

MINUTES
TROUTDALE CITY COUNCIL - REGULAR MEETING
COUNCIL CHAMBERS
TROUTDALE CITY HALL
104 SE KIBLING AVENUE
TROUTDALE, OR 97060-2099

7:00 P.M. ~ MAY 26, 1992

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

Mayor Cox called the meeting to order at 7:00 p.m. Mayor Cox called on Councilor Fowler to lead the pledge of allegiance.

City Recorder, Raglione called the roll.

PRESENT: Bui, Cox, Fowler, Schmunk, Thalhofer, Wakeman

ABSENT: Thompson

STAFF: Barker, Christian, Collier, Raglione
City Attorney Jim Jennings

PRESS: Web Ruble, The Oregonian
Dave Anderson, The Outlook

GUESTS: Kris DeSylvia, R. Liberty, Larry & Jean Torland, Shirley Mahr, Sharon L. Roe, Milton Foss, Stephen C. Lewis, Angel Somaler, David Ripma, Paul Sorensen, H. Sorensen, Sally Wakeman

2. CONSENT AGENDA:

Mayor Cox called this agenda item.

MOTION: Councilor Bui moved to approve the consent agenda as written [2.1 Accept Minutes - Regular Session May 12, 1992]. Councilor Thalhofer seconded the motion.

YEAS: 4

NAYS: 0

ABSTAINED: 0

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thalhofer - Yea

3. PUBLIC COMMENT: Please restrict comments to non-agenda items at this time.

Mayor Cox called this agenda item.

Kris DeSylvia, 1371 SW McGinnis, Troutdale and Robert Liberty, 522 SW Fifth Suite 1330, Portland, OR 97204 introduced themselves.

DeSylvia stated she had asked Liberty to attend to clarify statements from the May 12, 1992 regular Council meeting. The statements made were from City Attorney Jim Jennings.

Liberty stated he wanted to clarify the status of litigation with LUBA. He was representing 1000 Friends of Oregon at no fee. He was doing it pro bono. The comments from Jennings were that the litigation was over. Liberty commented two issues from the City Attorney statements: There were 2 issues before LUBA 1] who decides arguments LUBA or LCDC Conservation - 1991 operating until before - LCDC LUBA wont have authority over matters? 2] Who decides issues was the first and only issue that had been decided. 1000 Friends participated in Troutdale due to the transportation issue. LCDC decides those issues not LUBA. Obligation taken by Liberty to clarify but law superseded through amendments. Nothing proven of importance to clients.

Liberty stated that in the Brief the City Attorney prepared - pg. 8 which was filed March 30, Because the County Farm property was no longer designated RMU the Appeal was moot. However, the City Council has taken no action on those amendments - and there had been no action taken yet by Council so the changes were yet to be made. Made in appellate suit and felt it was important to point that out to Council. His client expressed concern about approving a facility without regard of regional transportation plan, neighborhoods, and a regional shopping mall would impact those areas. Liberty stated that he knew the City was focusing on residential and small commercial now and that is great. If changes are made it would obviate any further need to have a decision by LCDC to have any comment on transportation needs. Department makes recommendation - LCDC makes ultimate decision. IF the City eliminates any possibility of a regional facility that would have regional impacts to transportation issues.

Liberty stated he didn't want Council to get the impression its all over, just that one has been foreclosed - LCDC will make the final decision - Comp Plan and Zoning ordinance still pending before LCDC while the possibility exists of a regional shopping facility.

Cox called for questions. None offered.

4. PRESENTATION: Greenspaces Master Plan - Metro

Mayor Cox called this agenda item.

Mel Huie, Metro passed out an Executive Summary of the Metropolitan Greenspaces Master Plan for Council review [also included in packet materials]. He stated Mayor Cox was on the Policy Advisory Committee; Valerie Lantz was on the Technical Advisory Committee; and Trial Committee; and, Pam Christian was a representative from the City. He asked that Council complete a survey and provide Metro with comments which could be submitted to Metro until June 15, 1992.

The purpose was to protect, preserve, and acquire potential greenspaces. Metro and local jurisdictions, as well as private stewardship were invited to attend a 'learning how to use land towards native plants and attract wildlife' training session which would cost \$5.00/person. The training sessions would be later in the summer but before fall plantings.

Huie reviewed some of the triangle areas - Blue Lake, Sandy Gorge, Beaver Creek Canyon, natural areas along Columbia River and stated that within the next two weeks a more definitive list of what will be done within those triangle areas would be available. Also discussed was the 40 mile loop and the possibility of adding it to the areas involved.

