come from our negotiating team. I appreciate your effort to inform the public. I think that was good but it should come from the negotiating team. I would like to ask for an executive session because one of the things that the article said that concerned me was that the deal was off track and you were helpful in getting it back on track. I'd like the full council to be up to speed on that as that is a grave concern to me.

Mayor Daoust replied what I shared was a conversation that I had with the developer, Junki Yoshida. It was an informal, unplanned conversation that I had and what I shared were things that we'd talked about previously that was in the term sheet, like the sheep pit clean-up and stuff like that. I wanted to share that with the rest of the Council and I checked with Ed that what I did was ok and he said yes. To let the Council know that things were in deed back on track. I think they got a little off track according to my hour long conversation and I wanted to get them back on track. That was my goal. I think it's a good thing if a Mayor can talk to a developer and get things back on track. I think that's a good thing for any city, it doesn't matter who the Mayor is or who the developer is. I

just wanted to share that because I think it's a good thing and that the public be made aware of the fact that the City is progressing on our urban renewal area. There's a lot of non-public information maybe that's floating around out there, a lot of misconceptions, and wrong opinions about the progress. I just wanted to clear that up as Mayor that we are now progressing on things that were not progressing. I checked with Ed in that what I did was ok and Ed said you were perfectly in your right to do so. Is that accurate?

Ed Trompke replied you had a conversation with Mr. Yoshida as you described and most of the information was generally speaking public or known around town but you tied it together in a package that made it understandable to the public and I guess that's why the press picked it up. It was a well-organized thought process of what was going on. I didn't notice any violations in the executive session rules about confidentiality. I was paying attention when you were talking trying to make sure that didn't happen. I didn't notice that happening so when you asked me about it I said I didn't see anything wrong with what you had described. You also said you hadn't negotiated anything and everything that you described was part of the continuing negotiations that we're not going to talk about right now and some of the items had been things that were talked about a year ago and have been around awhile. I didn't notice anything that was inappropriate.

Mayor Daoust stated there was no new negotiations whatsoever.

Councilor Allen asked does this now mean that I'm allowed to talk in public? People ask me and I have to tell them I'm sorry we're in negotiations and I can't speak about it.

Ed Trompke replied the Mayor was talking to a party who was involved and was discussing the status of things. It's a real tough line to draw to ask me to define as to what's proper and what's improper because when things end up looking improper it's because things are misconstrued or misunderstood, because they're partial statements, because you're bound by the ethics of confidentiality in an executive session. You can't say everything you know and sometimes that gives a wrong impression to people. That's problematic. It's not easy to draw a line but you all have to do that every time you talk to somebody that wants to talk about things. That's why you get paid the big bucks for being elected officials.

Councilor Allen stated I'd like to see us stick with some sort of structure and it has to be a fair playing ground with known rules.

Ed Trompke replied the safest thing to do is not to talk to anybody about anything but then you won't be re-elected either because you won't be informing your constituents and that's a duty you owe your constituents.

Councilor Allen stated I agree, we should probably have an executive session to see where we are because I'm hearing things that I had not heard before.

Councilor Ripma stated I think it's time for an update. We haven't had one for quite awhile and frankly there were things in the article that were news.

Craig Ward replied we can do it on October 20th, I'd be happy to do an update at that time. That would be the 3rd Tuesday, the normal default time for a work session. We do have a work session scheduled but I'd be happy to give you an update on urban renewal and if you'd like to have an executive session to have a confidential discussion about that as well we could certainly do that at that time.

Mayor Daoust replied sure that would be fine.

Councilor Allen stated I have a PowerPoint response to the MCSO performance report for the Summer of 2015. A copy of the PowerPoint is attached to the minutes as Exhibit A.

Councilor Allen stated I am basically objecting to the comparisons of services as they were not discussed prior.

Councilor Wilson stated I spoke with 1 of the Scout leaders from Troop 174 about our Visionary Park plans and the possibility of having them help with the landscaping. They have agreed to either do it as a service project or as an Eagle Project depending on how much work is needed. If we provide the plants that we want them to put in the ground they will happily do it for us so we don't have to use budgeted time.

Councilor Anderson asked Councilor Allen when you reference the politics of it (Slide #2), was it the politics of their presentation?

Councilor Allen replied the presentation had 2 pie charts that concerned me. 1 was the supervisory comparison from when the police were with Troutdale and now that the Sheriff is contracting the service. The same was true for patrol hours. I tried to get a handle on that earlier and never could. For it to show up in a slideshow after the fact, seemed irrelevant. The performance report should not compare the before and after so much as what is currently happening.

Councilor Wilson asked would it help if Commander Anderson came back in to help explain it?

Councilor Allen replied it's a little late now, the decision to contract has already been made.

Councilor Anderson stated I've been listening a lot tonight and I think it's important that we realize that we talk a lot about sharing services with other jurisdictions. The City of Fairview came in here with the goal of asking us to help them build a recreation program. I think that was the direction we gave, it was certainly the direction that I gave Craig. My concern is that if we shut this down right now, we know we're going to need them for fire. If we're going to do anything different with fire then we need Fairview. If we were to say thanks but no thanks to a simple request to study a joint recreation program, we'd be jeopardizing what could be something very desirable to our residents with a new configuration for fire services. I just want to make it clear that I'm ok with you having discussions about a joint recreation program with the City of Fairview.

Mayor Daoust replied my notes said that at the end of the work session the Council was ok with proceeding with a 3 City recreation program including Reynolds School District. It seemed like the Council was ok with that.

Councilor White stated I agree with what Craig said and that's my take on it. We're not deficient, we're the only city out of Gresham, Fairview, and Wood Village that has a recreation program. To compare them not wanting to be involved with fire, I disagree with that. Fire is a life and death matter. I know the integrity of the Fairview Mayor and City Council and they're not going to hold that hostage to us. Some of their response times are 12.5 minutes long. They need to look at fire as do we. If we want to start looking at a recreation program, I think the starting place would be for Troutdale to look at its vast inventory to see if there's even a need. Troutdale has a long history of working with Fairview, Wood Village, and Gresham. Our parks are free, we offer them to anyone that wants to come. We want visitors to our town and we have some of the best parks. Glenn Otto Park on the Sandy River has swift water rescuers, it's better than any swimming pool that costs $2,000,000 per year to operate and it's free. I could go on and on with what Troutdale has. We are unduly blessed by nature. We're running our entire parks program for less than $700,000 per year. I don't think we could do any better than that. I don't want to see those costs grow. I want to keep a handle on it and for me the starting place would be to do a complete inventory of what Troutdale currently has and make other cities know what we have and invite them to come share and join in our community. If we can help them, great, but only if it makes sense to Troutdale financially to do so.

