

MINUTES
Troutdale City Council – Regular Meeting
Troutdale City Hall – Council Chambers
219 E. Historic Columbia River Hwy.
Troutdale, OR 97060-2078

Tuesday, July 9, 2013

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

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

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

ABSENT: None.

STAFF: Craig Ward, City Manager; David Ross, City Attorney; Travis Hultin, Acting Public Works Director; Amy Pepper, Civil Engineer; and Sarah Skroch, Deputy City Recorder.

GUESTS: See Attached List.

Mayor Daoust asked are there any agenda updates?

Craig Ward replied yes, if you could please pull item 2.4, the resolution recognizing the completion of the public improvements associated with TRIP and defer that to a future meeting to be decided.

2. CONSENT AGENDA:

2.1 ACCEPT MINUTES: June 11, 2013 Regular Meeting.

2.2 RESOLUTION: A resolution granting a specific exception to the City of Troutdale Construction Standards for Public Works Facilities for SW 21st Street between SW Troutdale Road and SW Sunrise Circle.

2.3 RESOLUTION: A resolution accepting a public utility easement for a water line extension from Parenti Properties LLC in the vicinity of 3601 NW Marine Drive.

~~**2.4 RESOLUTION:** A resolution recognizing the completion of the public improvements associated with the Troutdale Reynolds Industrial Park Phase 4 and accepting them into the City's fixed asset system.~~

2.5 RESOLUTION: A resolution authorizing the City Manager to execute an Intergovernmental Agreement with Multnomah County and the cities of Gresham and Fairview to participate on the East Metro Gang Enforcement Team.

2.6 RESOLUTION: A resolution approving an IGA with Multnomah County to provide services to older adults.

MOTION: Councilor Anderson moved to adopt the consent agenda. Seconded by Councilor Wilson. The motion passed unanimously.

3. PUBLIC COMMENT

None.

4. PRESENTATION: West Columbia Gorge Chamber of Commerce - update on recent activity.

Claude Cruz, President of the West Columbia Gorge Chamber of Commerce stated I came prepared to speak a little bit about the Tourism Committee and give a description of the trajectory that the Chamber is on now. As the incoming president, I am still very much in the learning mode and taking stock of the current situation and what we can do for improvements. I will focus on what we think the potential is for the Chamber and some of the directions we'd like to take it in.

Claude Cruz reviewed a presentation regarding the West Columbia Gorge Chamber to the Council. A copy is attached to the minutes as Exhibit A.

Claude Cruz stated if you'd like I can move on to the Tourism Committee update.

Mayor Daoust replied let's do that first and then we can have questions and comments.

Claude Cruz stated based on the Town Hall meeting we had several months ago, the Mayor has chartered a citizens committee to look at tourism and tourism promotion. I was fortunate enough to be elected to chair that effort. I would like to talk about how we're moving that ball along. I think we are making good progress.

Claude Cruz reviewed a presentation regarding the Troutdale Tourism Committee to the Council. A copy is attached to the minutes as Exhibit B.

Mayor Daoust stated I was traveling the past 2 weeks and paid close attention to how each town handled tourism and their visitors center. I took pictures of businesses signs along their main streets.

Claude Cruz replied what I remember having lived in the Northeast is that, there's a lot of color in the way people advertise. The City Ordinances have to be such that it's permissive of that sort of thing. As we rebuild the Marino square there should be some consistency there so that the look and feel of the town is what we want it to be going forward. I think of places like Leavenworth, Washington where they as a town came together with a theme, they're serious about it, and they made it stick so now they are little Switzerland in the Northwest.

Mayor Daoust stated each town was like a base camp in their own rights. What I noticed back east is that the base camp was not that far from the activity. Here we have a little bit more of a challenge in that our base camp is a little farther away from activities that people might want to do so that is a challenge for us. One thing they all had in common and one thing that attracted most of the people there was the feel and atmosphere of the city. Without exception, every single town that people were attracted to go to had very similar feels to them. I'm really encouraged by what you are sharing tonight, especially the tourism committee and the fact that they're organized and active. It sounds like you have good efficiency stuff going on with the Chamber.

Councilor Thomas stated this is the best report that I've heard from the Chamber as far as future plans with clear step by step direction to get there. I'm very encouraged.

Councilor Wilson stated I've traveled to a couple of different Chambers in Clackamas County and what I see here is that getting more people involved will help it be more successful with less work and less burden on just a few who tend to get burned out. I'm glad to see the expansion of the committees. This was a great presentation, thanks.

Councilor Anderson stated I agree with Councilor Thomas, this is the best Chamber presentation I've seen in over 2 years. Claude and I work very closely together and I'm pretty in-tune with what the Tourism Committee is doing, what the Chamber is doing, and I think it's on the right track. I think there's a lot of work and we all need to remember that this isn't going to be built in a day. One thing I brought up when we talked about 3.08 (Troutdale Municipal Code Chapter 3.08, Transient Lodging Tax) was the Chamber coming in more often than annually. This works for me and I think it works for all of us. We don't need to have a big policy discussion once a year but these little check-ins are really good.

Claude Cruz replied I intend that we instrument the system so we can track our progress. I think it makes perfect sense to do biannual or quarterly reports and I'd like them to be bidirectional. We will come to you with a status report and we'll tell you what we need in order to stay on trajectory. My hope is that a lot of the movers and shakers in the community will be a part of rather than outside of this process. It won't do anybody any good if we get second guessed at the goal line and we find that we have active opposition to the directions that to the best of our knowledge, make sense to the other representatives from the citizenry. I want to take a moment to thank Karen Schaaf. As I come on board I have my own thoughts and I'm going to leave my own stamp on the organization for better or for worse but I'm building on effort that people who've come before me have put in with the best of intentions and laboring uphill in many cases. The funding has not been adequate for the size of meal that the group is trying to digest. It makes it hard to really come up with stellar success. I think we'll need to talk with the Council about community events. Right now that's not really where the Chambers budget has been going. We're going to have to talk about how to get both sorts of efforts funded and fielded properly so it doesn't derail the Chamber and the City will still get what it needs.

5. DISCUSSION: A discussion with Jack Glass regarding his contract with the City for the operation of Jack's Snack and Tackle.

Mayor Daoust stated Jack Glass is not here this evening. Are we still proposing to discuss this?

Craig Ward, City Manager, replied I understood that Jack was going to be here. Let me briefly inform you that it's become apparent by a business license application that there is a new operator of Jack's Snack and Tackle, they even changed the name which is interesting because under our agreement with Jack, he doesn't have the unilateral ability to sublease without the Council's permission. I've spoken with Jack and made him aware of that and I expected him to come in and discuss what his plans are. The purpose of this evening was for him to inform the Council as to what his intentions are and to get any Council direction necessary to potentially amend the contract or even terminate the contract if that's what he's choosing to do. Since he's not here to make his own proposal, I'm not prepared to make it for him. It was anticipated that this would be an introductory presentation and we'd come back to you with some form of a proposal at the late August meeting. We have not acted upon the proposed business license because it's inconsistent with the agreement that we have with Jack. Meanwhile as far as we're concerned, it's still Jack's Snack and Tackle and he is still responsible for managing it and paying the taxes and paying the monthly fees.

