



CITY OF TROUTDALE

"Gateway to the Columbia River Gorge"

Mayor
Casey Ryan

City Council
David Ripma
Randy Lauer
Larry Morgan
Glenn White
Rich Allen
Zach Hudson

City Manager
Ray Young

City Recorder
Sarah Skroch

AGENDA

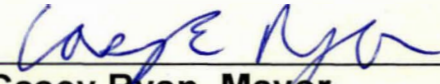
JOINT MEETING - CITY COUNCIL & COMMUNITY ENHANCEMENT PROGRAM COMMITTEE – REGULAR MEETING

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

Tuesday, April 11, 2017 – 7:00PM

1. **PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE.**
2. **CONSENT AGENDA:**
 - 2.1 **MINUTES:** January 10, 2017, Regular Meeting; January 24, 2017, Regular Meeting; February 28, 2017, Regular Meeting; and March 14, 2017, Regular Meeting.
 - 2.2 **RESOLUTION:** A resolution adopting the City of Troutdale's revised Water Management and Conservation Plan.
 - 2.3 **MOTION:** A motion directing staff to relocate the Council Chambers to the Kellogg Room in the Troutdale Police Community Center located at 234 SW Kendall Court.
 - 2.4 **RESOLUTION:** A resolution approving changing Summerfest to the 4th Saturday in July for 2017.
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. **PRESENTATION:** A presentation from Reynolds High School on their ELD (English Language Development) Program.
Wade Bakley, Principal, Reynolds High School
5. **DISCUSSION:** A discussion on local budgeting in Oregon as set by Oregon Department of Revenue.
John Wilson, Troutdale Resident

6. **REPORT:** A report on plan review scoping for the Columbia Gorge Commission.
*Krysteyna Wolniakowski, Executive Director,
Columbia River Gorge Commission*
7. **REPORT:** A report from the Sandy Drainage Improvement Company and the Multnomah County Drainage District regarding the Troutdale Weir Improvement Project.
Reed Wagner, Multnomah County Drainage District
8. **REPORT:** An update from Metro Councilor Shirley Craddick.
9. **COUNCIL JOINED BY METRO COUNCILOR CRADDICK TO CONVENE AS “Community Enhancement Program Committee” (CEPC)**
Erich Mueller, Finance Director
- A. Committee Roll Call
B. Motion – Approve 2017 CE Application and Calendar
C. Motion – Approve 2017-18 CE Program Budget
D. Motion – Approve Charging CE Program Administration Costs
E. Motion – Adjourn CEPC only and continue with Council Agenda
10. **PUBLIC HEARING / ORDINANCE (Introduced 4/5/17):** Adoption of Comprehensive Text Amendments to the Troutdale Development Code and providing an effective date clause.
Chris Damgen, Community Development Director
11. **STAFF COMMUNICATIONS**
12. **COUNCIL COMMUNICATIONS**
13. **ADJOURNMENT**



Casey Ryan, Mayor
 Dated: 4/5/2017

City Council Regular Meetings will be replayed on Comcast Cable Channel 30 (HD Channel 330) and Frontier Communications Channel 38 on Friday at 4:00pm and Sunday at 9:00pm following the meeting.

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.

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

Tuesday, April 11, 2017 – 7:00PM

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

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

PRESENT: Mayor Ryan, Councilor Ripma, Councilor Lauer, Councilor Morgan, Councilor White, Councilor Allen and Councilor Hudson.

ABSENT: Ed Trompke, City Attorney (excused).

STAFF: Ray Young, City Manager; Kenda Schlaht, Deputy City Recorder; Erich Mueller, Finance Director and Chris Damgen, Community Development Director.

GUESTS: See Attached List.

Mayor Ryan asks if there are any agenda updates.

Ray Young, City Manager, responds there are no agenda updates. The only notation for the record is that Ed Trompke, City Attorney, will not be present tonight due to a family emergency but he is available by phone if needed.

2. CONSENT AGENDA:

2.1 MINUTES: January 10, 2017 Regular Meeting; January 24, 2017, Regular Meeting; February 28, 2017, Regular Meeting and March 14, 2017, Regular Meeting.

2.2 RESOLUTION: A resolution adopting the City of Troutdale's revised Water Management and Conservation Plan.

2.3 MOTION: A motion directing staff to relocate the Council Chambers to the Kellogg Room in the Troutdale Police Community Center located at 234 SW Kendall Court.

2.4 RESOLUTION: A resolution approving changing Summerfest to the 4th Saturday in July for 2017.

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

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

John Wilson, Troutdale resident, states I'm here to speak to you on everybody's favorite subject of Imagination Station (a handout was distributed to the Council, a copy of the handout can be found in the meeting packet). I have some concerns about the process of which the structure will be chosen. It appears that the public is not going to be involved. I'm concerned that Councilor White who has said the Parks Advisory Committee is spot on in their decision on how to replace the park and the Vice Chair of the Parks Department also does not want to take into consideration social media. Zach Hudson has said Council doesn't know what they want. I hope this isn't true to the rest of Council and I believe the Council should be listening to the public and not just to themselves. I put together an outreach program. I know that the Parks Department and the City have tried this before but it wasn't properly executed so it was poorly attended. In fact I can probably count on one hand the number of people that were there because I was one of them. My suggestion is that you invite everybody that has sent in an RFP to attend the meeting and make a presentation similar to what Metro did on the Springwater Trail. This is how you get the public to attend: send out a mailing to all residents. It would be a 4X5 mailer with the front being the burning Imagination Station and on the back showing the date, location and time that their input could be given, there could be a video with a voiceover put on Facebook with a boost to just the area of 97060, it would run about \$100.00 for that, you could put a 3 column X 10 inch color ad into a local newspaper to the Troutdale residents and also a poster to put up in the businesses announcing it. The development costs for the collateral and the development of everything mentioned would cost between \$800.00 and \$1000.00 and there is a local guy that can put all that together for you. The mailing and printing, based on the City's non-profit, would run another \$1650.00. A Facebook post would run about \$150.00 to cover all of Troutdale and then the print ads would be another \$900.00. I know that if you take these steps you'll get people there. If you really care about what the citizens of Troutdale think you will take these steps to get them there. I know in the past if you don't take these steps you'll get push back from the citizens of Troutdale which if you go on social media there is a lot of push back. In fact there's one site where people are asking, where's the wood? I think you really need to get the citizens of Troutdale involved in helping pick out the process and not just leave it to the Parks Advisory Committee and yourselves. There is a lot of people on the Parks Committee that have husbands as City Councilors. Then you have the Vice Chair of the Parks Department who doesn't believe in social media. I really think everybody should listen to social media because it is a growing area.

Paul Wilcox, Troutdale resident, states I did want to mention I fully support the move to the Kellogg Room. I want to follow up on what John had to say. I totally encourage as much outreach as you can manage as far as Imagination Station. I happen to be on the Parks Advisory Committee and I want to mention that we are meeting tomorrow at 7:00 at the Kellogg Room and the public is invited every month we meet. As John mentioned in the past the Park Advisory held a couple Town Hall meetings and John was right, you could probably count on one hand the number of people that showed up. There was a lot of input on social media. I totally encourage public involvement at the highest level.

4. PRESENTATION: A presentation from Reynolds High School on their ELD (English Language Development) Program.

Gerardo Ibarra, Reynolds High School, Assistant Principal, states I am overseeing the English Language Development (ELD) Program at the high school. This is my second year. This is Deb Tavares and she'll tell you a little about what she's doing with our ELD students. I am happy to mention to you that our ELD graduation rate went up 10% last year which is incredible results from what we're doing in our school. We are working really hard with our ELD population. About ¾ of our school is ELD, which is students that are not of an English language.

Deb Tavares, Reynolds High School, states I teach 9th and 10th graders and I'm a reading specialist. I teach mainstream ELD and sheltered Language Arts. My other endorsement is Social Studies. It turns out I am in 2 departments under the Language Arts department and under the ELD. My class is a pilot class and this is my first year teaching but because I wear all these hats I'm always thinking ahead and pointing kids towards college. That's my goal. Even if they're not going to be in college my goal is that literacy is so important in anything you do so that's the foundation that I lay. Through different networking opportunities I was able to integrate while my colleagues are teaching English in a block class the students come to me with some grammar and phonics issues and I teach them content. I teach them Social Studies and Language Arts. I want to make it relevant and engaging for them. What we're about to explain to you is through a collaboration with Portland State University. I'll introduce our new collaborator, this is Dr. David Del Mar and he's going to explain his background.

Dr. David Del Mar, Portland State University, states I've been an academic and I have a 7th book coming out but I'm losing time to write books because of people like Mrs. Tavares and her students at Reynolds High School. I helped start a non-profit that links students in Ghana and the Pacific Northwest about 5 years ago. We now work with nearly 3000 students on this side of the ocean that's from Seattle to Cave Junction. Reynolds High School is by far our largest collaboration and the reason for that is we depend upon teachers who are already overworked but even so are willing to do more. Mrs. Tavares and her supporters at the high school have offered us a level of commitment we simply haven't found anywhere else. They are spearheading 3 pilot projects. There's interviewing elders which the students at Reynolds capture their stories and share their stories. They are also doing a photography and identity project. The commitment level is so high it persuaded me to do something I've never done before which is take a group of students that I'm working with at Portland State and we're coming out to Reynolds High School. This is a chance for PSU students to see that Reynolds and Troutdale is not by Idaho. I'll be bringing some history students out in the fall and then probably a university studies capstone class. It's been wonderful for our students and wonderful for our organization. We're thrilled to try to grow this relationship.