Mayor Daoust replied we weren't talking about parks. At the end of our discussion we were talking about a recreation program. The City of Fairview and Wood Village want to enter into a discussion with Troutdale on a recreation program. That would have been made really clear if at the last meeting Ted Tosterud and Brian Cooper would have spoken. They're looking for Troutdale to join with them on a recreation program and it has nothing to do with an inventory of parks. It's to expand the recreation services that can be offered to the 3 small cities. We're not talking about a park district. At the end of the meeting we were talking about a recreation program within the 3 cities and I heard the Council say they were ok with that.

Councilor Ripma stated Craig Ward did approach them and said they need to step up. We're financing our program and they need to be prepared to step up. They still know that if they want to join with Troutdale that they just need to pony up a bit. I think it's fair, it's open, and I don't want to foreclose that. I'm ok with continuing those discussions.

Craig Ward stated after the meeting I offered to Councilor Cooper that I'm happy to meet with them and talk about it. I'm not foreclosing any options. I didn't sense that the Council was either. They just need to understand that it'll cost them real money in order to expand the program.

Councilor Allen stated I would agree with what Councilor Ripma, Councilor Anderson, and Craig Ward have said. I would caution that this is not turned into a project that goes towards a parks district.

7. ADJOURNMENT

MOTION: Councilor Ripma moved to adjourn. Seconded by Councilor White. Motion passed unanimously.

Meeting adjourned at 8:15pm.

DRAFT

Doug Daoust, Mayor

Dated: _____

ATTEST:

DRAFT

Sarah Skroch, City Recorder

CITY OF TROUTDALE
CITY COUNCIL – Regular Meeting
Tuesday, September 22, 2015

PLEASE SIGN IN

Name – Please Print	Address	Phone #
Brian Casady	1201 Bargeway Rd. The Dalles	541 296-9684
Kathy Warner	Trtk	
Carol Allen	Troutdale	
Jason Buford	Troutdale	
Diane Castillo White	Troutdale	503 888-1405

Re: MCSO Performance Report - Summer 2015

COUNCILOR RICH ALLEN OF TROUTDALE

Concerns:

Both City and County resources have been spent in a public relations effort to promote the idea that contracting with Multnomah County for police services was a smart choice. Currently, on the Troutdale Website is the County's performance report for the Summer of 2015. In this report it shows 24/7 Supervision was staffed at 71% prior to the County taking over. Furthermore, the report states that shift coverage for patrol was only at 48%.

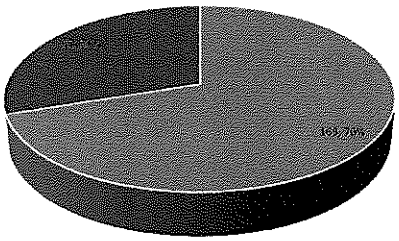
I had hoped that the politics of this decision would have ended with the swearing in of Troutdale Officers to the County.

Facts:

- Neither the Council, nor the Budget Committee were made aware of staffing problems prior to the proposal to contract for services (see meeting minutes).
- No answers were given for how time was being managed.
- No other options were allowed to be looked at.
- The Budget Committee was never involved in the process.
- Requests for benefit differences to ensure our Officers would be taken care of were vague at best.

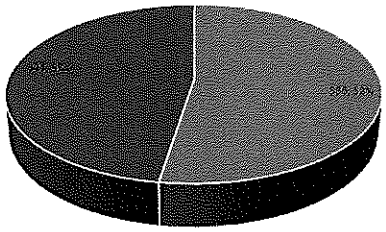
What Troutdale budgeted for:

Budgeted Supervisory Hours



- Needed supervisory hours for %100 coverage
- Remaining hours for training, vacation, other

Budgeted Patrol Hours



- Needed patrol hours for %100 coverage
- Remaining hours for training, vacation, other

Conclusion:

We may not know if it was a good idea to contract for police services for years to come.

Fewer reportable incidences that are handled in a manner the people of Troutdale have come to expect at a price they can easily live with would be a good indicator of success.

Until this proves out, I wish we would refrain from the politics and concentrate on providing good service.

AGENDA ITEM #2.2

CITY OF TROUTDALE

STAFF REPORT

SUBJECT / ISSUE: A Resolution Accepting the November 3, 2015 Special Election Results from the Director of Elections, Multnomah County, Oregon.

MEETING TYPE: City Council Regular Mtg.	**MEETING DATE:** November 24, 2015 **STAFF MEMBER:** Sarah Skroch **DEPARTMENT:** Executive
ACTION REQUIRED Consent Agenda/Resolution **PUBLIC HEARING** No	**ADVISORY COMMITTEE/COMMISSION RECOMMENDATION:** Not Applicable **Comments:**
STAFF RECOMMENDATION: Adoption	

EXHIBITS:
A. None.

Subject / Issue Relates To:
☐ Council Goals ☐ Legislative ☒ Other (describe)
Required by ORS 254.565

BACKGROUND:

On November 3, 2015 electors of Troutdale were asked to cast their vote for Ballot Measure 26-168 – Troutdale Fuel Tax.

The results of the November 3, 2015 General Election have been certified by Tim Scott, Director of Elections, Multnomah County, Oregon (Attachment A to the Resolution).

Reviewed and Approved by City Manager: S. G.

Current Year Budget Impacts ☐ Yes *(describe)* ☒ N/A

Future Fiscal Impacts: ☐ Yes *(describe)* ☒ N/A

City Attorney Approved N/A ☐ Yes

Community Involvement Process: ☐ Yes *(describe)* ☒ N/A

RESOLUTION NO.

A RESOLUTION ACCEPTING THE NOVEMBER 3, 2015 SPECIAL ELECTION RESULTS FROM THE DIRECTOR OF ELECTIONS, MULTNOMAH COUNTY, OREGON.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. The results of the election were certified by Tim Scott, Director of Elections, Multnomah County, Oregon; and

2. The certified election results were received by Sarah Skroch, City Recorder of Troutdale (Attachment "A").

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE:

Section 1. The City Council accepts the certified results of the November 3, 2015 Special Election (Attachment "A").

Section 2. This resolution shall take effect immediately upon adoption.