Mayor Daoust asked what is the new name?

Mark Cramlet, Owner of Mark's Snack and Tackle, said I'm the gentleman that is trying to take over the business and I would like to change the name to Mark's Snack and Tackle. Jack preferred that his name be removed from it so I removed the signs. I've been waiting for permission to put some signs up. I called Jack yesterday and he's been in Las Vegas at an iFish Seminar. I was hoping he would be here tonight to get this resolved.

Mayor Daoust asked are you the new Manager?

Mark Cramlet replied hopefully I'm the new Owner. I've been trying for a couple of months to get in there. I've been cleaning, remodeling, repainting, and getting the equipment serviced so that I can serve quality food and drinks. I'll be bringing in Dove Tail Roasters which is a local coffee roasting company. I'd like to serve hot food. I'll use a smoker out on the deck to smoke pork shoulders, beef brisket, and turkey. We're also hoping to bring in a dipped ice cream or gelato and eventually a really nice swirl soft serve ice cream much like the one in Cascade Locks. I'd like to serve some healthy products too like yogurt and fruit bowls. I'd like to open earlier, at 6:00am, so I can cater to the coffee people that are traveling through the area and stay open until at least 6:00pm. So far this summer I've been staying open until about 8:00-9:00pm. I'd like to also have the opportunity for people to buy tackle and bait.

Councilor Anderson asked how involved is Jack going to be?

Mark Cramlet replied I understand that he wants to be completely out of it.

Councilor Anderson asked is he going to consult, is he going to give you ideas, is he going to make an appearance and have a cup of coffee?

Mark Cramlet replied his mother's been coming down quite frequently. My hope is to cater to the fishing guides in the area. I'd like to build a guide box that will have a complete meal for them that they can drive through and pick up at 6:00am for the boat.

Mayor Daoust stated it all sounds good. It's a prime location and City owned so we will have to go through a process with this turnover.

Mark Cramlet replied I've backed off and let the attorneys handle everything.

Councilor Ripma asked are you applying to the City then for a business license?

Mark Cramlet replied I've applied for it.

Councilor Ripma stated it sounds like you're in business already and you don't even have a business license.

Mark Cramlet replied we had a soft opening where we were serving water, pop, hotdogs and some products. Jack personally gave me permission to go ahead.

David Ross, City Attorney, stated the Council should be aware that the City has an operating agreement with Mr. Glass. We renewed it last summer at his request. It requires Mr. Glass to provide supervision and control. It's not assignable without Council's permission. Since there's been no request, we're not able to issue the business license. There may be attorneys involved but nobody has talked to me. It is City property so we do have a vested interest in knowing who's operating it. The original agreement was based on very favorable rental rates in exchange for personal service that was involved with remodeling the building. Jack is getting a below market rent for a specific reason. There are a host of issues that have to be dealt with.

Mayor Daoust asked what's the best way for us to give our permission as a Council? We'd have to delve into some of the details and facts.

Councilor Anderson stated wasn't the original plan to bless this and go forward and have something come back before us on August 27th?

Councilor Thomas replied at this point I think we would kind of be out of bounds.

Councilor Anderson stated I was thinking to just approve staff to do whatever it is that they're going to do. I think the whole point of this was that Jack was supposed to be here to ask us for this and instead of Jack we have Mark.

Councilor Thomas replied anything that would happen at this point would just be based on speculation.

Craig Ward stated I didn't think you were going to bless it tonight. That is definitely premature. What I hoped to happen tonight was that Jack would come in and explain his issues with the management and propose a change in some form. That change might be as simple as approving a sublease to this gentleman or I thought it was also likely that he would come in and ask to terminate the agreement in which case you would be in a position to have to deal with a potential new client. I think the complexity to that is based on the below market rate which I somehow expect that this person has assumed as part of his agreement but he has assumed that without our concurrence therefore it has no standing. My direction to Jack was that until an amendment or a change in some form is made to this agreement, we consider it to be Jack's Snack and Tackle and he is responsible for everything that goes on at that property. A lot of initiative is going on here which we too would like to honor but unfortunately it's very inconsistent with the existing agreement. I'm stuck with encouraging Jack to come back and discuss what he's proposing because I don't actually know what he's proposing. I'm jumping to conclusions that he wants to terminate the agreement and that this gentleman would like to be our new tenant. We're going to have to talk about what a fair market rate is or whether the Council's prepared to honor the same terms for Mark that you did for Jack. Those terms were based around the capital investment that Jack needed to make to bring the building up to speed. We're in a different situation now. We need to have that conversation and we planned on putting it on the next Council agenda. My recommendation would be to simply go forward with that.

Mayor Daoust stated we could do the staff work first before it's brought back to us to bless in late August. In the meantime, Jack can talk with staff.

Craig Ward replied we'd be happy to look into the question of a fair market value.

Councilor Thomas stated I think I have a good understanding of what's trying to happen so having another meeting to explain the same thing doesn't make sense. I would rather see the finished agreement or a proposal come back and we can make a decision at that time.

6. MOTION: A motion to initiate a Text Amendment to the Troutdale Development Code increasing the threshold for simplified approach design for stormwater filter strips.

Travis Hultin, Acting Public Works Director, stated this is pursuant to the work session in May where we discussed concerns about the design threshold for filter strips along with some other stormwater related items. The result of that work session was Council directed staff to do the necessary work to raise the threshold for a simplified design approach on this particular type of water quality facility. We did some research and determined that the appropriate venue for this would be the Troutdale Development Code (TDC) because that's where the Portland Storm Water Management Manual (PSWMM) is adopted by reference. TDC Section 15.010B requires that such a text

amendment be initiated by a motion of the Council or the Planning Commission. This is a necessary step in the process to initiate that. Staff doesn't feel this amendment is really necessary but staff is not adamantly opposed to it if that's the Council's wish. If you want to proceed with this then we'd need a motion tonight initiating that text amendment and at which point staff would go through the process which is about a 4 to 6 month process because it is a type 4 legislative process.

Councilor Anderson stated I'm confused. Under pros on your staff report it says it will simplify developers' design and staff's review of filter strip design submittals up to the revised threshold, which is good, and I think that's kind of what we all talked about in the work session, but under the cons it says it adds complexity to the TDC. How could something simple become complex?

Travis Hultin replied because you are adding another subsection to that part of the code where you're making an exception to a manual that is otherwise adopted in its totality. You're adding a little complexity to the TDC but the design review process would be simpler because for that type of facility you're looking at a simplified design worksheet as opposed to an engineering analysis.