Deb Tavares states we brought our students to explain. We have Rando and she will explain where she's from and she's been in the country for 2 years. My job is to teach her grammar, punctuation and listening and speaking skills. We also have Yousif and he is from Iraq and he's been here for 5 years. He will read from his photo project. The photo

project was started by a junior high school student with a disposable camera who wanted to help 7 year olds write more English. Yousif had a disposable camera and he took 27 pictures and wrote 27 paragraphs describing each photograph. He picked the best one and describes why he chose it.

Rando, Reynolds High School student, states I am 13 years old and I am from Somalia. I am a freshman at Reynolds High School. (Audio is inaudible).

Yousif Alshammari, Reynolds High School student, states today I will be talking about a picture I took that is really important to me. I took this photo of my HP laptop. This means a lot to me because that's what I'm going to be dealing with in my future. I want to be a computer programmer or engineer. This picture means my future to me because when I finish high school I want to go to college and take computer programming classes and from this day until I graduate I'm going to be practicing using this computer. Right now I'm also studying some classes like computer science and that's going to be better for me because when I'm going to college I'm going to have a plan that I want to reach. My aunt doesn't think computer programmer is a good job but I disagree with her. I have a lot of family members that support me with what I want to do. These are the goals I want to reach. This project made me think about my future and what I want to do. I was writing this essay and I was thinking what I want to do when I finish college.

5. DISCUSSION: A discussion on local budgeting in Oregon as set by Oregon Department of Revenue.

Ray Young, City Manager, states I wanted to let you know that I had this question from a number of people, Mr. Wilson is on the agenda because any citizen may give written notice to request to be put on the agenda.

John Wilson, Troutdale resident, states I'm here tonight to speak about parts of the budget (a handout was distributed to the Council, a copy of the handout can be found in the meeting packet). Most of you have gotten this at the budget meetings and hopefully in your packets for the budget. I'm only going to talk about 1 page. Four years ago when I got on the Budget Committee as a City Councilor I tried to get the Budget Committee trained on how the committee works. I was blocked by the current Chair, Tanney, as well as the Vice Chair and Glenn White, Rich Allen, Dave Ripma and Zach Hudson. As usual the budget meeting lasted and went on for 3 to 4 nights. There are cities with budgets 3 times plus what ours are and they only take 1 night. Why? Because the Troutdale Budget Chair lets it be a free for all and maybe the Budget Chair, Vice Chair and certain Troutdale Councilors don't know the local budget law as presented by the Oregon Department of Revenue. This is not a guideline it is, and I quote from page 1, "the requirements of Oregon Local Budget Law". The Budget Committee, who is under the direction of the current Budget Chair, Tanney Staffenson, does not meet these requirements. Let me introduce the requirements to you. The first one is, May I ask questions at the Budget Committee meetings? It would be helpful and a courtesy of the Budget Committee members if inquiries are not restricted to committee meetings. Checking with the administrator and/or the budget officer, which would be the City Manager or the Director of Finance, between meetings allows members to explore the budget items of interest in

greater detail than might be practical during committee meetings. Questioning also assists the administrator and budget officer by giving an indication of concerns, making it possible to highlight issues that may be of interest to the entire Budget Committee. At the last Budget Committee meeting we spent 45 minutes to an hour discussing with the Director of Public Works if he had done enough repairing one of the city gators to warrant replacing it. I found this an embarrassment for the Public Works Director because these guys don't replace things that don't need to be replaced. They'll repair them before they replace them. We also spent another 30 minutes on the cost of replacing a Chevy S10 pickup because they didn't understand the cost that the City is required under the group buying program. The Committee's Chair should have instructed the Budget Committee on the process of asking questions at the December meeting or in an email prior to the budget meetings. Number two, can I consult with other Budget Committee members about details in the budget other than the Budget Committee meetings? Discussion of the Budget Committee must always take place in front of a public forum. One of the reasons Oregon uses the Budget Committee process is to ensure public comment and full disclosure of budget deliberations. It is much better to abide by the spirit of the law and hold all discussions at Budget Committee meetings. Instead of the Budget Committee members being directed to the administrator and/or budget officer the Budget Committee Chair held private meetings with members of the Budget Committee. The Committee meetings could have moved along faster if the Committee Chair had followed the requirements of the Oregon Department of Revenue. Can the Budget Committee add or delete programs or services? Generally, the Budget Committee's role is not to directly establish or eliminate specific programs or services. Standards and budget parameters established by the governing body give the budget officer and administrative staff general guidelines for budget development. The budget officer then prepares a budget which reflects the governing body's parameters. This proposed budget is what the Budget Committee considers during its meetings. Budget Committee influence on programs and services is most often exerted at a higher level, when it approves the overall budget and establishes the tax levy. Having said all that, if a majority of the Budget Committee agrees, it can add or delete funding for specific services. Public participation at Budget Committee meetings may influence Budget Committee decisions. However, final authority for administration rests with the governing body. The governing body can make changes after the Budget Committee has approved the budget, although they may have to republish the budget and hold another public hearing to do so. The Chair at this last meeting and prior worked on slashing parts of the budget. He also worked on slashing parts of the Parks budget that were not affected by the general budget as they were based on grants. He also tried to get collection of URA funds voted down. When asked why he said it was based on principle. This would've killed the URA and left the City still being owed money from the URA. When a revote was taken he voted yes to approve the funds. I don't believe he clearly understands budgeting or the URA. In closing, the Troutdale Budget Committee needs to replace the current Committee Chair and follow the local budgeting law as set by the Oregon Department of Revenue to be in compliance and to shorten the budget meetings. One of the other things that would help the Budget Committee and the City Council is if they could get the budget to you guys before the weekend because Councilor Allen has stated that he likes to keep his weekends free. He said this to the Finance Director when we were trying to pass some budget amendments we made and we had

to wait another 2 weeks to get those done. You guys have all signed on to do the best you can and if that means working weekends, it means working weekends.

Councilor Allen states I want to say that I actually spend a lot of weekends doing this job as well as weekdays but sometimes things come up. I take budgeting very seriously and I look at it closely.

John Wilson states you publicly said you wanted to keep your weekends free.

Councilor White states I feel like I need to defend our Chair. I think he does a great job. He's been voted in every time unanimously, it's Tanney Staffenson. You've even voted for him, John, when you were on the Council.

John Wilson states I had no choice. I went with the majority. I went along with it. These last 2 years he's been in the way of getting the budget done.

Councilor White states I find what you're saying as more of an attack than helpful. I'm not going to let you brow beat an excellent Chair that we have in Tanney Staffenson. We're lucky to have him. The meetings you are trying to draw into question have already been answered. They were at the request by Mayor Daoust. Our City Attorney was present at those meetings and you've already been told that and now you're trying to paint a negative picture on the budget cycle. Doing our budget in 3 days I think is a great accomplishment and we care and we get into the details. You at the last budget meeting asked for a budget item that staff didn't even ask for. You wanted a \$70,000.00 Human Resource half-time part-time position added to the budget. Is it just that you didn't get your way at the last budget meeting?

John Wilson responds no it has nothing to do with that. It has to do with running the meetings properly.

Councilor White states in your opinion.

Mayor Ryan states I'm not going to open for public comment because I want to keep it positive. Tanney, I do want to say thank you very much for your service. Although we don't get paid much, you get paid nothing so thank you. I look forward to working with you on the Budget Committee.

6. REPORT: A report on plan review scoping for the Columbia Gorge Commission.

Krysteyna Wolniakowski, Columbia River Gorge Commission, Executive Director, states I'm very happy to be here in Troutdale, the Gateway to the Gorge. I'm not sure if you've had someone from the Gorge Commission come and address you in the last several years. I'm here tonight because I want to give you an opportunity to hear about our management plan review process that we're calling Gorge 2020. When the National Scenic Area (NSA) was passed in 1986 to protect the scenic, the recreation, the natural resources and cultural resources of the NSA which is from the Sandy River all the way out to the Deschutes River. It encompasses an area of 292,500 beautiful acres. Our job