YEAS:
NAYS:
ABSTAINED:

_____
Doug Daoust, Mayor

_____
Date

_____
Sarah Skroch, City Recorder

Adopted:

Official Precinct Results
November 3, 2015 Special Election

Troutdale Fuel Tax 26-168

Precinct	Registered	Votes cast	Yes	No	over votes	under votes
4904	3957	1165	637	528	0	1
4905	4449	1427	757	670	0	0
total		2592	1394	1198		
percentage			53.78%	46.22%		

Riverdale School District Local Option Levy 26-169

Precinct	Registered	Votes cast	Yes	No	over votes	under votes
3807	1105	591	379	212	0	0
3808	354	56	47	9	0	0
283	56	29	18	11	0	0
total		676	444	232		
percentage			65.68%	34.32%		

Certificate

I certify that the votes recorded on this abstract correctly summarize the tally of votes cast at the election indicated.

Tim Scott

Tim Scott, Director of Elections
Multnomah County, Oregon

ATTACHMENT A
To Res. #

AGENDA ITEM #4

CITY OF TROUTDALE

STAFF REPORT

SUBJECT / ISSUE: An Ordinance Amending Chapter 8.40 of the Troutdale Municipal Code and Reassigning Staff Responsibility for Solid Waste.

MEETING TYPE: City Council Regular Mtg.	**MEETING DATE:** November 24, 2015 **STAFF MEMBER:** Amy Pepper **DEPARTMENT:** Public Works
ACTION REQUIRED Ordinance - Adoption **PUBLIC HEARING** Yes	**ADVISORY COMMITTEE/COMMISSION RECOMMENDATION:** Not Applicable **Comments:**
STAFF RECOMMENDATION: Adoption.	

EXHIBITS:
A. None

Subject / Issue Relates To:

☐ Council Goals ☐ Legislative ☒ Other (describe)
Solid Waste/Recycling

Issue / Council Decision & Discussion Points:

- Changes to the ordinance are mostly housekeeping related issues.
- The proposed ordinance adds language required by the franchise agreement with Waste Management related to the protection of containers.
- The proposed ordinance revises the allowable term of the franchise to allow for periodic extension without need to renegotiate the entire agreement.

Reviewed and Approved by City Manager: S. L.

BACKGROUND:

By Ordinance number 763 in 2005, the City renumbered Chapter 8.40 of the Troutdale Municipal Code, thereby removing it from Title 12, which relates to Public Works. At the same time, staff responsibility for solid waste administration was reassigned from the Public Works Director to the Community Development Director to acknowledge the shifting of responsibilities between the two departments.

The proposed ordinance changes are mostly housekeeping in nature. At the time the solid waste section of the code was renumbered, definitions associated with that section were not removed from Title 12 and added to Chapter 8.40. Those definitions are proposed to be added to Chapter 8.40 at this time.

When the current franchise agreement was approved by Council, it included a provision for the City to update its code to include language related to protection of containers. That language is proposed to be included in Section 8.40.020(D).

Additionally, more than once in the past, some on the Council have questioned the 10-year limit to the term of the franchise agreement and the seeming inflexibility in it. Staff has proposed new language in Section 8.40.030 that would allow, following review of the franchise agreement at the mid-year point in the franchise term, to extend the franchise agreement, allowing for more of a "rolling" franchise term.

This topic was introduced at the November 10, 2015. No public testimony requesting additional changes to the proposed ordinance were received. As such, the ordinance is as proposed at the November 10th meeting.

PROS & CONS:

Pros:

- The housekeeping changes brings the franchise and the ordinance into alignment and makes implementing and enforcing Chapter 8.40 easier.
- Changing the franchise term as proposed allows for more flexibility in extending the agreement and provides both the City and the franchisee ample foreknowledge if the franchise will not be extended.

Cons

- None.

Current Year Budget Impacts ☐ Yes *(describe)* ☒ N/A

Future Fiscal Impacts: ☒ Yes *(describe)* ☒ N/A

City Attorney Approved Ordinance ☒ Yes

Community Involvement Process: ☒ Yes *(describe)* ☐ N/A
Member of the public have the opportunity to comment on this ordinance.

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 8.40 OF THE TROUTDALE MUNICIPAL CODE AND REASSIGNING STAFF RESPONSIBILITY FOR SOLID WASTE.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. In 2005, the Solid Waste section of the municipal code was renumbered from Chapter 12.10 to Chapter 8.40 and staff responsibility was reassigned.

2. Responsibility for administration of the solid waste program is being transferred from the Community Development Department to the City Manager, or his/her designee.

3. The proposed ordinance adds definitions pertinent to this chapter that were not moved when this chapter was renumbered.

4. The proposed ordinance adds language required by the franchise agreement with Waste Management related to the protection of containers.

5. The proposed ordinance revises the franchise term to allow for periodic extension to be approved by the Council without need to renegotiate the entire franchise agreement.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROUTDALE

Chapter 8.40 of the Troutdale Municipal Code, Solid Waste, is hereby amended to read as follows:

Chapter 8.40

SOLID WASTE

Sections:

8.40.010 Title.
8.40.015 Definitions.
8.40.020 Intent and scope.
8.40.030 Franchise term.
8.40.040 Franchise fee.

8.40.050 Franchise agreement.
8.40.060 Solid waste rates.
8.40.070 Compliance and enforcement.
8.40.080 Private right of action.
8.40.090 Administration

8.40.010 Title.

This chapter of the code shall be entitled "Solid Waste".

8.40.015 Definitions.

"City" means City of Troutdale.

"Collection or collection service" means all or any part of the activities involved in collecting and transporting solid waste, recyclable materials or yard debris to an appropriate disposal or recycling facility.

"Collection franchise" means a franchise, certificate, contract, or license issued by the City authorizing a person to provide collection service and to use City streets.

"Construction and demolition debris" means used or discarded construction materials removed from a premise during construction, demolition or renovation of a structure where a city permit has been issued.

"Council" means the City of Council of the City of Troutdale.

"Customer" means those generators of solid waste, recyclable materials, or yard debris to whom a franchisee provides collection service.

"Franchisee" means the person granted the franchise under this ordinance, or a subcontractor to such person.

"Generator" means a person who last uses a material and makes it available for disposal or recycling.

"Hazardous waste" means a waste as defined in ORS 466.05 (or any successor thereto) and/or solid waste that is required to be accompanied by a written manifest or shipping document describing the waste as "hazardous waste" or "dangerous waste", pursuant to any state or federal law, including but not limited to, the Resource Conservation and Recovery Act, 42 U.S.C. 6901, et Seq., and the Hazardous Waste Management Act, Chapter 466 ORS as amended, and the regulations promulgated thereunder. Hazardous waste shall not include incidental hazardous waste or small quantity generator waste which is commingled with solid waste.