Councilor Thomas stated I agree with you on not pursuing this text amendment. Our code is complex enough and we always talk about keeping complexity out of it. Adding more stuff to it just makes it more complex. What's nice about it is that it's consistent with everybody else. To me that's more valuable than trying to bend things around to fit 1 situation.

Councilor Allen asked do we have bioswales along roads, driveways or anywhere else in the City?

Travis Hultin replied yes. This is actually talking about filter strips which are a little bit different than a bioswale.

Councilor Allen asked if you don't do the filter strip then you have to have an engineer?

Travis Hultin replied what this is referring to is in the PSWMM. There are a couple of different design approaches that are required for different situations. For the filter strip there's a certain threshold of how much impervious area it's treating. Up to that threshold you can use the simplified approach which is a worksheet where you plug in the numbers and you calculate through the provided computations and that's your design. That's only allowed up to a certain threshold right now. If we were to initiate this text amendment, the threshold for the simplified approach would be raised.

Councilor Allen asked what's the step above that?

Travis Hultin replied the step above that is the performance approach. The performance approach is essentially a traditional engineering analysis. It's more involved, it takes more effort, and takes someone who is qualified to do that kind of

work. Once you get to a certain size at this particular type of facility, then you have to do a more involved analysis to submit for review and approval. This contemplates that for filter strips only that the threshold where you're allowed to do the simplified approach is raised.

Councilor Allen asked do we have other driveways in the City that use the next step?

Travis Hultin replied yes. Typically you're looking at a large parking lot so most common would be a bioswale. Depending on the impervious area that it's treating, it can use the simplified approach or performance approach. We have lots of bioswales, those have become very common. There are a few other options such as planter boxes and even along some of our city streets we have bioswales now.

Councilor Allen stated I understand the performance approach for a parking lot, it's the driveway that I'm concerned about.

Travis Hultin replied when I look at how the PSWMM is structured around filter strips and knowing the character of a filter strip and what its capabilities and limitations are, the intent that I read was to provide a very basic Best Management Practice (BMP) to treat small areas that are otherwise difficult to treat. Let's say you have a large parking lot that you can drain through a bioswale but because of the small linear driveway portion it can be difficult to get that to go to your bioswale. For that little piece you can put in a filter strip to take care of that small area.

Councilor Allen asked are we able to differentiate between parking lot and driveway or is it just strictly impervious surface square footage?

Travis Hultin replied with respect to water quality, system development charges, and all those kinds of things, impervious area is impervious area.

Councilor Allen asked could we state it in such a way that it would raise the limit for a driveway? What we're basically talking about is that the driveway was longer because the house was set back.

Travis Hultin replied that's essentially what you are doing if you were to initiate this because what you are really doing is raising the amount of impervious area, that's what determines the threshold. If you were to say you were going to allow longer driveways to be treated with this then effectively you're saying you're going to allow more impervious area to be treated with this. You could add the caveat that it only applies to a driveway and we'd have to provide some sort of a definition of what is considered a driveway. Most people say it's obvious but when you start getting into reviewing plans and things, people can argue about what a driveway is and what isn't.

Councilor Allen asked what would be your concerns about the simplified approach?

Travis Hultin replied my first concern is that it will take a lot of effort, staff time, Council's time and energy, and the Planning Commission's time and energy to effect this change when in my view it's not really necessary. Also, filter strips are what I would consider a weak BMP for water quality. That's why the PSWMM structures them to be used in limited circumstances for hard to treat areas that aren't very big. My feeling is that the way it was built into the Portland manual was perfectly appropriate, it's not really a necessary change, there's a fair amount of effort involved and it might encourage people to use these filter strips in areas where they weren't really intended because of the higher threshold so it's easier when it really isn't the best of BMP's to use.

Councilor Allen stated an observation that I have is that things have a tendency to repeat. My concern is that we would be facing this again sometime in the future. I consider a difference between a parking lot, which tends to be more flat and designed, and a driveway which is less controlled.

Councilor White stated thank you Travis for stepping up in Charlie's absence. We've had some challenges and a good example was the Beaver Creek pump station where your crew did a fabulous job. My concern with this is when you talked to us at the work session I got the impression that it was an interpretation issue depending on who you talked to. I thought we were simply making a statement that we were only going to enforce it if it were over 5,000 square feet. My problem is that we're currently in our build season and our Council Goal is to simplify things. We know we're near build out and we want to make it easier on folks to get things done. We also learned in the budget cycle that the best way out of our budget trouble is going to be through development. Now we're being told it's a 4 to 6 month process. Is there a way to do this without that long of a delay since we're in the build season and it is our goal? Can we just interpret it to be 5,000 square feet and anything over will be enforced and if it's under we won't enforce it?

Travis Hultin replied from my read on the manual, I don't think there's any way that I can interpret it to be 5,000 square feet. Our intent is to pursue the Council's direction so we looked at what we think needs to happen to make that a reality. Given that the PSWMM is adopted by reference in the TDC and also given that I don't think I can just look at the manual and even though it says 2,000 interpret it to be 5,000. We felt this was the way it needed to be done.

Councilor White stated I appreciated at the work session where you admitted that it really matters who you get a hold of in Portland as to how it's going to be interpreted. I think that's what I was really looking for with this as a result. I'm not happy with the 4 to 6 months to resolve this. It doesn't accomplish our goal seeing that we're currently in build season. People rely on this kind of stuff and I think it's a little excessive.

Councilor Ripma stated we cannot direct staff not to follow the TDC as much as you might want to simplify it. I wouldn't go along with that and I don't think we can, it's probably not legal. The excellent staff that we have follow the Code, they should, and I want them to. Yes it might come up again but it hasn't and what we're doing is

encouraging what staff recommends against because it's a weaker protection for ground water. I want to encourage development too but I don't want to encourage people who don't want to do what's best for our ground water. This request was triggered by a request from 1 developer. In fact it won't help that developer. I think this would be a waste of staff time. We're getting into a discussion and we haven't even gotten into the nitty gritty of this. We'll be discussing theories and no actual benefit to the City in my opinion and possibly when we're done, even a detriment. I would not favor moving to initiate this text amendment.

Councilor Thomas stated in the past we've had to go back and retrofit things because of changes to rules. Having been involved with MPACT I know that the future regulations coming out in regards to stormwater management are becoming more and more difficult to satisfy. Things that you put into place now might have to be fixed at some point. I believe we've already had to do that in some areas where they didn't quite meet the standards.

Travis Hultin replied in the stormwater master planning and Capital Improvement Plan for stormwater that's one of the elements we're doing is retrofitting for the future. It wasn't that people didn't do what they were supposed to back then, there weren't any water quality standards.

Councilor Thomas stated it's nice if we can avoid those in the future. I don't mind making changes when talking about future development. In some places I don't think it makes a difference. It hasn't affected anything for the 10 years that I've been on the Council. I don't see making a knee jerk reaction is the right thing to do.