Huie stated the need to pull together greenspaces which would allow getting to points without driving. Metro Greenspaces would be focusing on acquiring and protecting land over the next few years. Huie discussed the potential of General obligation bond measures which were outside property tax limitation and would require approval by voters in area. Metro would be making a decision at their July 23, 1992 meeting on whether to adopt the Plan and go to districts for a November vote. For a \$100-\$200 million to buy land. He stated a \$200 million bond measure @ 7% over 20 years would equate to .35 cents per \$1,000. Metro would pass back a percentage to go into local park areas for improvements to local parks systems.

Mayor Cox called for questions.

Councilor Bui asked if there was any consideration being given to an antique train over the tracks, similar to Barton Falls area?

Huie stated it would probably be kept for pedestrian use only. He hadn't heard of comments regarding a railroad on it. Most of the tracks were already gone. It could be converted to a trail going to Tillamook. Banks to Vernonia currently has one now going through very steep ravines.

Councilor Thalhoffer stated he thought providing for greenspaces was a good idea -- people coming into area would need a place to rest, relax, and enjoy recreational facilities as well. He asked if the City owned parks would remain City owned parks even if they were included in the greenspace area? Metro wouldn't tell us what to do with our parks, right?

Huie stated, right. A recent survey stated the quality of life was at the same level as crime and education and that 60% surveyed were willing to pay something for it. .35 per \$1,000; 52% were willing to pay that; over 60% were willing to pay if the amount dropped to .25 per \$1,000. Huie stated that concern with huge growth were the major comments received from the survey.

He stated there were 5 citizen workshops to be scheduled over the next two weeks from 7:00 - 9:00 at Blue Lake Park on June 3, next Wednesday, for anyone interested.

Mayor Cox asked if there were further comments. There were none. Mayor Cox thanked Mr. Huie for the presentation.

5. PRESENTATION: Planning Commission and Citizens Advisory Committee -Region 2040 Study by Metro

Mayor Cox called this agenda item.

Barker gave the presentation since Cline's illness prevented him from attending.

Metro was initiating a 2040 Plan over the next few years - Phase I would be completed in December, 1992. Transportation and how they live. Sample in April about problems/fears -workshops In May, June 16 7-9:30 to discuss growth in next 50 years and resolutions for it.

What characteristics on a regional basis was the theme of a slide show presented. She stated there was a survey from Metro regarding the efforts currently being undertaken. The survey should be submitted to Metro by staff. The Committee had asked for a vision and give a shot at what you would like to see in the future. Council could contact Pam or Sue if questions. Metro would like to have back by June 1 - Planning Commission and CAC will also be asked to comment.

(I) 6. PRESENTATION/DISCUSSION: Concerning Possible Modifications to the Troutdale Development Code to Clarify Definitions Pertaining to Animal Control.

Mayor Cox called this agenda item and asked for declarations, challenges. There were none stated.

Barker stated the Council had 3 separate options before them and staff was asking for direction before action could be taken. Cline had stated in his memo that "C" option was staff recommendation.

Councilor Bui stated Option C was the most logical and suggested authorizing staff to develop the ordinance using verbiage stated in option C.

Councilor Schmunk asked if that was in the form of a motion?

Councilor Thalsofer agreed option C is best.

MOTION: Councilor Bui moved to authorize staff to prepare an ordinance using the language stated in Option C. Councilor Schmunk seconded the motion.

YEAS: 5

NAYS: 0

ABSTAINED: 0

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thalsofer - Yea; Wakeman - Yea

Christian stated this would be before Council at the first meeting in June for first reading. [June 9, 1992]

(I) 7. REPORT: Wastewater Management Lease

Mayor Cox called this agenda item.

Jennings reviewed his memorandum to Council. Items 1 through 6 addressed the status of issues that had been raised before and items 7 and 8 were new issues that had come to light. He would be asking for Council direction as to how to proceed from this point.

The issues were: 1] Access to metering system; 2] Taxes - Originally 19,000 in unpaid real property taxes now \$13,000 [approx. \$1,000/mo. being paid now] Appraisal not ready until 7/15/92 - asking permission to continue to 8/1/92 if new lease is negotiated. Formula is percentage of increase in value. Land only appraisal as specified by lease agreement currently; 3] Site improvement - The bulk of horticultural improvements have been done. Paving approximately 50% completed; 4] Environmental standards - certified operator could be waived if the lessee agreed to pay costs of periodic testing of their effluent by an independent laboratory; 5] Insurance - City has been the named insured and has been furnished proof that the lessee has appropriate insurance; 6] Operations and Maintenance manual - Not prepared.