"Household hazardous waste" means any discarded, useless or unwanted chemical, material, substance, or product that is or may be hazardous or toxic to the public or the environment and is commonly used in or around households. Household hazardous waste includes, but is not limited to, some cleaners, solvents, pesticides, automotive, and paint products.

"Infectious waste" means biological waste, culture and stocks, pathological wastes, and sharps as defined in ORS 459.386.

"Oregon Revised Statues (ORS)" are the codified body of statutory laws governing the State of Oregon.

"Person" means an individual, partnership, association, cooperative, corporation, trust, firm, estate, or other public or private legal entity.

"Processing" means an operations where collected, source-separated recyclable materials are sorted, graded, cleaned, identified, or otherwise prepared for end use markets.

"Rates" means the amounts of compensation paid for various levels of solid waste and recycling service.

"Recyclable material, recyclables" means any material that has or retains useful physical, chemical, or biological properties after serving its original purpose(s) or function(s), and is separated from Solid Waste by the Generator or at a Material Recovery Facility.

"Recycling" means the process of collecting, sorting, cleansing, treating, or reconstituting recyclable materials which would otherwise be disposed of in a landfill and returning them to the economy in the form of raw materials for new, reused, or reconstituted products.

"Resource recovery" means the process of obtaining useful material or energy resources from solid waste and includes energy recovery, material recovery, recycling, and reuse.

"Service" means collection, transportation, storage or disposal of, or resource recovery from, solid waste, or recyclable material, or both.

"Solid waste" means all useless of discarded putrescible and non-putrescible materials, including but not limited to garbage; rubbish; refuse; ashes; wastepaper and cardboard; commercial, industrial, demolition and construction materials; sewage sludge; septic tank and cesspool pumping or other sludge; discarded or abandoned vehicles or parts thereof; discarded home appliances; manure, vegetable or animal solid or semisolid materials, dead animals, infectious waste as defined in ORS 459.386, special waste and other wastes; but the terms does not include:

1. Materials defined as principal recyclable materials in OAR 340-90-070, and any others designated by the City, which have been correctly placed for collection or taken to a Depot by the generator;
2. Hazardous wastes as defined in ORS 466.005; and
3. Materials used for fertilizer or for other productive purposes or which are salvageable as such materials are used on land in agricultural operations and the growing or harvesting of crops and the raising of animals (OAR 340-90-010(36)).

"Solid waste collection service or service" means the collection, transportation, storage or disposal of or resource recovery of solid wastes, from residential, multifamily, commercial, and industrial generators, as required by City regulations, and administrative rules; and the collection, transportation and processing of recyclable materials and yard debris from residential and commercial generators.

"Solid waste management" means the prevention or reduction of solid waste; storage, collection, transportation, treatment, utilization, processing, and final disposal of solid waste; or resource recovery from solid waste; and facilities necessary or convenient to such activities.

"Source separated recyclable materials" means any recyclable materials separated from the solid waste stream prior to collection.

"Waste" means material that is no longer usable or wanted by the source generator of the material which is to be utilized or disposed of by another person. For the purposes of this paragraph, "utilized" means the productive use of wastes through recycling, reuse, salvage, resource recovery, energy recovery, or landfilling for reclamation, habilitation, rehabilitation of land.

"Yard debris" means compostable materials including grass clippings, leaves, pruning and similar vegetative materials; but does not include sod, stumps, or similar bulky wood materials, rocks, or dirt.

8.40.020 Intent and scope.

A. Pursuant to the statues of the state of Oregon and the powers granted in the charter of the city, the council declares is intent to insure the safe accumulation, storage, collection, transportation, and disposal or recovery of solid waste and recyclable material in the city.

B. The council finds, determines and declares the necessity of providing for the city's solid waste and recycling needs by the establishment of an exclusive franchise for solid waste and recycling collection and transportation services for compensation within a delineated service area.

C. It is unlawful for any person to provide, offer to provide, or advertise for services for the collection and/or transportation of solid waste and recycling for compensation without obtaining a franchise from the city, except for the following wastes:

1. Sewage sludge, septic tank pumpings, cesspool pumping and the like;
2. Motor vehicles and motor vehicle parts;
3. Construction and demolition debris;
4. Source Separated Materials for Resource Recovery collected by charitable, civic or benevolent organizations;
5. Wastes produces as an incidental part of other business activity such as janitorial services, landscaping services and the like;
6. Wastes that are exempt under ORS 459A.075.

D. It is unlawful for any person, other than a franchisee or generator, to interfere with any solid waste container, take recyclable material or any other solid waste set out to be collected from such container, or to remove any such container or its contents, without first obtaining consent from the franchisee or the generator.

8.40.030 Franchise term.

A. The exclusive franchise agreement provided for by this chapter shall be for a period specified in the franchise agreement but not to exceed eight years.

B. Every four years, Council will review the franchise agreement and may elect to extend the franchise for an additional four years, thereby returning the remainder of the franchise term to eight years.

C. Council has the authority to choose not to extend the franchise for any reason. If the Council decides not to extend the franchise, it shall, prior to the expiration of the franchise select a hauler through an alternative selection process.

8.40.040 Franchise fee.

A. As compensation for the franchise granted to the franchisee and for the use of city streets, the franchisee shall pay to the city a fee equal to five percent of gross revenues resulting from the solid waste services conducted this franchise.

B. In the event that the franchisee shall pay a franchise fee of more than five percent to any city or municipal corporation within the Portland-Metro area during the duration of the franchise agreement, then the franchisee shall inform the city of the same and the city shall have the right to require and receive the same percentage as said other city or municipal corporation, to be effective upon the next rate change following a rate review process.

8.40.050 Franchise agreement.

The city and the franchisee shall enter into a written franchise agreement describing the duties and responsibilities of each party. This agreement shall be authorized by a resolution of the council and may, from time to time, by resolution of the council.

8.40.060 Solid waste rates.

A. The council, by resolution, shall establish rates which the franchisee may charge for solid waste services and may, from time to time, by resolution change those rates.

B. When a new or unusual solid waste service not included in the rate structure approved by the council is requested, the franchisee may establish a reasonable cost for providing such service. However, if such service is provided for more than one month, the franchisee shall notify the city manager or his/her designee in writing of the service provided, the rate proposed and the basis for the rate. If the city manager or his/her designee finds the rate for providing such service unreasonable, rates shall be approved by the council.