is to protect all those resources but also the second purpose of the act is to protect the economy of the Gorge and to support economic development where it's compatible with resource protection. In the NSA act it also states that no more than every 5 years but no less than every 10 years we're supposed to take a look at the management plan that essentially lays out all the guidelines of what you can and can't do in the NSA. There are 3 parts to the NSA. One part is the 13 urban areas which are exempt from our regulations. Those 13 urban areas are on both the Oregon and Washington side, have their policies of planning and development and we work with those 13 urban areas but we don't really have any jurisdiction with them. However, we do work with the Forest Service and they are the ones who manage the special management areas that are federally controlled and then we do all the permitting in conjunction with our County partners in what is called the General Management Area. The management plan is essentially our guiding document that determines what can and can't be done. The original management plan was written 30 years ago when the NSA act was passed. The last time it was updated and only partially updated was in 2004 so it's now been 13 years since we've actually done a thorough update. An act requires us to do a complete review of the plan, first page to the last, and then decide what really needs to be updated. As I mentioned, in 2004 they completed that last process of review but only parts of the plan were revised. Parts of it are more than 30 years old so we're very concerned about that because as you know a lot has happened in the Gorge in 30 years. We may have had a couple hundred thousand visitors 30 years ago and now it's up to 3 million. That requires different management strategies. It's good economically but it also creates some problems in terms of congestion, public safety and other considerations. The materials that we provided for you tonight are some introductory materials with frequently asked questions about the management plan, what is the review, how do we go about doing it, how can members of the public, local government and planning agencies all be involved. We also have identified a timeline for the management review process. The last time, when the Columbia River Gorge Commission had 10 staff, it took 4 years in total to review before they adopted the most recent version. We currently have 6 staff of which 3 positions are planners and we also have legal counsel, myself and our financial person. We're going to attempt to do this in 2 ½ years and try to come up with a plan that is much more interactive, informative and easy to use for residents who want to know what they can and can't do on their property. We are in the middle of phase II which is on the first page of your timeline where we are doing scoping and identifying what issues really need to be addressed that we can do a deep dive into and look at what might be revised in the plan. We have completed all of our public scoping meetings which were held in Hood River, The Dalles and North Bonneville and we had over 300 people participate in those meetings which really gave us a lot of insight. We also had over 400 letters and comments come in through our website that identified specific areas of the plan that needed improvement and in some cases, more general comments. I've also been doing consultation government to government with the 4 Treaty Tribes that are identified in the plan to make sure that we see input that is necessary that identify their concerns of cultural and natural resources. We've held a couple of other public workshops and commission workshops. What we're hoping is that by our July meeting we will have organized all the public comments in such a way that our commission can make a decision on what we need to prioritize based on all the issues that were raised by the public, agencies and tribal partners. I just came from a commission meeting where we

did a complete cataloguing of every single comment that we received. If anyone is interested I'm happy to provide that because it really shows the diversity of comments that we received as well as the issues that seem to be most common among the people that are reading our plan and expressing concerns. Throughout this entire process we'll be putting together deliverables and then taking that back out to the public to see if we're reflecting their concerns adequately as we address different policies and rules that can help improve that plan. In addition to that we're going to be doing focus groups with experts so for instance today was the first time that the Gorge Commission really looked at the second purpose of the Act and especially in areas like Troutdale and The Dalles. These are places that are gateways to the Gorge. What happens to the NSA also influences what you do here on the edges of the NSA as well how you can help influence what happens there. I have been going to each of the City Council meetings in the Gorge for all the communities and also meeting with County Commissions and trying to get them and you an opportunity to get caught up in what we're doing at the Commission because it's really important for us to understand the constituents that you represent here. What do they think about the NSA? What are things that we can be doing that are in terms of serving the public? What kind of issues do people really care about? We've been compiling all the information that we've received from all the City Council meetings as well. If there's an opportunity for you to submit some kind of written comments then we can share those with our Commission at a future date. Our goal is to try to finalize the next version of this management plan by June 2019. That final plan would then go to the Secretary of Agriculture and it takes several months to get reviewed by the Secretary. We're hoping that January 1st 2020 we will be off to a good start with a much better plan that really addresses all the comments that we've received in the past as well as trying to be a visionary document that helps anticipate what the needs are going to be in the next decade and what kind of challenges we may be facing. One of the things that was interesting to me coming into this position was really thinking about the Gorge 30 years ago. I don't know how many wineries we had, a handful at that and now we have over 200 vineyards and many wineries and tasting rooms. We also didn't have companies like Insitu that are a major employer providing economic input into the Gorge economy and all those employees need housing. That has really created an interesting situation in terms of affordable housing for all those people. Those industries are actually located in the NSA because they wanted quality of life for their employees and so they're trying to encourage growth in the NSA. I also included in your packet a public comment form. You're welcome to fill these out and we have a special section on our website under management plan where you can find the comment form or you can send a simple email to: planreview@gorgecommission.org. Many of the concerns were from the Urban Areas and the boundaries. We're hoping to develop a process where if that does become an issue we'll be able to actually have a uniform policy that's consistent from Oregon and Washington side and for any community as small as Lyle or large as The Dalles or Hood River. We're working on this and we want to make sure this next version of the plan will be more than just a 3-ring binder full of regulations. It will be something that will be more easily usable.

Councilor Ripma states I would be interested in that comment compilation that you mentioned.

Krysteyna Wolniakowski responds I can send it to you.

Councilor Allen states I would also be interested.

Mayor Ryan states maybe send it to all the Council.

Krysteyna Wolniakowski states we categorized all the comments we received into 3 categories. One is those directly related to the management plan specific provisions, comments that were related to the function or operation of the Gorge Commission and then the final were the ones that were important because we really didn't have control over. Many people had issues about the NSA but they were not necessarily our jurisdiction. Our jurisdiction is from the Sandy River all the way up to the Deschutes River.

Councilor Ripma states there's a small part of Troutdale that's on the East side of the Sandy that's in the Gorge and that's always been an anomaly. It's been a bit of a problem, more than a bit of a problem for the people that live there just so you're aware of it. For me, I happen to own a house in Lyle and I'm just a great fan of the Gorge Scenic Area and drive through it many, many weekends. Keep up the good work.

Councilor White states I wanted to compliment you guys on your work in Cascade Locks with mountain biking trails and the new trail that's going to go from Troutdale all the way to Hood River on parts of the Historic Highway. If you haven't gone it's probably the best bike trail I've ever been down. I'm glad you're concerned about the economic development. I hear feedback that it takes 2 years to get something permitted and they'll get an answer within 24 hours of the last day that 2 years is up. Any help in that regard would be helpful. Also, an example of the delta, when we created a dog walking area it was at the expense of the hunters that used that area for a long, long time and that type of activity is no longer allowed. My request would be to include everybody in the decision making process because the more people we have come into Troutdale the better. Our towns rely on that type of business. It helps through the winter months. We don't want to kick anybody out at the expense of maybe a larger number of people prefer this use. They're probably going to be the most vocal in their comments. As a personal request from me I would like to see an effort to include everyone.

Krysteyna Wolniakowski states we're open to comments from everyone. Councilor White, I would like to also talk about the permit deadlines and how long it takes. In 5 of the 6 counties in the NSA we work with the counties that adopt the NSA ordinance and then they write the permits. We review them to make sure that they're consistent with the rules but for the most part they're delegated that authority. However, the Gorge Commission is the permitting agency for Klickitat County because they did not adopt the ordinance. One of the issues we have in terms of permit deadlines is just in Klickitat County. In 3 months we have more development reviews now than we've had in any one entire year since I've been there. There's a lot more development happening and they're complicated developments so they have to go through a pretty lengthy review process.

Councilor White states I'm a big fan of the Gorge as well and I gravitate towards that direction. Some of the views we get from the sunset and the weather, it really is an

amazing place. There's some debate on where the boundary is because originally when this was setup it wasn't in the jurisdiction of Troutdale with the exception of that area that kind of got annexed in after the Gorge was in effect. Some think the boundary is in the center of the river and I've also heard that it's on the Troutdale side, the west side. If you could get back in touch with me I'd be interested in that answer.

Krysteyna Wolniakowski states I can do that tomorrow. We just literally for the first time in 30 years have legal descriptions of the Urban Area boundaries. This took a long time to get done but we expedited it and it was just adopted as a rule in February so we can tell you exactly where those Urban Area boundaries are.

Ray Young states I can give you my card and you can give us the West boundary description for the Gorge. That would be wonderful and I can give it to everybody.

7. REPORT: A report from the Sandy Drainage Improvement Company and the Multnomah County Drainage District regarding the Troutdale Weir Improvement Project.

Ray Young states the issue that Reed Wagner, Multnomah County Drainage District (MCDD) and Ken Anderton, Port of Portland are reporting on is something that I've had to learn a lot about over the last couple of months and prior I've never had to learn about storm water and weirs. This engages with the storm water that comes from Troutdale and the Troutdale Reynolds Industrial Park (TRIP) and involves the weir. My key knowledge of weirs simply says it is a small dam in terms of pipe that controls the outflow of water so that it doesn't rush to and fro and causing problems. The Sandy Drainage Improvement Company (SDIC) is what overlaps the City of Troutdale in terms of dealing with storm water drainage which is a separate government agency that works in cooperation with MCDD. In 2008 the City realized that it did need a new weir and it was planned for at the time a smaller weir in a location that was within the city limits and the Council in 2008 appropriated \$150,000.00 to go toward the creation of that weir. Over the next 8 years the MCDD with the SDIC spent that \$150,000.00 we allocated to work on the weir project. Over those 8 years things have changed. The weir we thought we needed back in 2008, some believe, is not going to be big enough and we need a bigger weir to deal with the issues that are going on. Of course things like TRIP occurred in those last 8 years and grew and so there's been some changes in non-pervious surfaces which impact it. Back in December, Mr. Staffenson, on behalf of the SDIC during public comment raised issue with Council that at that time they needed approximately \$180,000.00 to finish the weir project which is about a \$950,000.00 project in rough numbers. Since that time I've had an opportunity to speak with Mr. Wagner, Mr. Staffenson and Mr. Anderton about what they're doing and what they need and I thought it would be best at this time to bring them in tonight to give you a report on exactly what they're looking for, what they're doing, what they did with our money in the last 8 years and why things are different now because I wanted it to be available to you now as we get into budget talks in the future. If the Council is leaning towards assisting further with the weir project there's a number of options that staff might suggest so it's an opportunity to educate on the need and what's going on and then get some staff direction as to how you would like to proceed. Mr. Trompke and I

discussed possibilities for funding. Tonight is about getting information and asking questions so staff can give better direction later on.