Mayor Daoust stated we don't want to stop development but I wonder how many filter strips we're going to be talking about in the next 10 years. I think we probably won't be talking about any. Does staff have anything to add or does anyone have any other questions of staff?

Travis Hultin stated I'd just add that to give Councilor White some comfort, I'm not aware of anyone that's proposing this BMP in any projects that are currently proposed. I can't predict projects that might come along but this is not something that's in common use.

Mayor Daoust asked what do our neighboring cities do? Do they also follow the Portland Manual?

Travis Hultin replied some do but Gresham and Sandy have their own manuals. The most common one in the metro area is the Portland Manual but there are others.

Councilor White asked when did the Portland manual go into effect?

Travis Hultin replied the original manual that the City used was the 2002 manual. It's been updated with the 2008 version and I believe there is another update in the works for probably 2015.

Mayor Daoust stated I'm just looking at the amount of time it's going to take. It has to go through the Planning Commission, public hearings, and it's going to take 4 to 6 months for what? I tend to agree with staff that it's not necessary. In the 16 years that I've been on the Council this has only come up once and that person is here tonight and looks like they'd like to say something.

Jay Ellis, Owner of JLE Investments LLC, stated I appreciate the amount of time that Travis and staff have spent looking into this issue because it did affect me and it didn't just cost me the build season but it cost me financing. The house didn't get built because the lender felt if it was so difficult to get a driveway approved then how was I going to get a house built. After bringing this issue up I was instructed to look into this issue further. I would like to let everyone know that I talked to one of the co-authors of the manual at the City of Portland, he is the lead reviewer of submitted plans, and also the gentleman who is the lead inspector for the City of Portland. Brian Wennington said Chapter 2 page 2-61 of our manual says Sizing: Where the simplified approach is applicable, the filter strip is sized at 20% of the impervious area treated, up to 500 square feet. Because our threshold is 500 square feet that section has been considered a typo and will be corrected in our next revision due 2014. As a layperson I'm sophisticated enough to do a simplified approach but not a performance approach. If there's a typo in 1 section of a 600 page book and the co-author, lead inspector, and the person who's fixing the manual says it's a typo then it seems awkward as a developer that it would take 4 months to fix. The Manual says stormwater facilities in the right-of-way are not sized to treat stormwater from private driveways. Stormwater from private driveways must be managed on private property. Applicants are encouraged to use vegetated filter strips to manage driveway runoff where possible. That's what I did when I designed this. To Councilor Ripma's point about BMP's for stormwater facilities. When you talk about swales and planters there are 2 issues that I've seen in other Cities and that is that they'll catch trash. However the advantage of using a swale from the developer's point of view is that the sizing for the impervious area is .09%. The sizing for filter strips is 20%. You're right it, takes more space for a filter strip to work and that's why they're sized at 20% but there are situations where you have limited geography and lot size, sometimes you have to do the swale because you just physically don't have the spacing for a filter strip. Administratively I think anybody could fix a typo when it's a recognized typo. When the PSWMM prefers the design standard and the encouraged design is a filter strip and there's a typo then it causes frustration from a developer's point of view.

Mayor Daoust replied you gave us a really good solution, wait for the 2014 revision.

Councilor Ripma stated if they're going to correct the typo then we don't need to do this.

Councilor White replied unless we want to be proactive and send a message that this matters. How easy is it for us to correct this? We can direct staff to make this a simple correction and get it done.

Councilor Wilson asked did staff contact Portland to see if it was a typo?

Travis Hultin replied yes, when we contacted Portland we were given the response that it depends on who you ask.

Councilor Wilson asked if we contact this guy, the author, and they are allowing a wider area and he says it is a typo, can't we just accept it as a typo and move on?

Councilor Ripma replied no, not if it's in our code.

MOTION: Councilor Anderson moved that we adopt a motion to initiate a text amendment to the Troutdale Development Code increasing the threshold for simplified approach design for stormwater filter strips. Seconded by Councilor White.

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

Motion Failed 3 – 4.

Mayor Daoust called for a 10 minute break at 8:31pm and reconvened the meeting at 8:45pm.

7. DISCUSSION: Capital Improvement Plan Update and SDC Adjustments - Process and Schedule.

Travis Hultin, Acting Public Works Director, stated there's been a lot work going on related to the Capital Improvement Program, Master Planning, and I'll talk a little bit about the Public Facilities Plan (PFP) because I think there is some lingering uncertainty about the relationship between some of these plans and documents and how they work together. The primary purpose of this discussion is to provide a preview and overview of the process needed to update the CIP and SDC rates. Following that I will also talk a little bit about the PFP. The City has several master plans that have been adopted for various utility systems including its transportation system, and its parks system. Those master plans all start from a wide range and in depth analysis of the particular utility or system involved. They include all of your existing facilities, your projected growth, your current needs, your needs based on growth, and do you meet those needs now and into the future. In addition to that they also look at how those needs will be funded. Those master plans have all been adopted for all of our systems and then they feed into a Capital Improvement Plan or Program (CIP). The CIP is essentially a list of projects and improvements that the City has said that they are going to do and how they will be funded. That could be a combination of SDC's, user fees,

developer funding, and other funding sources. The CIP feeds into the SDC rate calculations and also the user rates. Master Plans typically include an economic analysis and economic modeling to forecast out into the future along with your projected development, the needs, timing of projects, what kind of rates will be needed, and how you're going to meet those funding needs. Different Master Plans go into different levels of detail. The Sanitary Sewer Master Plan has a very in-depth, very complete, and very technical analysis. The Transportation System Plan is a much lower level, more simplified analysis. In the case of the Stormwater Master Plans they didn't include that component because there are 2 different plans that cover that and they are both coming from the same sources so a financial analysis needs to be done to integrate those 2 plans since they utilize the same funding sources. There is also the Parks Master Plan. A complete economic analysis was included and the Council has expressed an interest in making some modifications. In the process of analyzing that with all of you and looking at that plan, my feeling was that it would really benefit from a complete reanalysis of the economics of it and a new economic and rate model for SDC's be prepared for that. We did discuss that with the Parks Advisory Committee at their last meeting. The Council directed us to discuss some of the proposals made at the work session. As far as the individual proposals that the Council came up with, they decided that they wanted to take more time to consider those. They began the discussion but continued it over to their next meeting which will be in August. One thing that they did vote on was to recommend to the City Council that an economic reanalysis and new economic model be undertaken for the Parks CIP and Master Plan. On the Transportation System Plan if you feel like it needs some refinement then there is a fairly simplistic analysis in both the existing plan and the one that's being considered right now. If you refine that analysis, staff can do that. In the case of the Stormwater Systems an integrated analysis will have to be done by an expert. Hopefully if the Council agrees, the Parks Advisory Committee will do a similar thing for the Parks Master Plan and when all of those analysis are completed we'll have all the information that the Council could possibly need to make some decisions about what they want to do with the CIP and SDC rates. To do all that it takes time. There are a couple of things driving that. One is that there is some staff work to do and work with consultants to get the analysis completed and it takes about 6 months to complete that and about half of that time is for statutory notice timelines that we have to comply with. When you're going to do an adjustment to your SDC rates you are required by law to give 90 day notice to anybody that's requested to receive that notice and we do have one entity remaining on that list that wants that notice. It's not until after that 90 day notice that Council can actually act on the rate adjustment. There's another timeline in there which is a 60 day timeline where we have to provide the methodology and all of the calculations of the proposed changes and that is within the 90 day window so it shouldn't be a huge driver. We expect some systems to have the SDC rate go down and for some it may go up. A lot of that will depend upon the decisions that you all make as you work through the proposed CIP's. Moving on to the PFP, I know this has been the source of some confusion amongst some of the Councilors and Planning Commissioners about how these relate. The Master Plans are the foundation documents. They start from the ground up and are a holistic technical analysis. The PFP is essentially an aggregation of those Master Plans, and the process doesn't