8.40.070 Compliance and enforcement.

If there is a violation of this chapter, the city may in addition to other remedies provided by law, file an action in a court of appropriate jurisdiction seeking a civil penalty, recovery of unpaid fees owed, an injunction for abatement and court costs.

8.40.080 Private right of action.

A private enforcement cause of action is hereby created for any person to bring a civil action alleging violation of this chapter in a state court of appropriate jurisdiction, seeking appropriate judicial remedies, including injunctive relief and damages. A copy of any suit that is file shall be mailed or delivered to the city manager's office when it is filed. Any person who prevails in an action under this section pertaining to private right of action, shall be entitled to his, her or its reasonable costs and attorney's fees; including those on appeal.

8.40.090 Administration.

The city manager or his/her designee shall be responsible for the administration of this chapter.

YEAS:
NAYS:
ABSTAINED:

Doug Daoust, Mayor

Date

Sarah Skroch, City Recorder

Adopted:

AGENDA ITEM #5

CITY OF TROUTDALE

STAFF REPORT

SUBJECT / ISSUE: A Motion Giving Staff Direction Regarding Elected Officials Submitting Articles to be Published in the Troutdale Champion Newsletter.

MEETING TYPE: City Council Regular Mtg.	**MEETING DATE:** November 24, 2015 **STAFF MEMBER:** Sarah Skroch **DEPARTMENT:** Executive
ACTION REQUIRED Motion **PUBLIC HEARING** No	**ADVISORY COMMITTEE/COMMISSION RECOMMENDATION:** Not Applicable **Comments:** N/A

STAFF RECOMMENDATION: None.

EXHIBITS:

A. Standard Operating Procedure #1063 – Requirements and Guidelines for Producing the Troutdale Champion.

Subject / Issue Relates To:

☐ Council Goals ☐ Legislative ☒ Other (describe)

Issue / Council Decision & Discussion Points:

- Should elected officials be allowed to submit articles to be published in the Troutdale Champion Newsletter?
- If the answer is yes, will articles be allowed during the calendar year for which the official's position is up for re-election?

Reviewed and Approved by City Manager: S. G.

BACKGROUND:

In 2009, at Council direction, staff created Standard Operating Policy (SOP) #1063 (Exhibit A) to formalize the internal requirements and guidelines for producing the Troutdale Champion based on the practices that were in effect at that time. In section B, #2 it states "The Mayor and/or City Councilors may submit an article for inclusion in the Champion. The article will be reviewed by the City Recorder and City Administrator for compliance with the Goals and Requirements before being approved for inclusion in the Champion. No article will be allowed if it includes text that appears to be "campaigning" for an upcoming election." Since this SOP has taken effect, Council has amended the process we follow on more than one occasion, though the formal SOP has remained unchanged.

At the March 13, 2012 City Council Meeting under Council Communications, Councilor Ripma recommended that staff be directed not to publish any articles in the Champion written by elected officials. The staff stopped publishing elected officials' articles in the Champion based on the staff's understanding that the Council endorsed with Councilor Ripma's recommendation.

At the February 25, 2015 City Council Meeting under Council Communication, Councilor Wilson proposed to reinstate the Mayor and Council's ability to publish articles in the Troutdale Champion with the exception of the year for which their position was up for re-election. This was endorsed by a majority of the City Council. This is the most recent direction from Council and the process that staff is currently following.

At the November 10, 2015 City Council Meeting under Council Communications, Councilor Wilson recommended removing the exception of not allowing elected officials to submit articles to be published in the Troutdale Champion Newsletter during a year for which their position is up for re-election. There was a subsequent discussion that ended with the Council's desire to have this formally brought to them as an agenda item to allow discussion and public input.

Staff is preparing to solicit articles for the January/February 2016 edition of the Champion. The deadline to submit articles will be Wednesday, December 9th. As it stands now Mayor Daoust, Councilor Anderson, Councilor White, and Councilor Wilson will not be allowed to submit articles for publication in any of the 2016 editions of the newsletter because their positions will be up for re-election. In order for this to change, staff will need direction from the Council this evening.

Current Year Budget Impacts	☐ Yes *(describe)* ☒ N/A
Future Fiscal Impacts:	☐ Yes *(describe)* ☒ N/A
City Attorney Approved N/A	☐ Yes
Community Involvement Process:	☐ Yes *(describe)* ☒ N/A

CITY OF TROUTDALE

Standard Operating Procedure

SUBJECT: REQUIREMENTS AND GUIDELINES FOR PRODUCING THE TROUTDALE CHAMPION	**S.O.P. #: 1063**
EFFECTIVE DATE: SEPTEMBER 2, 2009	**SUPERSEDES S.O.P.:**
DEPARTMENT(S) AFFECTED: ALL	
APPROVED BY: DW	**DATE:** 9/2/2009

PURPOSE:

The Troutdale Champion Newsletter is the official City newsletter which is published six times a year. This newsletter is a tool to communicate with our citizens those issues that have an impact on them. The purpose of this policy is to establish general requirements and guidelines for producing The Troutdale Champion.

A. GOALS:

1. To avoid any appearance of partiality in all articles.
2. To keep our citizens well informed of City issues that impact them.
3. To provide accurate information in a reader friendly manner.
4. To have all departments represented in each issue of the Champion.

B. WHO CAN SUBMIT ARTICLES:

1. Articles may be written by any City employee, but must be approved by the Department Director before being submitted to the City Recorder or his/her designee.
2. The Mayor and/or City Councilors may submit an article for inclusion in the Champion. The article will be reviewed by the City Recorder and City Administrator for compliance with the Goals and Requirements before being approved for inclusion in the Champion. No article will be allowed if it includes text that appears to be "campaigning" for an upcoming election.

3. The West Columbia Gorge Chamber of Commerce and the Troutdale Historical Society may submit articles for events sponsored by, or offered with assistance from the City, and articles informing the community of the history of Troutdale.

4. East Metro Mediation may submit articles regarding the type of service they provide or upcoming training, as long as the IGA between the City and East Metro Mediation is valid.

5. Gresham Fire Department, as long as we are contracting with them for fire and emergency services.

6. Articles may be provided by other government entities or affiliated groups if they relate to something that has a impact to our citizens. These articles must be approved by the City Recorder and City Administrator.

C. ARTICLE REQUIREMENTS/GUIDELINES:

1. Before any photo of an individual can be included in the Troutdale Champion, a completed Photo Release must be provided to the City Recorder.