Reed Wagner, Multnomah County Drainage District, Executive Director, states we also provide services to 3 other districts along the Columbia River which are the Peninsula Drainage District 1, Peninsula Drainage District 2 and the Sandy Drainage Improvement Company. We really provide 2 major services and that is to maintain and operate the levy system on behalf of the Corp of Engineers as the local sponsor and then to help discharge water to the flowing body of the Columbia River on behalf of the whole floodplain while also making that land usable within the basin of the floodplain. On the screen you have the SDIC as it overlaps with Troutdale (a copy of the handout can be found in the meeting packet) and to be very specific about the area we're going to talk about the TRIP site. In general, the SDIC water flows to the north through our ditches and towards a pump station that you can see in the upper northwest corner of the map. Right in the forebay of that pump station is where the weir is being developed. In 2008 there was I believe a shared vision, there's not a lot of documentation from that period that any of the bodies can find but that shared vision had to do with making sure that that land was developable in the west part of the SDIC and Troutdale areas. Over the following 7 years it was an expansive design and permitting that was done by the Port to improve the area. In 2015 we started the pre-design process and started spending the money that the City of Troutdale contributed to do that design phase. From what we understand, an initial back of the envelope estimate in 2008 was approximately \$250,000.00 for some type of weir structure but after the design period in 2015 was completed it was closer to \$950,000.00. At that point we went to our SDIC board, a member of that board is representing the City of Troutdale, Tanney Staffenson, who is here today and can speak to some of the decisions that were made. The board agreed for the purpose of keeping an aggressive schedule with the development of TRIP property that we would put together an interim financing plan. That's what we did in the summer of 2006 with the agreement that we would find funding where the SDIC could contribute \$375,000.00 to the project through loans and seek the remainder of the project costs with our partners. Two culverts would be removed and replaced by one culvert, a flow area and a weir as well. We've started the staging area for material storage. You may recall, our supervisor brought this to you last December and it shows the basic structure of the interim financing plan (a copy of the handout can be found in the meeting packet). In January subsequent to that conversation I sent a letter to the City Manager with a request of \$260,000.00 to complete the project. That \$260,000.00 is to cover the line share of the negative number in the line of credit that you'll see associated with SDIC. That line of credit is a nice, very short term solution but it's not a great long term solution and with a total operating budget of about \$375,000.00 annually for all our operations our contribution of \$375,000.00 is significant already.

Ken Anderton, Port of Portland, states one thing it doesn't show is when the Port was looking at developing TRIP we knew that we needed to work with all jurisdictions on drainage and it's a very complicated network. One of the handshake deals was that the Port was going to do the wetland mitigation construction that would provide additional flood storage for the basin through that site. When the cost came in higher we upped our contribution to the \$160,000.00 plus. This effects the whole entire City in terms of the

drainage of the basin. It was shown to be very valuable to have additional flood storage last winter.

Councilor Ripma states in our packet you seem to be asking for \$260,000.00 from the City of Troutdale. I don't see that anywhere on here.

Reed Wagner states what I didn't want to do is bring you a different financial sheet than you just saw in December so I'm referencing the financial sheet you already saw. The \$260,000.00 is related to the SDIC line of credit of \$110,000.00 plus the negative number of \$164,000.00 and you're correct that does not add up to \$260,000.00 that adds up to \$274,000.00 but the plan was to try to manage into the contingency not solely on the City of Troutdale but to share in that with the SDIC so we reduced it to \$260,000.00.

Councilor Ripma asks, on this project the City's contributed \$150,000.00 and the Port \$160,206.00?

Reed Wagner responds that's right.

Councilor Ripma states I have to ask as the major property owner and beneficiary at least for avoiding flooding, it seems like the Port would want to kick in some too. I don't deny the City benefits. It seems like the Port as a property owner in the district couldn't be asked to contribute.

Ken Anderton states we contributed \$160,000.00 plus as I mentioned and the land for the additional flood storage.

Councilor Ripma asks, is that nearby?

Ken Anderton responds that's essentially the area along Marine Drive, the wetland creation. All that provides additional flood storage in an event of the 100 year storm. It's only a fraction of the water that gets generated on our site that actually utilizes the site. It's a flow through from upstream that's being utilized. That's why we felt that we contributed our share in addition to that, other things we've done is we've dedicated easements worth about \$500,000.00 for levy protection. We also are the largest land owner in the district so the Troutdale Airport will be one of the largest contributors in terms of operating costs.

Councilor Ripma states as you approach 223rd on Marine Drive coming from Troutdale on the north side, that land was flooded 6 months or so ago. It was on the north side of Marine Drive for months. Is that the Port land that you're saying was contributed as a mitigation area?

Ken Anderton responds correct. Part of it is in Troutdale and part of it is in Fairview.

Reed Wagner states I can add to Mr. Anderton's statement about the storage. By shifting the land in the storm water that it receives from upstream we went from a 20 year flood

zone to a 100 year flood zone in allowance because of that added storage in advance. There was a lot added into improving the area and this weir is the last piece of the project.

Councilor Ripma asks, is that a permanent dedication of that area by the Port?

Reed Wagner responds it's dedicated through our US Corps of Engineer permit. It's got dual protections. It's actually under a conservation easement so it can never be developed.

Councilor Ripma states that is a major contribution by the Port. That must be worth a lot. I welcome hearing from Ray and Ed Trompke on where we're going to find \$260,000.00.

Ray Young states it will be Mr. Mueller and Mr. Gaschler also.

Councilor White states I was on the tour of the Sandy Drainage District and it's a pretty amazing operation. I think the City of Troutdale is fortunate that someone else is handling that. I think it would cost us a lot more if the City tried to do all that in house. I think Troutdale does have some responsibility. The water's coming from Troutdale as we develop and do more development. The Port is a great part of it and they don't ask us for much and I think they realize our budget constraints. The last time we did the \$150,000.00 it was out of the system development fund because it was considered capacity enhancement. As long as we can do that out of that fund again I would support our share of that contribution. I thank you for all you do and you do a great job with a very tight budget.

8. REPORT: An update from Metro Councilor Shirley Craddick.

Shirley Craddick, Metro Councilor, states I want to focus on some particular items that Metro's involved in and has been involved in regarding the City of Troutdale. As you know Metro is a large, regional agency and our job is to work with the cities of the Metro Region to help you do the work that you're doing. The Metro boundary on the east side actually crosses the Sandy River and the west side goes to Forest Grove, south is to Wilsonville and north to the Columbia River. There is a handout you have at your table (a copy of the handout can be found in the meeting packet). Metro has multiple responsibilities and it's divided into 4 different areas. One of which is the garbage and recycling. When your garbage leaves your driveway each week Metro takes responsibility for it and we license the transfer stations and all the facilities related to garbage. Metro is an agency that's involved in land use and transportation planning for the region, parks and nature and venues. Regarding Troutdale specifically, one of my goals as your Metro Councilor and representing the east part of the region is, what can I do to help bring Metro's resources to the City of Troutdale to help you to reach all the goals that you have. Thank you to the region and to the City of Troutdale that over 70% of the people and the voters in the Portland Metro region supported a recent renewal of the natural areas levy. This is funding that we had in the prior funding cycle and it helped Metro's ability to help support the work that you're doing to connect the Depot Park to the Sandy River which is a section of the 40-Mile Loop trail. I know the 40-Mile Loop trail became so controversial and I was sympathetic with the public and I fully understood what their concern was about what the