include any of the analysis that I talked about, it draws that from the Master Plans. It's essentially taking the work that's already been done in the 6 different Master Plans and bringing it all together into 1 document, add to that some additional policy statements that aren't traditionally in the Master Plans, and that becomes a tool for land use planning and it'll also be used to meet State land use requirements where you're required to have a PFP. The idea is that you should be planning for the future and making sure that they have an orderly approach to providing the services that people need or are going to need as the City grows. The PFP is not the driver for the CIP. The PFP is updated very infrequently. The last time it was updated was in 1990. The Master Plans and the CIP's are looked at continuously. While Master Plans may not be updated every year, the CIP is and to do that you look at the assumptions and the critical analyses that were in the Master Plans to determine if these projects are still needed. Every year you review the CIP and SDC rates. The Master Plans are the source documents that feed into the PFP. You wouldn't create something in the PFP that wasn't already contemplated in the Master Plan because there's no real analysis to meet that need built into the PFP development process. In the Oregon Administrative Rules it talks about the PFP and it essentially says that a PFP is not intended to replace Master Plans and other similar types of documents that the City has it is an aggregation of those documents. The PFP is used as source material for your Comprehensive Plan Goal 11 and it informs planners, developers, and other interested parties about what kinds of facilities will be needed to serve growth. If someone is proposing to develop a certain area in the City then they could look at the PFP and say yes the City has thought about that and they've said that they anticipate this area is going to develop and if it does there's going to be a new water main that goes down this road to serve water to the area. That's about as far as the PFP goes, it doesn't go into much detail. To get the detail you need to go back to the source document which is the Master Plan. I'll be happy to answer any questions or have any discussion that the Council would like to have.

Mayor Daoust stated when I read through this I couldn't understand why we even need a PFP because we have Master Plans and the Capital Improvement Plans and the PFP is kind of just hanging out there in the middle. Then I got to the answer which is that it's a State requirement.

Travis Hultin replied for communities that don't have a complete Master Plan and some don't have any at all, this might be their only way to plan for this stuff. That's why it's a State requirement, they want to make sure that communities are planning for this stuff. If you don't have Master Plans then you need to at least have a PFP. If you have Master Plans then you can basically aggregate those to create this.

Councilor Anderson asked are you looking for an endorsement tonight on this analysis and rate model for the Parks CIP?

Travis Hultin replied I hadn't really proposed it but since it's not specifically budgeted in the current budget, we'd need authorization for that or come back to get authorization for that at a future date. The Parks Advisory Committee recommended it and I

recommend it and believe it's a good idea and would welcome direction from the Council with authorization for the expenditure to do that.

Councilor Anderson asked who does it and how is it paid for?

Travis Hultin replied it would be paid out of the Parks Improvement Fund, it is SDC eligible, and we would bring on an Economic Analysis Consultant.

Councilor White stated in the example of the Park Master Plan when we felt that we wanted to look at reducing the SDC rate we first had to go back to the Master Plan and make corrections there. The CIP wasn't the driver.

Travis Hultin replied at the work session what we were looking at was essentially the CIP, a list of projects in the CIP that were drawn from the Master Plan. You wouldn't actually adopt a new Master Plan if we were to carry that forward, you would simply adopt a new CIP. You don't have to do every project that's in the Master Plan. You could say we appreciate that this was a recommended project in the Master Plan but in our view it's not necessary and therefore we're not going to include it in the CIP.

Councilor White stated I realize how Master Plans get created. It's a requirement somewhere so it gets listed then you look at the cost and at some point someone needs to use their judgment and say this will never happen because it would cost too much for each homeowner. At that point I think we need to make a judgment call.

Travis Hultin replied that's where the CIP is the critical point. Obviously in the initial stages when a Master Plan is being created, changes can occur. Where the rubber really meets the road is at the CIP step because regardless of what's in the Master Plan or regardless of what other requests you've been getting from regional partners, you ultimately decide whether or not to include it. By taking those projects out of the CIP you remove those costs from the picture. You don't have to change the Master Plan to do that. Ideally you would review the CIP annually.

Councilor Wilson stated when we were thinking about adjusting the Parks SDC's Charlie had mentioned that if we got rid of too many things that the Master Plan would have to be revisited and redone. Is that not correct?

Travis Hultin replied I don't think it would have to be but I think it would be advisable. There isn't a specific numeric cutoff that I could give you. Once you deviate the CIP to a certain degree from what you have in the Master Plan then it's time to think that maybe you should redo the Master Plan. Let's say the Master Plan is 10-15 years old and was adopted by a completely different Council, the Council now could say because our CIP is so different from the Master Plan our ideas clearly diverge significantly from the views that were prevalent at the time that the original Master Plan was created. At that time you might say, let's do an update even though the original Master Plan hasn't reached its full horizon.

Craig Ward stated it comes down to the basis for your decision making. You start out with the basis being your Master Plan and you develop your CIP from that. At some point you get to a stage where the 2 are so de-linked that you no longer have a rational basis for making a decision about your CIP and I think that's what Charlie was trying to say, when we no longer have a plan then we're just reacting every year as to where we need to spend money. We want to move the caretaker's facility at Glenn Otto Park. Maybe we do and maybe we don't but it was assumed in the Master Plan but it has never come to fruition because we've never had money. What you do is you keep pushing those items off that you aren't sure you ever really want to do. It may have been a good idea at one time, we had 45 items on the list that all seemed to make sense back in 2000 when we adopted the plan. We've implemented several of those but now we're getting to the portions of the list that were always at the bottom end. If we don't do a Master Planning process then how do we decide if we ever still want to do those. What happens over time is you keep putting those things off but some things you may just want to check in on as a Council or have the Parks Advisory Committee do it and decide if you still want to do that. I think a big part of the concern is that SDC's are based on plans and budgets that you are no longer committed to and that's why we tried to come back to you on some of these issues and say we can change the basis for which SDC's are calculated by going with a CIP list. In order to make those changes we still have a formal process where we have to notify people 90 days in advance. The SDC issue is all related but it's a different piece of the puzzle that has to be dealt with very specifically.