2. All articles should be typed in 12pt Arial font and single-spaced.

3. Articles providing impartial information about City measures that are being put to the citizens for a vote must be reviewed by the City Attorney and may need to be reviewed by the Secretary of State's Office prior to being published in the Troutdale Champion (please get these articles in early as this review will take extra time).

4. Every effort should be made to keep articles under 400 words.

5. Check all phone numbers and web page addresses to ensure they are valid before submitting your article.

6. If you are submitting an article that was not written by a City Employee, we must have written permission from the author to publish their article. Provide the documentation giving us permission to publish the article to the City Recorder. The author's name will appear under the heading for the article, giving them proper credit.

7. If you are submitting a photo taken by a private party, we must have written permission to include the photo. Provide the name of the individual who took the photo(s) when you submit the article and their credit will appear directly underneath the photo. A photo release may also be required, see above.

8. We will not publish articles that advertise/promote private business, this includes: 1) ribbon cutting ceremonies attended by elected officials or city staff, unless it is for a city owned/operated facility; 2) fundraising events for non-profit or for-profit organizations unless the City is actively participating, or it provides a benefit to the City.

9. Some articles contain important information that necessitates annual notification. We prefer not to run the same article each year. Effort should be made to rewrite/update the article, including adding timely information gained since the previous year.

10. When deciding what articles to submit, look ahead to anticipate issues that might be of interest to residents over the two-month period that the upcoming issue of the Champion will cover.

D. STANDARD COLUMNS:

1. Event Calendar: This will include events that are sponsored by, or offered with assistance from the City.

2. City meetings: All scheduled city meetings are listed in this column. Please inform the City Recorder if your standard committee meeting date/time has changed or if you know that a meeting will be canceled. We want this listing to be as accurate and up-to-date as possible.

3. Addresses for City of Troutdale buildings, phone numbers of city departments, WCGCC, Historical Society, utility service providers, and other informational phone numbers that are important for our citizens to have.

4. Public Safety article.

E. PROCESS:

1. In December, a calendar for the upcoming year will be published and distributed to all departments and the council to inform them of the deadlines for submitting articles and what date the newsletter is anticipated to reach the citizens.

2. A reminder email will be sent out to all employees to inform them of the deadline for the upcoming issue of the Champion Newsletter.

3. Employees draft their article(s) and forward it to their Department Director for review/approval.

4. The Department Director will forward the approved article to the City Hall Receptionist.

5. The Receptionist will forward the articles to the City Recorder for review and editing prior to working on the layout.

6. The City Recorder and/or Receptionist will inform the author of the article of any major changes to the article.

7. If we receive too many articles for any given issue of the Champion, the City Recorder will make the determination as to which article(s) will not be included in this issue. If an article is not going to be included the City Recorder will inform the author of the article prior to publication.

8. Prior to sending the newsletter to print, the City Recorder will proofread the entire newsletter. It will then be sent to the City Administrator for final review and approval to be sent to the printer.

AGENDA ITEM #6

CITY OF TROUTDALE

STAFF REPORT

SUBJECT / ISSUE: Discussion of the PDC Proposal of a Relocation Payment for Siting the USPS Facility in TRIP.

MEETING TYPE: City Council Regular Mtg.	**MEETING DATE:** November 24, 2015 **STAFF MEMBER:** Craig Ward **DEPARTMENT:** Executive
ACTION REQUIRED Information/Discussion **PUBLIC HEARING** No	**ADVISORY COMMITTEE/COMMISSION RECOMMENDATION:** Not Applicable **Comments:**
STAFF RECOMMENDATION: Provide LOI response direction.	
Exhibits: A. PDC Letter of Intent (LOI) for the USPS Relocation Project Payment	

Subject / Issue Relates To:

☒ Council Goals ☐ Legislative ☐ Other (describe)

Goal: *Continue to support desirable development in the Enterprise Zone (EZ), and consider the extension of the EZ prior to the June 2018 expiration.*

Issue / Council Decision & Discussion Points:

- The Portland Development commission (PDC) desires to acquire and consolidate United States Postal Service (USPS) facilities currently located in downtown Portland and at Portland International Airport to another site.
- The PDC and USPS are considering Lots 7 and 8 of the Troutdale Reynolds Industrial Park (TRIP) as one of the potential relocation sites for the USPS facility.
- The USPS facility located in TRIP would result in a significant loss of potential property tax revenue for the City.

Reviewed and Approved by City Manager: S. G.

- The PDC has proposed to provide a one-time relocation payment to the City of $6,465,000 in lieu of potential lost property taxes the City might otherwise garnish from another developer who might otherwise someday occupy the site.

BACKGROUND:

The PDC approached the City regarding locating the USPS facility into TRIP. Several information gathering meetings were held with the PDC and City staff. Council discussed the available information in their October 20, 2015 work session. Council directed staff to request additional information and a written proposal from the PDC.

At their November 10, 2015 meeting the Council received the attached October 30, 2015 Letter of Intent (LOI) for the USPS Relocation Project Payment from the Portland Development Commission (Exhibit A). On November 10 the Council also received privileged legal advice from the City Attorney provided in Executive Session. Public discussion of the PDC Letter of Intent and Council response was scheduled for the next Council meeting.

Current Discussion:

The LOI advocates for the relocation of the USPS facility to Troutdale and the purported benefits, which the PDC indicates are based on assumptions and estimates.

The LOI asserts there are significant benefits including the one-time construction jobs and expenditures, and the follow on employment. However, the construction will avoid compliance with the City Building Inspection and Fire Life Safety requirements, and will result not in 1,300 new jobs in the near term, but rather 1,300 new commuters to Troutdale as the jobs are existing metro area jobs in the three existing facilities being considered for consolidation into the single TRIP site. While these 1,300 new commuters are likely to bring some increased volume to the Frontage Road businesses for fuel and meals, it is unknown how many might purchase homes or goods rather than continue to purchase them near where they currently reside. Over the long-term it is possible more USPS employees may locate in Troutdale, but when and to what degree that might occur is unpredictable.

The LOI asserts and acknowledges that the facility would not pay building permit fees, SDC fees, or property taxes, and seeks instead to make a one-time payment on behalf of the USPS. The Port of Portland has only a single transaction interest in the decision. Once the property is sold to whatever business chooses to locate there, the Port's interest is concluded. Publicly senior Port officials have indicated they will support the City's decision, whether supportive of the USPS deal or not.

The LOI offer of a one-time payment of $6,465,000 is expected to cover estimated lost property taxes and SDC fees, but makes no provision for Building Inspection and Fire Life Safety

requirements. The additional assumptions listed on page 2 of the LOI consider only a 50 year period off the tax rolls as well as not including the first 10 years, so is equivalent to only 40 years of lost taxes. As the LOI indicates, the assumptions are subjective.