City of Portland did to all of us when they made the decision that allowed camping along the Springwater Trail. It created a huge number of people that were camping and really has undermined the public support. I was really sympathetic with the public. Nobody wants this. Metro doesn't allow camping on any of the Metro properties, the City of Gresham doesn't allow camping and we really now have a challenge as to how we bring back the public support in allowing us and helping us to plan the future trail system. Because of this I want to say thank you for your partnership as a City. You are excellent and I really appreciate your willingness to work with us and your recommendation saying maybe we shouldn't take this any further and put in on the back burner. This is one of the East Metro Connection projects that was identified as one of the most important projects we focus on. What is happening now is the funds that Metro had available to do this effort will be moved to another part of the region. What I'm really sorry about is the east part of the region isn't going to receive the benefit of these funds that we have available. Another area that Metro is able to support the cities and the work that you're doing is the development grants we have available which are funds that your staff can use to help hire more staff or help support the staff that they have to help with the work that you're doing for the future of your city. In this granting cycle Metro staff is more than glad to work with your staff to help you develop the application. It's a project that will really be a benefit to you. Metro is responsible and we are the MPO for the Portland Metro region. Every large metropolitan area in the United States has an MPO, a Management Planning Organization. This is a federal designation that the Federal Highway Administration identifies and we are responsible for those federal dollars that come into our region and then we redistribute to the region. Every 4 years by law we have to update the regional transportation plan because this is the plan that establishes our regional priorities and it also sets a foundation for our federal funding requests. One of the projects we're looking at specifically focuses on Troutdale, on page 5 of the handout, is to build local streets to Urban Renewal Area (URA) on the Sandy River and extend the regional trail from Reynolds Troutdale Industrial Park (TRIP) to the URA. Those areas are identified as high priority projects to focus on. I want you to think about that as we move forward in trying to get funding for the future for the east part of the region. The other project that's identified as a high priority is the Edgefield/Halsey main street implementation and you're already working on that and moving forward with that. Once that plan is identified we can then look at and consider what funding is important for the City to apply for to be able to get the support of the outcome of that project. Metro is also responsible for some of the regional venues and some of those are the Oregon Convention Center, the Expo Center and the Oregon Zoo. Those are all regional facilities that Metro owns and operates. One of the goals we have is a project that is probably over 30 years old and we're finally going to be able to break ground in a matter of a few months. We'll be building a new hotel that sits north of the Convention Center right along the MAX line and Martin Luther King Boulevard. We are not paying for this. This is a Hyatt Regency hotel and we are only contributing some of the funding to this. The benefit of the money that we're contributing to this hotel will give us a guarantee of 600 rooms available for conventions. I want to thank the voters for passing a bond measure in 2008 to update the habitat at the Oregon Zoo. We have finished 5 projects now and this is the 5th one. Of those projects we have 3 more to go and the Metro Council just this last week decided to group those 3 projects together and so we are on the final leg of completing all the projects that were planned in the 2008 bond measure. The Oregon Zoo is really all about conservation and

conservation education. Thousands of children every year attend both day camps and overnight camps that the Oregon Zoo conducts. Two programs that are federally funded is a condor program which in the 1980s all the condors were taken out of the wild and brought into captivity. There were 21 condors and we now have over 400 condors that have been returned to the wild. They are still highly endangered. We also have the turtles in this facility, the Western Pond Turtle which is an endangered species. The zoo staff raises turtles then releases them to the wild when they get big enough so they can't be eaten. I want to point out some of the materials that I left for you regarding the Portland's Centers for the Arts. Metro operates The Keller, The Hatfield and the Schnitz.

9. COUNCIL JOINED BY METRO COUNCILOR CRADDICK TO CONVENE AS "Community Enhancement Program Committee" (CEPC)

- A. Committee Roll Call
- B. Motion – Approve 2017 CE Application and Calendar
- C. Motion – Approve 2017-18 CE Program Budget
- D. Motion – Approve Charging CE Program Administration Costs
- E. Motion – Adjourn CEPC only and continue with Council Agenda

Mayor Ryan called the Community Enhancement Program Committee meeting to order.

9A. Committee Roll Call

PRESENT: Co-Chair Ryan, Co-Chair Craddick, Committee Member Ripma, Committee Member Lauer, Committee Member Morgan, Committee Member White, Committee Member Allen, and Committee Member Hudson.

ABSENT: Ed Trompke, City Attorney (excused).

STAFF: Ray Young, City Manager; Kenda Schlaht, Deputy City Recorder; Erich Mueller, Finance Director and Chris Damgen, Community Development Director.

GUESTS: See Attached List.

Erich Mueller, Finance Director, states as I referenced in the staff report for those that are new to the Council, Metro made changes a couple of years ago in the Metro Code and the Troutdale Transfer Station became subject to part of those changes and with that the Community Enhancement Program was brought to Troutdale as part of that program code compliance for the Council as well as the Metro Councilors to serve as the committee. The committee has met for the fourth time now with the last time in July of 2016. Tonight is for some administrative items and the committee has to address these items. In the current grant cycle there were 3 grants that were issued, 2 of which have been completed and Exhibits A and B show completion reports that were provided. This is part of the application and grant process that the sponsor or organization has to sign that says they will provide a completion report with the before and after, what was accomplished, how they accounted for the funds and so forth in following through with the application that was approved. The third one was a yearlong education program with its final event culminating July 20th and it's not yet done so we don't have the completion report. That

was the Cracked Pots upcycled/recycled art show. Its completion report is due by August 2017. At a future meeting we will bring that completion report to you. As part of the overall process 2 of the 3 grants that you previously awarded funds were provided to the sponsoring organization which in this case was both to the Troutdale Historical Society. They have completed their projects and have provided their completion reports. As part of the committee's process they were asked to approve the completion reports.

MOTION: Committee Member Ripma moved to accept and approve the project completion reports for the Mayor's Square Mural and the Restoration of the UP Railroad Caboose Community Enhancement Projects of FY 2016-2017. Seconded by Committee Member Morgan. The motion passed unanimously 8-0.

9B. Motion – Approve 2017 CE Application and Calendar

Erich Mueller states the second stage is the pending cycle. These were items in the current grant cycle that will conclude at the end of this fiscal year. We're getting ready to move into the next grant cycle and part of that is the application process and the timeline. There is typically an annual update process that occurs and dates need to be revised, making adjustments to the application and clarifications. What is provided in Exhibit C is the redline versions of the changes that I am proposing for the committee to approve for the application instructions as well as the application itself. Most of it is the timeline, clarification wording for the matching funds, revised wording for the completion report, deletion of the staff task to eliminate projects prior to CEPC review and disqualifying projects for consideration from applicants who failed to comply with requirements of a previous CE project agreement. I'm asking you to approve the proposals in Exhibit D.

Committee Member White asks, did we charge the administrative costs the first year we did this? There was a lot of discussion on that one.

Erich Mueller responds that is yet to come.

MOTION: Committee Member Lauer moved to approve in their substantial form the 2017 revisions to the Community Enhancement Project application materials as attached in Exhibit D. Seconded by Committee Member Morgan. The motion passed unanimously 8-0.

9C. Motion – Approve 2017-18 CE Program Budget

Erich Mueller states budget is the next item and part of the process is for the committee to meet to approve the budget. Exhibit E shows the Community Enhancement Program fund summary which shows the revenue and the appropriations. The IGA with Metro calls for the committee to approve the budget each year for the coming fiscal year's appropriations. We budgeted \$80,000.00 the first year and second year and that's what I have in the budget for the third year. We get the money quarterly and we've received basically 6 quarters. The payments are running approximately \$20,000.00.

MOTION: Committee Member Ripma moved to approve the Fiscal Year 2017-18 Community Enhancement Program proposed budget as attached in Exhibit E. Seconded by Committee Member Lauer. The motion passed unanimously 8-0.

9D. Motion – Approve Charging CE Program Administration Costs

Erich Mueller states the next topic is administration costs outlined at the top of page 4 in the staff report such as the application packets, staffing of the committee meetings, before and after agreements, follow through, financial and contracting. The IGA calls for a flat percentage and adoption of guidelines. The IGA provides for the cost recovery for the administrative costs because as it stands now all the revenue goes into the fund, the City incurs all the costs but doesn't receive any of the revenue. This is an attempt to recover some of the costs. Staff has spent considerable time on administering the CE Program and recommends that the rest of the City taxpayers not continue to subsidize the program with costs of staff time and materials necessary to set up and administer a solid waste community enhancement program.

MOTION: Committee Member Ripma moved to approve charging the CE fund for the program administrative cost reimbursement as authorized in the City and Metro IGA Section 4.H. Seconded by Committee Member Morgan.

Committee Member White asks, can I do a friendly amendment? I thought there might be times where we don't have any projects and I would rather have the full amount be set aside for future projects. If there isn't a project, staff wouldn't get a percentage of the money.

Erich Mueller states staff doesn't get any of the money. The City's General Fund doesn't receive any reimbursement.

Committee Member Ripma asks, you mean if there's no one who applies?

Committee Member White responds yes.

Committee Member Morgan states point of order. Was this staff report approved by the City Attorney as is?

Erich Mueller responds the City Attorney and I didn't discuss the staff report.

Committee Member Morgan states I would feel uncomfortable making any amendments without legal counsel. A friendly amendment to an IGA.

Erich Mueller states we're not amending an IGA. This motion is just saying we're going to implement what the IGA provides for.

Committee Member Morgan states and I'm saying Councilor White made a friendly amendment recommendation.

Committee Member Ripma states I think there would still be administrative costs with setting up a program even if no one applied.

Erich Mueller states there's committee meetings that have to be staffed, minutes that would occur and application package updates on the website. If nobody applies then there would be less work for the staff to prepare information. That's different than if we get 15 applications and the committee doesn't choose the funding. We still spend a lot of time preparing and putting all those packets together. What gets funded is a little bit different than maybe what occurs.

Mayor Ryan states we've had a motion and a second so we know where we're at right now. We're having a discussion.

Committee Member Allen states I've always been concerned about the percentage of the matching fund for our area and our town's ability to consistently come up with projects to meet these matching percentages. I do foresee there may be times in the future where we won't actually get projects and the balance will rise in which case we may want to at that time to determine if we want to lower the matching fund percentage. However, in order to put in some control I think I would prefer if it were 20% of the projects for the year. In some years they'll be lean because like it was mentioned you'll prepare the packet but nobody applies so you may not get any administrative costs. I think if you're doing it right overall you'll get your 20% which is a fairly big percentage. So instead of saying the City can charge the fund 20% of the annual program budget I'd rather it be the annual program allocation.