Mayor Daoust stated the question that Tanney brought up is does the Master Plan have to match the PFP or the CIP and the answer is no it does not have to match. The Master Plan is a 20 year plan for now and into the future. I don't think we want to be revising Master Plans every 1 to 2 years just to make them match with whatever CIP we're looking at that year.

Travis Hultin replied certainly not. The Master Plan process is a large and expensive undertaking. It's not something that you want to be redoing even every 5 years given the expense.

Craig Ward stated the PFP will never match the Master Plans because it is a composite of several that were done at different times with slightly different assumptions. Those assumptions will all become obsolete or revised over time.

Travis Hultin stated the CIP is really what drives the money factor. The Master Plans inform the CIP and give you a recommendation of what you should consider putting in your CIP. The CIP really drives the SDC rates and the user fees to some extent. To the extent that there are any concerns about differences between the Master Plan and the PFP, if you wanted to make those consistent the way to do that is to make the changes to the PFP. If you change the Master Plan to match the PFP then that's the tail wagging the dog.

Councilor Anderson asked we went through an exercise at a work session regarding Parks SDC's, did you say that we can still go through that exercise and adjust the SDC's based on the CIP as presented to us a couple of months ago?

Travis Hultin replied I put together a project schedule for how this would all go and my intent would be that before we have economic models prepared we would have a work session to get guidance and direction on what you want those CIP's to look like. The economic analysis and modeling will flow from that.

Councilor Anderson asked didn't we just do that?

Travis Hultin replied if Council is satisfied with what was done at that work session then we'll go with that. The Parks Advisory Committee hasn't responded to the Council's request for feedback on that yet. My assumption was that you'd want to have another round of discussion on that before pressing forward with taking action.

Councilor Thomas replied it would be nice if that came back to us at a work session.

Travis Hultin replied that was my intent and what I believed was the Council's desire.

Councilor Wilson stated I thought one of the questions that we asked was why there was so much cement being used in Glenn Otto Park.

Mayor Daoust replied that was one of the questions that was brought up and that's why we tossed it over to the Parks Committee.

Councilor Anderson stated another thing that Councilor White tossed over to the Parks Committee that I don't want to let go is that we asked them to come up with maintenance options using volunteers and things like that. That's another thing that I'd like to see come out of this too.

Travis Hultin replied another thing that I specifically recall that the Council talked about was desiring to get ideas from the Parks Advisory Committee about other ways to generate revenue. They have been discussing that and there were a couple of ideas talked about but no formal recommendation yet. They suggested raising some of the fees for usage for some of the facilities. The other idea that I recall someone bringing up was a creation of a Parks Foundation or something like that to try to collect private donations.

Mayor Daoust stated Councilor Anderson brought up the fact that maybe the Council would bring up direction tonight to do an economic analysis and rate model for the Parks. I don't want to cross road things by having us tell the Parks Committee to be working on stuff but maybe go ahead and do this. Are these 2 separate steps?

Travis Hultin replied they endorsed the analysis. They have not responded to your request for feedback on your proposed adjustments to the CIP list. They continued that until their next meeting.

Mayor Daoust asked so the 2 can go on at the same time?

Travis Hultin replied what made sense to me in terms of a logical order of things was you'd get the Parks Advisory Committee's recommendation in August, have a work session around the end of August, and we would show you what we think the CIP will look like and you can give us feedback and direction as we move forward. Then we'd bring on a consultant to do that analysis. Then we could start doing our notifications and setting up the Council meeting to do the action.

Councilor Allen stated Master Plans are approved by the Council. In Committee they often times work on sub-plans such as the Facilities Plan, correct?

Travis Hultin replied yes.

Councilor Allen stated in the past I've run into being told that sub-plans have to match the Master Plan. That seems fine. Can you dispel the myth that we can't change the Master Plan because the Committee's have already approved sub-plans based on it?

Travis Hultin replied let me be very clear. You can change a Master Plan but it wouldn't be a logical order of events to change a Master Plan based on something that's in a sub-plan.

Councilor Allen stated in the past I've been told that I can't change the Master Plan because there are sub-plans based on it, it was approved by a Citizen Commission and if we try to do that then we'll be sued for not listening our Citizens. I worry about the circle of references. So the question is what does it take to change a Master Plan?

Travis Hultin replied first you'd need to provide direction on what you want changed and then the staff would have to bring back whatever consultant worked on the Master Plan initially to go through to make the revisions and then bring an updated plan forward for adoption. Then you would throw out the old one and adopt a new one.

Councilor Allen asked if we're in the process of approving a Master Plan and we see something that we want to change, are we allowed to change it in a meeting or does it have to go through this process?

Travis Hultin replied if we were to bring you the Water Master Plan and you said you didn't agree with this or a part of it then you could direct staff to go back and make changes and bring it back later.

Craig Ward stated I'm not sure that there's any statutory prohibition against amending a Master Plan, virtually at will. There are complexities that come out of that and you raise

the issue of public involvement and what Citizen Committees have done in not honoring their advice. I think these Master Plans are tools of the City and essentially there is no subcommittee charged with reviewing these utility Master Plans. It's a committee of you. They're your plans. If you want to amend them then we just need to have process in which you direct us to amend the plan a particular way. We may have to disclose in that process what the consequences are to other things for instance, amending the Master Plan will inherently amend the PFP. There's a process because there may be an increasing disconnect between amended Master Plans and the PFP.

Councilor Allen asked the PFP wouldn't prevent us from changing the Master Plan?

Craig Ward replied I don't believe so. I think you have a lot of latitude to amend Master Plans.

Councilor Thomas stated I like the idea of doing the economic analysis. Do you remember when we did the last Parks Master Plan?

Travis Hultin replied I believe it was originally adopted in 2006.

Councilor White asked what role does the Master Plan have when a development occurs? An example might be that it's planned in the Master Plan but it isn't there yet and we've got a big development coming in. How does that affect their project?

Travis Hultin replied it depends on the funding strategy in the CIP. If you had any developments coming in that needed a new waterline to feed that area and it's in our CIP to be a City funded project using SDC's, a couple of things could happen. If the City has the money then they could choose to proceed forward and build that waterline concurrently with the development. If the City didn't have the money yet then there are options. The developer could build the waterline themselves and create a reimbursement district to recoup that cost. They could enter into an agreement with the City to do those improvements. In some cases the Master Plan may say that this tract of land is going to need the main waterline coming into it and the developer is expected to provide it. In which case they would provide it.

Mayor Daoust asked is that where the PFP is looked at more so than the Master Plan? Would the Master Plan be the last thing that they look at?