Potential Models:

PDC Model

The PDC model is an average of a $110 sq.ft. for USPS Facility and $45 sq.ft. for standard industrial improvements resulting in $5,525,994 of estimated 40 years of taxes, plus $938,284 SDC estimate, totaling the rounded $6,465,000 offer. The financial impact of discounting the net present value of the first 10 years is highly significant, as in "time value of money" calculations a dollar today is more valuable than a dollar in the future. Therefore, the further into the future the value of those early payments are considered, the greater the financial effect. So the first 10 years of taxes are the most valuable, least discounted, amounts.

Potential "USPS like" Model

As reviewed at the October 20, 2015 work session, based on the information available for a taxable facility, just like the potential USPS facility (on a 45 acre site, with a 817,000 square foot of buildings, estimated improvement costs, estimated Business Personal Property values, assuming 3 year Enterprise Zone property tax exemption just on the improvements, assuming an annual 3% maximum allowed growth in assessed value, and using the PDC proposed 3% present value discount rate) the estimated present value of property taxes on land, improvements and business personal property for 50 Years is $9,232,354, and for 100 Years $18,444,226 (SDC and building permits fees are additional considerations).

Potential "FedEx like" Model

For a taxable facility, similar to the FedEx facility (on a 45 acre site, with a 817,000 square foot of buildings, estimated improvement costs scaled from FedEx site, estimated Business Personal Property values scaled from FedEx site, assuming 3 year Enterprise Zone property tax exemption just on the improvements, assuming an annual 3% maximum allowed growth in assessed value, and using the PDC proposed 3% present value discount rate) the estimated present value of property taxes on land, improvements and business personal property for 50 Years is $13,559,302, and for 100 Years $27,726,543 (SDC and building permits fees are additional considerations).

For context, in FY 2015-16 the FedEx site has $1,633,175 in totaled levied taxes from both their real property tax account and from their business personal property account. Of that total $630,814 is from their business personal property (i.e. conveyers systems, equipment, IT systems, etc.) which provides $36 million in assessed value. Troutdale is to receive $442,514

which includes the City permanent rate, URA division of tax, and the two general obligation bond levies, a combined total from both their property tax accounts.

In considering various models and the many assumptions, the land portion is relatively consistent, and the building shell is generally similar. The type of improvements within the building can vary significantly from an ordinary dry goods warehouse operation with a relatively low assessed value, up through a FedEx like facility with significant investment in automation resulting in a significantly higher assessed value, to the very, very high level of a $500 million generator planned for the Troutdale Energy Center site.

Potential "plain warehouse" Model

For a plain warehouse taxable facility, (on a 45 acre site, with a 817,000 square foot of buildings, estimated improvement costs, estimated Business Personal Property values, assuming 3 year Enterprise Zone property tax exemption just on the improvements, assuming an annual 3% maximum allowed growth in assessed value, and using the PDC proposed 3% present value discount rate) the estimated present value of property taxes on land, improvements and business personal property for 50 Years is $ $5,346,862, and for 100 Years $10,891,783 (SDC and building permits fees are additional considerations). These results are similar dollars to the PDC Model.

Alternative Model

All the above are based on a one-time upfront payment which is the approach the PDC has proposed, however, the Council may wish to consider proposing a different payment structure.

An annual payment so long as the property is owned by a non-property tax paying owner, also known as a "payment in lieu of taxes" (PILT). The Federal government has a large program of PILT through the Department of the Interior for various large forest and open public land types.

The annual PILT payment could set as 103% of the prior year and be made by the PDC guaranteed by the City of Portland. This could provide the City with a long term revenue source and avoid the arguments of 40, 50, 75 or 100 year time estimates. Of course the starting payment date and amount will undoubtedly be a matter of considerable debate. An annual payment starting at $453,592 based on the FedEx like model above could be proposed, including the expectation that the project would additionally fully pay all SDC and Building Inspection and Fire Life Safety fees.

Competing Development Options:

There are currently no other projects actively competing for the TRIP site. However, once the site is occupied, no other project will be able to locate there for the foreseeable future, so acceptance of the USPS project will effectively preclude any other development.

SUMMARY:

As I mentioned previously, any decision will result in buyer's remorse wondering what might have been had the decision gone another direction. I acknowledged that it is a "bird in the hand" dilemma for the Council, and a tough decision either way.

Exhibit A
11/24/15 - Council Mgt.- Item # 6

PDC | PORTLAND DEVELOPMENT COMMISSION
www.pdc.us

Tom Kelly
Chair

Gustavo J. Cruz, Jr.
Commissioner

Aneshka Dickson
Commissioner

Mark Edlen
Commissioner

William Myers
Commissioner

Charlie Hales
Mayor

Patrick Quinton
Executive Director

October 30, 2015

Honorable Doug Daoust, Mayor
City of Troutdale
219 E. Historic Columbia River Hwy.
Troutdale, OR 97060

Re: Letter of Intent for USPS Relocation Project Payment to City of Troutdale

Dear Mayor Daoust:

Thank you for engaging in discussions with the Portland Development Commission (PDC) regarding the potential relocation of United States Postal Service (USPS) facilities to a site at the Troutdale Reynolds Industrial Park (TRIP) owned by the Port of Portland. As we have discussed, PDC and USPS are in negotiations for PDC to purchase the downtown Portland USPS Processing and Distribution Center (P&DC). As part of that acquisition, the USPS would need to relocate and possibly consolidate its facilities in the Portland area. PDC is assisting in that effort and currently evaluating multiple sites for this regionally significant acquisition and relocation.

This relocation offers significant economic benefits to our region, and to the local community in which the new facility is located in particular. The construction of the new facility alone will generate one-time benefits in excess of $140 million, of which a disproportionate amount will flow to the community in which the new facility is located.

In addition, USPS, with annual employment of about 1,300 employees in Portland, generates an estimated annual contribution of more than $220 million to the local economy. The relocation of the USPS P&DC facility will shift the center of influence of these benefits to the new home for that facility, and bring new revenues and jobs to local businesses and new residents to nearby neighborhoods.

Despite these significant benefits, both USPS and PDC recognize that the City of Troutdale must forego potential tax and fee revenue in the event a site at TRIP is sold to a federal agency rather than a private company or developer. Although USPS is not by law required to pay property taxes or use and permit charges to local jurisdictions, USPS and PDC acknowledge this opportunity cost to Troutdale and, moreover, value the assistance that Troutdale will provide in the event USPS moves to Troutdale.