Committee Member Ripma states I don't know if the IGA permits that.

Erich Mueller states the language there at the bottom of page 4 is the text of the IGA.

Ray Young states it says "may". There is some discretion apparently on the part of the City up to the 20% or \$50,000.00 whichever is less is my reading of it. We may charge the fund up to 20% of its total budget but we can never charge it more than \$50,000.00 regardless of how big the budget is.

Co-Chair Craddick states this money is coming from a fund that Metro has levied on each transfer station in the region. There are multiple transfer stations and so other cities are going through the same process. What I have observed is there is always more projects than there is funding available. I'm going to assume that you're going to have plenty of applications and always be able to spend this money. I would say if I were you, your city deserves that extra 20% to be able to do this process. This is a benefit to your city. I encourage you to consider that. Metro Council has approved this and we have agreements from the transfer station owners in the region. I would go for it and not be concerned.

Ray Young states we incur costs if anybody applies for it or not. We incur city time and expense. If we get 20 applications that we turn down we still have to go through the process of evaluating all the requests. Metro says we can do it.

Councilor White states I would with withdraw my amendment but I didn't get a second.

The motion passed unanimously 8-0.

9E. Motion – Adjourn CEPC only and continue with Council Agenda

Erich Mueller states the last motion for the committee is to simply adjourn the committee and go back to the Council meeting.

MOTION: Committee Member Lauer moved to adjourn the CEP Committee meeting only, and continue with the City Council meeting agenda. Seconded by Committee Member Ripma. The motion passed unanimously 8-0.

The CEPC meeting adjourned and the City Council meeting reconvened.

10. PUBLIC HEARING / ORDINANCE (Introduced 4/5/17): Adoption of Comprehensive Text Amendments to the Troutdale Development Code and providing an effective date clause.

Chris Damgen, Community Development Director, states this is your second opportunity at a public hearing and your second consideration of this ordinance to adopt the Troutdale Development Code 2017. At the interest of time I won't rehash my presentation from last week's meeting but I do have it available for reference. I want to hit on some updates as far as code amendments and items you asked staff to address for you. From the April 5th hearing you folks voted on 2 amendments that were incorporated into your draft that is before you tonight. The 2 amendments had to do with commercial amusements in the community commercial zoning district which is effectively Troutdale Market Center at the corner of Stark and Troutdale Road. You established a threshold of 20,000 sq. ft. for certain uses that could be permitted and then conditional for uses up to 60,000 sq. ft. The other motion that was carried that evening on an amendment was removing the number of allowed lawn signs in Chapter 10. There is no longer a restricted number on that. Councilor White had some comments at the last public hearing and we have prepared Exhibit D with 4 points that he wanted some clarification on and they are in this exhibit. In Chapter 1 of the Code is VECO definitions on page 1-21, in the vegetation corridor and slope overlay definitions there is a phrase called bankfull stage. We consulted with numerous people and we effectively believe that it is the ordinary high water mark. That is kind of the colloquial term that most people around here use. At the time when we issued the memo to you as part of the staff report we had a recommendation that our legal counsel reviewed along with staff and submitted to you. We have since heard from the state agencies and there is some concern about changing that definition right now. While they would agree with us colloquially that high water mark is probably the intended

use and intended definition there the fact of the matter is multiple state agencies refer to that section of the code and bankfull stage is kind of the universally applied definition across state agencies to define it. What we would say to you as a staff is when we refer it to applicants people were trying to understand and interpret the code we would effectively translate it as such but we would have to keep the definition in there to stay in good graces with the state. We're recommending you retain the definition currently in there. Councilor White also wanted some clarification on property ownership about notification requirements for land use applications and public hearings. That is confirmed. It is for real property owners, owners of land, situations where you would have hotel guests or anything of that nature or transient lodging if you will, those types of people would not be, it would be property owners that would be notified. There was a question about the vegetation corridor about when you have an area of property that is designated as such, could that area be counted for your landscaping or open space requirements and staff has confirmed that yes it can through Chapter 11. There is a clause in that chapter which allows that to be had. There was also a request to consider marine uses along commercial waterfront property. The cleanest way we knew how to do that so it would apply to all commercial zoning districts both current or maybe down the road is to change or modify the service use definition in the code which is on page 1-13 of the draft in front of you. What we're proposing is to add a sentence to that definition's point 1.22 service use to add the following sentence to the end of that section: Any marine service uses shall comply with requirements of the underlying zoning district and obtain state and federal approvals as required. Basically it means yes it is a permitted use in most situations provided that the state okay's it and the feds okay or whoever might be the authority for the particular activity.

Councilor White states on the VECO my concern was that people wouldn't be able to find it in our code but you assured me that anybody that's at that level is going to find it quite easily. I feel comfortable with these changes. Thank you.

Councilor Ripma states just so I understand, the only thing you need to amend is the last point of adding a sentence to the definition of service use.

Chris Damgen responds correct. The verbatim definition that we're proposing will be the one you will entertain an amendment for tonight. That's subject to any other amendments offered by Mr. Staffenson or anybody else from the public hearing.

Councilor White states my concern about the wording bankfull stage had more to do with future development. If you ever get the ability to monitor that it's going to gravely affect the setbacks for property owners. Since our city is surrounded on 2 sides by water it's really important to Troutdale. I'm sorry we couldn't get that one through.

Chris Damgen states there very well could be an opportunity for us to revisit it. We just need to do some more research on it because we do know some cities have incorporated that language but had to add language elsewhere.

Taney Staffenson, Troutdale Planning Commission, states there's a couple of amendments I would like to propose. The first being Chapter 3 on page 3-12 in section

3.043. I would like to add in in place of C, shared dwellings and then we would re-letter the rest of the items.

Councilor Ripma asks, what is shared dwelling?

Chris Damgen responds the definition is a dwelling unit in which 5 or more bedrooms are rented or leased. Shared dwelling units include boarding houses, rooming houses and the like. Shared dwellings are a multi-family residential uses.

Councilor Morgan asks, just for clarification has the proposed amendments that you have been looked at by Ed Trompke?

Taney Staffenson responds yes. The next one I have is page 3-15 in section 3.052 and I'm suggesting that we re-letter that table. The next one is in Chapter 9 on page 9-4 in section 9.020, in the table we have congregate housing and that was a term that we deleted and that should be replaced with shared dwelling. I want to talk about the sign code and I know we voted on it in the last meeting but I wanted to mention we spent close to 10 hours going through the sign code in regards to the amendment that was made in Chapter 10. I respect your decision. We weren't really looking at political signs. We were looking more at the number of signs that would be up let's say in the month of April to the month of July. After spending quite a bit of time with John Copeland through this process and his challenges with code enforcement of these things we felt that was what really drove our decision with the number of signs. Not necessarily about elections because frankly those don't really get enforced anyhow. We were more worried about what happens the rest of the year. We were also worried about the resources that staff was going to have to expense to take care of that.

Councilor Morgan asks, is it viewed as disrespectful to the work and hours that we're deliberating around that particular issue to change it with the focus on political signs?

Taney Staffenson responds I wouldn't say it was viewed as disrespectful. A comment was made that it only took them 20 minutes to undo it. We respect the decisions that you make. I wanted to stress that we were coming from a different position. I wanted to show what it would look like on my property because I'm eligible for 30 signs.

Mayor Ryan states we have allowed as many signs as you want as long as it's 90 days.

Taney Staffenson states for 10 feet. What we proposed was 2 signs.

Chris Damgen states the current proposal in front of you reflects your amendment made last meeting. Right now there is no restriction other than 90 days. Effectively right now it reads you can have as many as you want.

Councilor Lauer asks, is this something we would be open to at least discussing, going back to where it was at before to 2 signs?

Councilor Ripma states anything is open for discussion.

Chris Damgen states to be fair to the process you first have to hold your public meeting, receive testimony, close it and then discuss it as you're considering amendments. I want to remind you too that you do have 4 decision criteria that you have to meet. We introduced those last week and we have them up on the screen and in Exhibit B in your staff report. Please re-visit those and make sure you're comfortable with them before you move to approve anything tonight.

Mayor Ryan opens the public hearing 9:15pm.

Melinda Pearson, Gresham resident, states I would like to say thank you, Mr. Mayor and Councilors, for helping us to make Sunburst Play Café happen and working with us.

Paul Wilcox, Troutdale resident, states I would like to refer to the yard sign change. I was actually okay with the 2 signs but when I saw that it had gone to unlimited signs I assumed that was to accommodate political signs. You could always rotate your political signs and alternate them. I don't know how you plan to enforce and monitor the 90 day limit.

Mayor Ryan closed the public hearing 9:17pm.

Councilor Hudson states lawn signs are defined differently from temporary signs. A limit on what is considered temporary signs is only 1 for residential or commercial or anywhere. The other thought was that no temporary signs are allowed on public right-of-way or anything other than private property or commercial property. We're looking at people in businesses and with really large frontage 2 signs seems sparse.