Travis Hultin replied as well it would depend on the developer. Some are sophisticated enough that they'd go straight to the Master Plan because that's the source document. Planners or developers may initially look at the PFP to get an idea of what facilities are already serving the area and what is still needed. The PFP doesn't give you much detail so they would go to the source document to get the detail.

Councilor White stated there could be some consequences on something that might be very restrictive in a Master Plan. I understand why it may be in the Master Plan. It may

never reach a CIP where we have the funding to get that work done but it could potentially be a problem for a developer.

Travis Hultin replied it's really important for a developer and it's really critical that we provide that. An example would be the industrial area. The recent Sanitary Sewer Master Plan tells us that if we get development to a certain level of intensity those pump stations will need to be upgraded. You don't want development to occur and then find out later that our pump station can't handle all this flow. The developer wants to know that if he builds there that either the facilities are already there or he knows that he's going to need to upgrade to make sure his development is served the way it needs to be. Without Master Plans you're really feeling your way around in the dark when it comes to stuff like that. That's where the projections are. If you don't know that ahead of time then you're in a world of trouble when people start to develop.

Craig Ward stated which will slow the process down and hurt development. The Master Plan should facilitate development. There are cases where we know that we don't have enough capacity to build this area out therefore in the future we need to plan to add that capacity.

Mayor Daoust stated we need to address the staff and the Parks Advisory Committee recommendation that we do an economic analysis and rate model for the Parks.

Councilor Allen asked do we have an idea of the cost?

Councilor Ripma replied all we're doing is endorsing it. It would be brought forward to us as a specific proposal with costs, wouldn't it?

Travis Hultin replied in the interim time we'd get proposals. We won't start that actual analysis until after we've spoken with you again. We could get those figures together and bring it back for you to decide if you still want to go forward.

MOTION: Councilor Thomas moved that we move forward with an economic analysis as recommended. Seconded by Councilor Ripma.

VOTE: Councilor White - Yes; Councilor Allen - Yes; Councilor Wilson - Yes; Councilor Thomas - Yes; Councilor Ripma - Yes; Councilor Anderson - Yes; and Mayor Daoust - Yes.

Motion Passed 7 – 0.

8. DISCUSSION: Reconsider Resolution #2214 adopting the Sanitary Sewer Master Plan dated May 2013. *(This resolution was approved on June 11, 2013. On June 25 a motion was made by a councilor on the prevailing side to reconsider this resolution at the July 9th meeting; that motion passed unanimously.)*

Councilor Allen stated this is a concern that came up with people that are on our Planning Commission. I didn't bother to go through the trouble of running for election

just to ignore what people have to say. I was pulling my vote to find out what the issues are.

Mayor Daoust stated part of the discussion that we just had answered some of those points that Tanney brought up. I think one of his main points was that the Master Plan had to match.

Councilor Allen replied it was that the Public Facilities Plan (PFP) has to match the Master Plan and they didn't have the Master Plan when they started working on the PFP. I think it's more of a timing problem.

Mayor Daoust stated I don't know that the Planning Commission wants to revisit the PFP.

Shirley Prickett, Planning Commissioner, stated we struggled with the fact that we did not have all the information. The Master Plan was not finished when the PFP came before us so we weren't sure what the minor changes were in the Master Plan for us to make a logical conclusion to the PFP. That's why we'd like that to come back to us so we could see what those minor points are so we can make an informed decision because we struggled with that one.

Mayor Daoust replied the Master Plan is available for anybody to look at.

Shirley Prickett replied it wasn't at the time because it was in draft form.

Mayor Daoust stated the PFP was forwarded to the City Council for adoption by the Planning Commission.

Shirley Prickett replied with concerns. It didn't pass the first time.

Mayor Daoust asked does the Planning Commission wish to relook at the PFP?

Shirley Prickett replied I can't speak for the whole Planning Commission but I would like it to come back. I didn't vote for it and would like to look at it again just to make sure.

Councilor Allen stated it would seem fair considering that it didn't follow the exact same process that we just discussed. They were doing the PFP prior to the Master Plan so we were out of order.

Shirley Prickett stated we were following the old Master Plan when the new Master Plan was being drafted.

Councilor Anderson stated in our packets tonight were minutes from a Planning Commission meeting that lasted 5 hours and 30 minutes where they were discussing the PFP. We often talk amongst ourselves when it comes time to appoint these citizen committees how we hope that we can go out and keep the recruiting process open so

we can get more people. We have a committee here that is active, engaged, and passionate. While I don't necessarily maybe agree with everything that everyone says, I can tell by reading these minutes that these people are into it, they care, they're passionate and if they have a concern that the tail wagged the dog, even though I'll stipulate that the PFP is a sum of its parts, we should give the Planning Commission the courtesy to review the parts. I like the Sanitary Sewer Master Plan, I voted for it. However after reading all of this, I would really like to hear what the Planning Commission has to say because I think there is some consternation and I would like to flush it out.

Mayor Daoust stated if the Planning Commission desires they can go back and look at the PFP and you will be given the Master Plan. If the Planning Commission wants to do that then go for it. I don't think we need to rescind our decision on the Master Plan just so they can go back and look at it. If they have minor text amendments to the Master Plan that they recommend that we make later then they can do that too. They can say we relooked at the PFP and found that these things should or shouldn't be in there and we also recommend changing the Master Plan to match it.

Shirley Prickett replied I don't think that they have to match.

Councilor Ripma stated the question before us is rescinding the adopted Master Plan so that the Planning Commission can give us their recommendation before we vote on it. I think that's a good idea. I'm in favor of rescinding it because the Planning Commission has asked to have a chance to weigh in and they will have an influence on how I vote when it comes up again. I don't think there's any harm to the City if we rescind our adoption and send it back to the Planning Commission for their consideration of the final Master Plan.

Mayor Daoust stated I think we're both talking the same end point it's just whether rescinding a vote is needed. That's my question tonight. I don't think we need to because we can make minor amendments to the Master Plan later without rescinding our vote.

Councilor Thomas stated with all due respect, I'd disagree. The Planning Commission asked to take a look at it and I think it's only fair for us to rely on our Committees to go back and take another view at it. I had a long chat with Tanney Staffenson, the Chair of the Planning Commission, and they would really like the opportunity to look at it. I think that's the right and proper way to do it. We ask these committees to do things and we trust them and it's not good for us to say you asked and we don't agree with you.

David Ross, City Attorney, stated I'm hearing people say that the Planning Commission has asked. Has that been a formal process in a public meeting? Am I going to be able to read that in the minutes somewhere?

Mayor Daoust replied no, I don't think so. I think it's discussions that we've had with Tanney Staffenson and tonight with Shirley.

Councilor Allen stated we should change the reference to Commission members have voiced a concern that they would like to have input.

David Ross stated the Planning Commission doesn't act by individual Commissioners just the way this Council does not act by individual Councilors. I'm a little concerned with the process here and I just want to make that clear.