To arrive at a fair estimate of this opportunity cost, we have worked with your staff over the past few weeks to estimate the present value of foregone property taxes, system development charges (SDCs), and building permit fees in the event USPS locates its new facility at TRIP. After considering a range of assumptions and running various development scenarios for the site, we believe a fair estimate is $6,465,000. As such, on behalf of the USPS, I am proposing that USPS make a one-time payment of $6,465,000 to the City of Troutdale as part of total project costs upon occupancy of the new facility by the USPS.

222 NW Fifth Avenue
Portland, OR
97209-3859

503-823-3200 Main
503-823-3368 Fax
503-823-3366 TTY

We arrived at the $6,465,000 figure using the following assumptions:

- The estimated foregone property tax revenue to the City of Troutdale is $138,150 per year.
- The estimated foregone property tax calculation is based on an improvement value consistent with a typical private sector industrial or warehousing building, and not based on the unique and costly specifications of a USPS distribution facility.
- The new facility has an estimated 50-year life, given the type of construction and the likely changes in the USPS business model over the next 50 years.
- The calculation of the present value of the foregone property tax revenues assumes no lost revenue during the first 10 years due to the availability of additional land for development at TRIP and the likelihood that any new development would be offered a three-year Enterprise Zone property tax abatement. Because TRIP currently has sufficient available land to respond to multiple large lot requests before turning away any opportunities, the lost opportunity to Troutdale begins not when the USPS facility is built but when the 183-acre TRIP can no longer offer available land to a similar opportunity.
- Given the impact of the project on local infrastructure, the payment should include forgone SDCs of $938,284. The calculation does not, however, include permit fees given that the City of Troutdale will not incur the work involved in reviewing plans and inspecting the facility.

We are, of course, happy to share our detailed assumptions with you.

Obviously, any calculation of lost opportunity cost involves subjective assumptions about the future. One of the overriding benefits of this project, however, is that it reduces Troutdale's downside risks associated with the timing of absorption and development of the TRIP property and provides immediate funds that can be used today. Even under optimistic development assumptions, the alternative would require the City to wait years to generate a similar sum of money through incremental revenue growth.

Please note this Letter of Intent is non-binding and contingent upon subsequent approvals. As noted above, PDC and USPS are still evaluating site alternatives and determining which site meets both USPS criteria and financial resources available for the relocation. The satisfactory resolution of this matter will partially affect the parties' ultimate site selection decision.

Please let me know if this payment amount is acceptable to the City of Troutdale so that we can continue with our feasibility, budgeting, and site evaluation process. Should this be acceptable to all parties, this project payment would be documented in a subsequent binding agreement.

Please contact me at (503) 823-3355 if you have any questions.

Sincerely,

Patrick Quinton
Executive Director

Cc: Craig Ward, City Manager, City of Troutdale

AGENDA ITEM #7

CITY OF TROUTDALE

STAFF REPORT

SUBJECT / ISSUE: A Follow Up Discussion on Depot Museum Use, Modifications and Staffing, and Grant Writing Services.

MEETING TYPE: City Council Regular Mtg.	**MEETING DATE:** November 24, 2015 **STAFF MEMBER:** Craig Ward **DEPARTMENT:** Executive
ACTION REQUIRED Information/Discussion **PUBLIC HEARING** No	**ADVISORY COMMITTEE/COMMISSION RECOMMENDATION:** Not Applicable **Comments:**
STAFF RECOMMENDATION: Discuss and provide direction.	
Exhibits: none	

Subject / Issue Relates To:

☐ Council Goals ☐ Legislative ☒ Other (describe)

Issue / Council Decision & Discussion Points:

- Increased hours of operation for the Depot Train Museum
- City financial support for the THS staffing of the Museum
- Potential WCGCC use of the Depot as office and visitor center
- Depot building modifications, costs and phases needed
- Possible grant writer position
- Costs and practical considerations

Reviewed and Approved by City Manager: S. G.

BACKGROUND:

At the October 27, 2015 work session the Council discussed at length several ideas involving the Depot Museum, the Troutdale Historical Society (THS) and the West Columbia Gorge Chamber of Commerce (WCGCC). Several options for the taxpayers to subsidize the operation of the museum were discussed, including hiring a new City employee as museum curator. The significant building deficiencies of the Depot were discussed at length as were the challenges of accommodating both the WCGCC's and THS' exhibits and files.

Follow up research indicates a more appropriate position description would be "Museum Attendant" rather than "Museum Curator" as a curator typically has an advanced education degree in natural history, anthropology, earth science, archaeology, art history, or similar discipline. Curators typically manage a collection of works including acquiring items and establishing gallery display and rotation programs. Curator salaries typically begin in the mid $50k and range well into six figures depending on the size and type of museum.

A Museum Attendant deals with the public taking tickets and providing promotional materials, physically monitoring the gallery or exhibit, answering questions, selling related merchandise, and generally opening, closing and operating the public museum space. Compensation is considerably lower than a curator position.

The idea of a part time grant writer position was also discussed at length. While attractive on the surface the potential for significant disappointment is very high. Grant writing is sporadic and seasonal with all but the largest organizations (universities) having inadequate workload to support an employee position. Many smaller organizations successfully contract out for grant writing expertise on a project/grant hourly basis. Additionally the long list of available grants quickly becomes limited based on matching funds requirements, target population or income level restrictions, and cost ineffective due to low award amounts and considerable grant administration and reporting requirements, and the additional audit costs.

Any new City employee position, museum attendant, grant writer or a combination, would be an AFSCME position which entails all the costs and limitations and obligations under the union contract. Once established as an AFSCME covered position, the City's future ability to contract out for the desired services is effectively eliminated.

A $20 per hour half-time City employee which would be an AFSCME covered position would cost at least $32,000 the first year (wages of $20,800, payroll taxes of $2,507, PERS costs of $2,723, Insurance benefit costs of $6,255). Costs would increase annually for each category of wages, PERS, taxes and insurance.

The additional potential danger in funding a museum position is to create the expectation of other private special interest groups to receive a taxpayer subsidy for their staffing needs.

SUMMARY:

The considerable complexity of practical costs, and operational needs between the City, THS and the WCGCC will require additional research and program development.

RECOMMENDATION:

Staff recommends contracting for the museum attendant services from the THS rather than creating a City union position. Further, I recommend that grant opportunities be pursued through external grant writing consulting services rather than creating a City union position. Over time the City may reevaluate how to approach these very different service needs.