Councilor Ripma states I agree. I think we see how it goes. The idea that we're going to pass a sign ordinance and then when we won't enforce it during the political season, let's not do it that way. I think our amendment was sensible. I agree it's going to be hard to enforce the 90 days but we'll see how it goes. People who want political lawn signs often are going to want more than 2 signs.

Councilor Lauer states I want to reiterate what I stated last week and add to it that I think that allowing 90 day limits is going to open Pandora's box and I think realizing how this all came about and the hours it took just specifically on signs I think we're going to undo it again in another 20 minutes. I think that 2 signs is reasonable and for us to vote on what we think is reasonable during election season doesn't seem right in my mind.

Councilor Morgan states I would be willing to go back to the prior sign code with the consideration of the respect and time that was put into it. At the last meeting I was trying to find compromise.

Taney Staffenson states the Planning Commission felt 2 signs was reasonable and that was something that could be reasonably enforced.

Councilor Allen asks, what was the reason for not going for distance between signs?

Tanney Staffenson responds I would say the only rationale to put to that is just, again, something more difficult to enforce.

Chris Damgen states there was also some concern from our legal team that just because you have 50 feet of road frontage versus 500 feet, does that 500 foot property owner have more of a right to express? By capping the number based on property frontage it would be equitable regardless of your frontage.

Tanney Staffenson states there were a lot of legal issues with signs as far as content being regulated and how you monitor a sign without reading it. We really struggled with that.

Chris Damgen states staff debriefed with legal counsel after the meeting and the concern that if you were to entertain a distance requirement was that could be unconstitutional.

Councilor Ripma states the easiest thing not to enforce is no number at all.

Councilor Hudson states another thing I want to mention is that when election season rolls around twice a year a lot of people are going to put up more than 2 signs. Code enforcement is then going to have to choose to enforce this which is going to be really unpopular with people who put up more than 2 signs. I don't want to amend it.

Councilor Allen states when I look at minimum with frontage and so forth for your average lot in Troutdale of the smaller lots it is 20 feet. I would be willing to go 3 signs within 20 feet.

Councilor White states I think Councilor Allen is on the right track. I like what Planning did and I voted against the amendment but I'm also thinking I don't want to break any of the rules. During the election there would only be 4 people running so why don't we make it 4 signs.

Councilor Ripma states there are measures, state representatives, governors, presidents, etc. The Planning Commission had to look at what's logical and what makes it enforceable and I understand that. Let's leave it the way it is.

MOTION: Councilor Lauer moves to make an amendment to change it back to before we changed it to the 90 day limit. Seconded by Councilor Morgan.

VOTE: Councilor Hudson – No; Councilor Ripma – No; Councilor Lauer – Yes; Councilor Morgan – No; Mayor Ryan – No; Councilor White – Yes and Councilor Allen – No.

Motion fails 2-5.

MOTION: Councilor Morgan moves to make a change to the development code to 3 signs. Seconded by Councilor Allen.

Councilor Ripma asks, you mean go from 2 to 3 signs with a 90 day limit?

Councilor Morgan responds correct. The only amendment change would be 3 signs from 2 signs.

VOTE: Councilor Hudson – No; Councilor Ripma – No; Councilor Lauer – Yes; Councilor Morgan – Yes; Mayor Ryan – Yes; Councilor White – Yes and Councilor Allen – Yes.

Motion passes 5-2.

Chris Damgen asks, just for the record did staff encapsulate that amendment correctly?

Mayor Ryan responds allowing 3 lawn signs for not more than 90 days.

Chris Damgen states then on the table would be the 3 motions as proposed by Chair Staffenson and Mr. White's motion from Exhibit D.

MOTION: Councilor Morgan moves to adopt amendments to Chapter 3, page 3-12 in Section 3.043, Chapter 3 on page 3-15 in Section 3.052 and 3.053 and Chapter 9, page 9-4 in Section 9.020 table. Seconded by Councilor Lauer.

VOTE: Councilor Hudson – Yes; Councilor Ripma – Yes; Councilor Lauer – Yes; Councilor Morgan – Yes; Mayor Ryan – Yes; Councilor White – Yes and Councilor Allen – Yes.

Motion passes 7-0.

MOTION: Councilor Morgan moves to adopt the amendment to Chapter 1, page 1-13 in Section 1.020.122. Seconded by Councilor Allen.

VOTE: Councilor Hudson – Yes; Councilor Ripma – Yes; Councilor Lauer – Yes; Councilor Morgan – Yes; Mayor Ryan – Yes; Councilor White – Yes and Councilor Allen – Yes.

Motion passes 7-0.

Chris Damgen states before you call for a vote on the complete ordinance as a final reminder, the decision criteria that were drafted by staff are in front of you. This is an opportunity for you, Council, to make amendments to the decision criteria as outlined. We went over them last week and they remain the same as last week. This is your final opportunity to make amendments to that before you vote for adopting the ordinance. Staff maintains its recommendation for approval.

MOTION: Councilor Lauer moves to adopt the Comprehensive Text Amendments to the Troutdale Development Code and providing an effective date clause. Seconded by Councilor Allen.

VOTE: Councilor Hudson – Yes; Councilor Ripma – Yes; Councilor Lauer – Yes; Councilor Morgan – Yes; Mayor Ryan – Yes; Councilor White – Yes and Councilor Allen – Yes.

Motion passes 7-0.

Chris Damgen states there is an appeal right for any person who provided testimony written or oral. The appeal period will close on May 2, 2017. If there are no issues or appeals the code is effective May 11, 2017.

11. STAFF COMMUNICATIONS:

Ray Young states our budget meetings are next Monday and Wednesday evening. The budget is currently at the printer and may be available tomorrow evening to you. Hopefully no later than that. We have potential to have a third budget meeting which will be on the following Monday. I was already planning on commenting on this and this is not in direct response to anybody during public comment but in regards to Imagination Station. In this process I want you to know that staff's approach to this is to try and make it as quick and as public as possible. We want to get it out as much as we can and get the information out on it so everybody has an opportunity to comment on it. That was our concern up front to get it out. The Parks Advisory Committee has expressed concern from the chairman on down that we're expecting too much because everybody is going to show up to the meeting tomorrow night because they heard about it. We are going to put it on the website, we have emailed everybody on the standard City Recorder's list, The Outlook did a wonderful big article the other day and I did an interview with KXL radio that was broadcast on Friday and on their website they're putting a link to review the plan. We contacted Mr. Canfield who was very nice to allow it to be posted on We Love Troutdale and we have hard copies that are available at City Hall to view. The only other comment I have is to maybe to put together a flier or postcard and distribute it to Sweetbriar Elementary and Troutdale Elementary.

12. COUNCIL COMMUNICATIONS:

Councilor Hudson states I like the communication about Imagination Station and with the elementary school families. Are we going to have a City open house on the short list before moving onto the Council?

Ray Young responds the staff is preparing and doing a value judgment on bids and they're going to suggest 3 to the Parks Advisory Committee. The public has several opportunities for live comment.

Councilor Hudson states I think we should publicize meetings.

Councilor Ripma states I wanted to comment on one presentation tonight and how disappointed John Wilson was that it takes 2 or 3 meetings to go through our budget and that some cities do it in one. We used to take 5 or 6 meetings. The cities that do it in one meeting I don't think are giving the public a chance really to consider the budgets. I want

to echo what Glenn said complimenting Tanney on his excellent running of our budget meetings. They are just in the Troutdale tradition of giving everyone a chance to have their say and open discussion. Carry on with the way we've been doing it as far as I'm concerned.

Councilor Lauer states I second what Councilor Ripma stated. Even though this is going to be my first Budget Committee with the City of Troutdale I've been through lots of budgets for cities. I enjoy it because I see the benefit from it. I'm very much looking forward to this process. Keep up the good work.

Councilor Morgan states I have been able to observe Chair Staffenson in many functions and I'm very happy that he is leading the way for us. I don't think we're taking too much time. I think you're doing a great job and I think you understand the budget process in a way that it is not only inclusive to citizens but also quite deliberative. I want to thank you publicly for your hard work that's not always appreciated by everybody. I thank Chris and team for the development code. I'm appreciative of you and staff.

Mayor Ryan states Tanney, thank you very much. It's hard to find people to volunteer and good volunteers. I appreciate what you do for budget and planning. You have big shoes to fill if you ever decided not to do that. Keep doing what you're doing. Great job on planning. Chris, great job to your staff.


Councilor White states you do a great job, Tanney, on planning as well. I hope we never lose you. I want to thank Chris and his department also for all the work they did. I was really impressed with how you fielded all those questions. They were all cold at the last meeting and your explanation was easy to understand and easy to follow along with and you got the amendments done in a week. Our goal was to simplify the code and that only works if Planning's there to help people through the process. I think we've got that down in Troutdale. Thank you very much.

Councilor Allen states I felt the public comment on Imagination Station was mean spirited. I really don't believe that there's anybody here that doesn't want to include the public in the outcome. I think we're all excited about it. I just hope we're also sensitive to the Parks Committee. It's hard to get people sometimes to even want to join these committees and yet we want citizen involvement. We want people to join committees and feel valued. It's important that we don't circumvent the Parks Committee on this and then we take their advice and weigh it when it comes before us. We let them engage the public and we don't make them feel like they're not really needed. I realize my wife is on the Parks Committee and there may be suspicion that I'm in cahoots with her on this but my wife has her own life and she does not let me tell her what to do. She's her own person and she has her own ideas.