Mayor Daoust stated from my perspective the reason we're talking about this is due to comments made by Tanney Staffenson.

Councilor Allen replied he happens to be the Chair.

David Ross stated but if it's not the majority position of the Planning Commission that's been taken at a public meeting then.....

Councilor Anderson asked how did this even get on the agenda?

Mayor Daoust replied we followed the process where we can bring it up again.

Councilor Allen stated I pulled my favorable vote.

Councilor Anderson asked so we can reconsider it?

Mayor Daoust replied yes, we can.

MOTION: Councilor Anderson stated I move that we do so. Seconded by Councilor Wilson.

Mayor Daoust stated it's been moved and seconded that we reconsider Resolution number 2214 adopting a Sanitary Sewer Master Plan.

VOTE: Councilor White - Yes; Councilor Allen - Yes; Councilor Wilson - Yes; Councilor Thomas - Yes; Councilor Ripma - Yes; Councilor Anderson - Yes; and Mayor Daoust - Yes.

Motion Passed 7 – 0.

Councilor Ripma asked do we re-vote on this?

David Ross replied we're going to have to bring back a resolution at the next meeting. The vote probably should have been to direct staff to bring back a resolution at the next meeting rescinding Resolution number 2214.

Mayor Daoust asked why does it have to be at the next meeting?

David Ross replied if you're rescinding a resolution then you have to pass a resolution to do that. We don't have any findings. We'll have to bring a resolution to the next meeting.

Councilor White stated at the last meeting I thought it was Councilor Allen's intent to do just that without a second meeting.

Mayor Daoust asked couldn't we have done that tonight?

David Ross replied we would have had to guess at the findings for the resolution. There's been no public airing of the issues until tonight.

Councilor White stated it's not often that we rescind a vote. I think a work session on that Master Plan would have been helpful for this Council and I'd like to see that in the future.

9. STAFF COMMUNICATIONS

Craig Ward reviewed the following topics:

- The LPSCC Youth and Gang subcommittee will be meeting at 9:00am this Thursday in the Police Community Room. I will be attending and you are all invited as well.
- There is a Chief's Forum scheduled for July 16th at 5:30pm. He intends to talk about some of the issues that we have downtown with traffic. You're also invited to that.
- I wanted to get some Council direction, you expressed a desire for follow up on City Hall options, issues, where we're going, and what the process is. When would you like to schedule that work session?

The Council asked staff to send them an e-mail with available meeting dates and get a consensus on which date would work best to schedule the work session.

10. COUNCIL COMMUNICATIONS

Councilor Allen stated we've had staff and our previous Mayor accessory to building an illegal structure. I was just wondering if you can give us an update.

Craig Ward replied we've been waiting for some analysis by 2 different State agencies and the Federal Government that we hoped would inform our next step. We are still waiting for the final report from FIMA and DLCD who jointly have responsibility for flood plain administration. I'm expecting the final report momentarily and I think that will complete the analysis component that will inform our subsequent action. I think based on the existing information and our knowledge that a code enforcement action will be forthcoming. The question is a code enforcement action on what range of different issues. I expect to take action as soon as all of those pieces fall into the puzzle.

Councilor Wilson stated I wanted to say thank you to everyone that helped with the river rescue last weekend. During that same weekend a former Scout from Troop 174 was killed in a car accident just past Shirley's Tippy Canoe. My heart goes out to Thomas Davis who was a great Scout.

Councilor Thomas stated I'd like to send out a thank you letter to the City of Portland for the Dive Team that helped with the search on the day of the drowning. Apparently that was also the last day of their funding. It would be nice if we could include something in the letter about the value of having that team available. Second was something that wasn't my idea but I thought it was worth bringing up and that is a reporter from Channel 2 called me and asked about the possibility of requiring life jackets for people under age 12. That made me think of the Coast Guard boating standards that anyone under age 12 is required to have a life jacket. I told her that I'd bring it up for discussion. I understand that there are other issues that go with it.

Mayor Daoust asked did you want the letter sent to the Portland Dive Team?

Councilor Thomas replied I'd say it should go to the Mayor.

Mayor Daoust asked who would write that letter?

Councilor Thomas replied I think it should come from the Mayor.

Craig Ward stated I'd be happy to take on the assignment for the Mayor's consideration.

Councilor Ripma asked is that the only dive team?

Councilor Thomas replied Multnomah County has 1 but with 2 teams they can offset each other. It was a shared resource where Gresham funded part of it. In doing more research, Portland opted not to do the funding and Gresham couldn't pick it up. We don't have river issues a lot but when you need to bring in resources it's helpful. They were able to get there first before the County took over. There was a fantastic effort on a lot of agencies trying to find this boy. It was really quite a traumatic experience for me and I know that AMR had issues suffering with it.

Councilor Wilson stated Multnomah County River Rescue says that their response time was going to be slower because they're not assembled like the Portland River Rescue. That's why they came in later because they had to bring everyone together and then send them out.

Councilor Allen stated I also noticed that the Portland Dive Team looked pretty tired when they came out of the water and the Multnomah County Dive Team went in.

Mayor Daoust stated the idea of requiring vests is something we can toss around in our heads and decide what to do about it.

Councilor Anderson stated my heart and prayers go out to the family of the young boy and without AMR this could have been a lot worse. Thank you doesn't seem like enough but it's all I have for all the hard work that they've always done and continue to do for us. The slurry seal project was by all accounts a raving success. The contractor that we chose was professional, responsive, polite, accommodating, and if we couldn't do it ourselves then they were everything that we would want to represent us. To Travis, Amy, and everyone in Public Works who worked on that project, well done.

Travis Hultin replied John Bushard managed that project. He worked very hard on it.

Mayor Daoust stated I was back East when we had the tragedy at the River but I really appreciate the Councilors that kept me informed. It is very tragic and I sunk when I heard about it. There was a picture on the front of our binders of the staff at City Hall dressed up for the 4th of July. I thought that was a nice thing to do. On July 19th Wood Village is having their City Night Out where they come together at the Wood Village Baptist Church on Arata Road to talk about crime prevention and emergency preparedness. If you can make it, you are all invited. We have the performance evaluations coming up on July 30th and 31st for Craig Ward, David Ross, and Judge Ray Young. Zach Hudson sent us a note regarding SummerFest saying that the trolley is available for the Council to ride in. We need to let Zach know if we will be doing that or if we have different plans.

Councilor Wilson stated I talked to the Buick Club and they haven't gotten back to me so I would say this is our best choice. Our families could also ride on it with us.

Mayor Daoust stated lastly, I was invited to talk about Troutdale's Economic Development at the Metro Council. The meeting is at 5:00pm on Thursday, July 11th in the Gresham Council Chambers.

11. ADJOURNMENT

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

Meeting adjourned at 10:00pm.

Doug Daoust, Mayor

Approved August 27, 2013

ATTEST:

Sarah Skroch, Deputy City Recorder