13. ADJOURNMENT:

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

Meeting adjourned at 9:52pm.



Casey Ryan, Mayor
Dated: 5/24/2017

ATTEST:



Kenda Schlaht, Deputy City Recorder

Troutdale Development Code Comprehensive Update (Text Amendments)

Type IV Legislative Procedure

Initial Evidentiary Public Hearing: Wednesday, March 22, 2017

City of Troutdale Planning Commission | Council Chambers

Staff Presentation

The Process

Type IV Legislative Procedure

- Initial Evidentiary Public Hearing
(at *Planning Commission*)
- Public Hearing (at City Council)
- Ordinance adopted by City Council
 - Two readings
 - 30 days for ordinance to come into effect
 - Appeal rights for 21 days after Notice of Decision is issued. [TDC 16.280.C]

Timeline

- 2013: PC charged with updating TDC
- 2013-2016: work sessions
- Fall 2016: first public hearings on recommended draft
- February 14: DLCD Notification on PAPA (Post-Acknowledgement Plan Amendment) requirement; recycling of approval process
- February 16: Notice of Public Hearing sent
- March 22: Initial Evidentiary Public Hearing
- **April 5: City Council Public Hearing / 1st Read.**

3

Chapter by Chapter Summary

1 Introductory Provisions

- Consolidated definitions in one place
- Consistency of housing definitions

2 Procedures for Decision-Making

- Merging text from existing Chapter 16 (Public Deliberations & Hearings)
- Abbreviating length of application submittal requirements (Staff would articulate needed items per project)
- Notification requirements (Type III would go from 250 ft to 500 ft)
- Expiration/extend/modify decisions

3 Zoning Districts

- No new districts created, no current ones removed.
- Consistency with use terminology throughout all districts
- Generalizing retail or service uses

4

Chapter by Chapter Summary

4 Zoning District Overlays

- Aggregate Resources
 - Edits made at PC hearing to address state compliance concerns
- Historic Landmarks changes (moving definitions to chapter 1)
- Vegetation Corridor & Slope (VECO)
 - Edits made at PC hearing to address state compliance concerns
- Congregate Housing standards to be incorporated into Chapters 1 & 3, removal of overlay
- Planned Development edits
 - Relocation of standards to Ch 2, Ch 6

5 Misc. Uses, Standards, and Exceptions

- Clarifying home occupation standards and fulfilling compliance with State statutes.
- Taking procedural items in Nonconforming Uses and moving them to Chapter 6
- Reducing language for Erosion Control and Water Quality Standards, Stormwater Management, and Public Improvements
 - Requirements articulated in Municipal Code, Construction Standards for PW Facilities, Stormwater Management manual, and other prevailing documents.

5

Chapter by Chapter Summary

6 Applications

- “one-stop shop” for identifying procedures and decision criteria for nearly all land use applications

7 Land Divisions/Lot Line Adjustments

- Applications, procedures and standards for land division activities
- Improves flow and clarity of required items for consideration

8 Site Orientation and Design Standards

- Removes procedural and application text to chapters 2 and 6
- Would contain just site and design standards for applicable new development
- Relief for larger industrial use setback/build-to requirements on transit streets

9 Off-Street Parking and Loading

- Minor amendments to ensure consistency
- No new/revised parking standards are being proposed

6

Chapter by Chapter Summary

10 Signs

- Updated to eliminate constitutionality concerns from *Gilbert* SCOTUS case
- Simplifies and clarifies provisions for temporary signs

11 Landscaping and Screening

- Minimal changes to ensure consistency with other provisions

12, 13, 14 Reserved

15 Amendments

- Applications portions of existing text moved to chapter 6
- Remaining text concerning noticing and roles to remain in this chapter

16 Public Deliberations & Hearings

- Proposed for merging with Chapter 2

17 General Provisions

- Minor changes via legal counsel recommendations

Appendix A / Appendix B

- No substantive edits proposed

7

Written Testimony Received as of 5 pm Today

Public Agencies

- Department of Land Conservation & Development (DLCD)
- Department of State Lands (DSL)
- Department of Fish and Wildlife (ODFW)
- East Multnomah Soil and Water Conservation District
- Metro

Private Entities / Groups

- Sandy River Basin Watershed Council
- Trammell Crow Company
- All County Surveyors & Planners
- Paul Wilcox, resident
- Charlie Foss, resident

8

Amendments from Last Public Hearing

Section 3.172 – GI Permitted Uses

- Added caretaker residence as a permitted use in General Industrial in conjunction with a mini-storage use
- Added a definition for caretaker residence

Section 4.000 Aggregate Resources

- Added a reference to OAR 660-23-0180 via a newly written Section 4.015

Section 4.311.A.3(c)

- “VECO Exception clause” removed
- Majority of overall testimony commented on this issue
- Compliance concerns with Metro, State, and Federal standards

Section 8.045.B – Additional Transit Related Design Standards

- Removed build-to rules for industrial uses with 50+ employees on transit streets

9

Decision Criteria [TDC 15.050.A]

1. For Comprehensive Land Use Plan text amendments, compliance with the Statewide Land Use Goals and related administrative rules.

Proposed Finding: Criterion is not applicable

10

Decision Criteria [TDC 15.050.A]

2. Public need is best satisfied by this particular change.

Proposed Finding: *The public need for the Development Code is that the Code implements Comprehensive Land Use Plan policy. Public need is also embodied by the City's objectives to provide a community that promotes the health, safety, and welfare of the community. The Development Code fulfills this objective by providing a regulatory framework for considering and allowing development in the community. The proposed amendment is a comprehensive update to the Development Code which is **intended to remove redundancies, improve internal consistency, clarify regulations, enhance community awareness of development, remove unnecessary barriers to development, and make the Code easier for the community to use and understand.** While the Development Code is needed to regulate development in the community, the proposed amendments will continue to address community need by improving the usability of the Code. Therefore, staff recommends **this criterion is satisfied.***

11

Decision Criteria [TDC 15.050.A]

3. The change will not adversely affect the health, safety, and welfare of the community.

Proposed Finding: *The proposed amendments do not contain any provisions which will remove existing regulations concerning the health, safety, or welfare of the community. Existing regulations concerning issues of safety such as building setbacks, fire protection, traffic control, pedestrian design, flooding, steep slopes, etc., are not proposed for deletion or modification. The community will continue to have regulations and standards to enhance the community's health, safety, and welfare. Therefore, staff recommends **this criterion is satisfied.***

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Decision Criteria [TDC 15.050.A]

4. In the case of Development Code amendments, the particular change does not conflict with applicable Comprehensive Land Use Plan goals or policies.
 - Goal 1 – Citizen Involvement – Policy 2
Notification requirements are proposed to be increased
 - Goal 2 – Land Use – Policies 7 & 8
Amendments do not alter existing development standards.
Neighborhood compatibility respected.
Consistency with standards and regulations from other agencies
 - Goal 5 – Open Spaces, Scenic and Historic Areas and Natural Resources* – Policy 16
Historic Landmark protections to be retained
 - Goal 7 – Areas Subject to Natural Disasters and Hazards – Policy 3
No modifications to existing flood hazard regulations or standards.

Continued...

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Decision Criteria [TDC 15.050.A]

4. In the case of Development Code amendments, the particular change does not conflict with applicable Comprehensive Land Use Plan goals or policies.

(continued from previous slide)

- Goal 9 – Economic Development – CBD Policy 9; Town Center Policies 6 & 7
A mixture of land uses, including office, retail, and a variety of housing types will continue to be permitted as is currently the case
- Goal 10 – Housing – Sections 1, 4, & 6
Variety of housing types continue to be allowed, subject to density requirements in each district

Proposed Finding: *Staff recommends that the proposed amendments will be consistent with the applicable Comprehensive Land Use Plan policies as noted above. Therefore, staff recommend that the proposed amendments satisfy this criterion.*

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Staff Recommendation / Next Steps

- Staff recommends **approval** of the draft, pending any testimony to be considered at this hearing.
- Receive all public testimony relating to the proposal.
- Consider all public testimony and the facts and findings presented in the staff report. Deliberate on policy issues, proposed amendments, and other issues identified by the Commission, Staff, other public entities, or the public.
- Entertain a motion to approve an Ordinance to adopt of the proposed text amendments to the Troutdale Development Code.
- Second hearing and vote scheduled for Tuesday, April 11, 2017.
- Appeal period closes on May 2, 2017.
- Assuming no issues or appeals, Code would be effective on May 11, 2017.

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Planning Commission Comments

Public Testimony

Public Testimony

Order of Testimony

1. Applicant
2. Proponents
3. Opponents
4. Neutral Parties / Clarifications
5. Requests for Additional Time

Reminder:

- All issues raised by a participant must be sufficiently clear and specific to allow PC and other parties to respond.
- Failure to raise an issue during this public hearing may invalidate a future appeal based on that issue.

Requesting Additional Time

- Opportunities for additional evidence or testimony
 - Continuing the public hearing to a future date
 - Leaving the record open for at least seven days
 - If record is left open, any participant may file a written request for an opportunity to respond. PC shall reopen the record to allow any person to raise new issues which relate to the new evidence