Jennings stated Wastewater Management was in breach of the contract as it is currently stated on items #1, #2, #3 #4 and #6. Items #7/8 would be reserved for later discussion.

Cox called for questions to Jennings.

Councilor Wakeman addressed item #4 by asking if DEQ required any testing of what Wastewater Mgmt discharged?

Christian stated the City was responsible for whatever material was dumped from the plant. There was a responsibility from the City that we shouldn't take effluent which the City can't treat. Wastewater Management was not currently being tested on a regular basis. However, the City will be implementing an already existing pre-treatment ordinance which requires meeting specific standards.

Councilor Wakeman asked if the certified employee issue was being required by the .City, or the State to take water samples?

Jennings stated that there was a responsibility from the City in running the plant in a manner to assure compliance was met. It was believed that testing what goes into plant from industrial users would assure that compliance. It had been suggested, earlier in the day that the City write Wastewater Management's operations manual. That was not the City's problem.

Councilor Fowler asked if the operation was not similar to that of the City's sewer plant -- testing should be done by an independent laboratory and there would be far greater control.

Jennings stated the implementing the ordinance since there were now enough industrial users to make sense to implement it [i.e., McMinneman, Wastewater Management, Toyo Tonso, R-MAC]. The materials could be pre treated and if doesn't meet levels the users will be required to install other facilities before the material comes to City. The standards were more sophisticated now than in 1979 [when the ordinance was passed]. Now there were methods to test against as well as other cities

There were two reasons to have someone certified on site - Compliance and ideally have someone to handle emergency situations on site.

Councilor Fowler stated the Operations/Maintenance manual was very important.

Jennings stated Milton Foss and his attorney Stephen Lewis were in the audience if Council had questions, they could direct them to them.

Mayor Cox called for a 5 minute break at 8:20 p.m.
Mayor Cox reconvened the meeting at 8:30 p.m.

Councilor Thalhofer discussed the items of concern: #1 - providing access to metering system- not yet been done -

Lewis stated Wastewater Management was willing to provide the facility key to the City.

Councilor Thalhofer: #2 - payment of taxes?

Lewis stated payments had been made towards the arrearage of \$1,000 initially and had made arrangement with the County to pay \$1,300 per month until it was paid up.

Councilor Thalhofer asked if there was a payment plan per month?

Lewis stated that it was the real property taxes that were in arrearage and they had negotiated a deal with Multnomah County to make monthly payments.

Councilor Thalhofer asked if item #3 -- would the balance of the paving be completed?

Lewis stated that based upon discussions this morning, Wastewater Management applied for permits for paving to be done and they would be in compliance once it was completed. He stated Wastewater wanted to be in full compliance. The paving was an economics issue, as were the other items listed in the memo dated 5/26/92.

Councilor Thalhofer asked if the inspection element had been discussed?

Lewis stated Wastewater would welcome periodic testing.

Councilor Fowler pointed out sewer and a treatment operator were different the standards were different for periodic testing.

Jennings wanted it clarified that the periodic testing would be totally at the expense of Wastewater Management, if reasonable but wanted it clear that the costs could run into thousands of dollars to begin with.

Lewis stated it couldn't run that much unless the City required samples every hour.

Jennings stated the test that was done a few weeks ago to find out what kind of solvent [1 test] out of a screen of 10-15 items -- 1 test was \$200 and it would be expensive to do on a regular basis.

Lewis: Once a week initially, there would be no problem.

Councilor Thalhoffer asked Why don't you have an operations and maintenance manual, and will you be able to come up with one in the near future?

Lewis stated he thought one was being prepared, however, management changed and the manual would be prepared beginning at 8:00 a.m. tomorrow. It would be completed in the near future.

Councilor Thalhoffer stated there was an odor problem at the sewer treatment plant and it was believed that it was coming from Wastewater Management. It was a terrible odor and would get worse with the warmer weather. It should be resolved at the City level with the new plant expansion. He asked, 'Are you aware there is a problem?'

Foss stated, 'We admit to odor, we don't know to what degree.'

Lewis stated his client didn't know and neither did the City. After the City solves their problem Wastewater Management could identify what their portion of the problem was.

Councilor Thalhoffer asked, 'Will you take steps immediately to solve your problems?'

Lewis stated to the extent it can be identified as our problem, steps will be taken to mitigate the problem.

Chapter 13.16 since 1979 issue was addressed by Christian. Quarterly reports were issued to DEQ, from lab results submitted to the laboratory.

Councilor Wakeman asked if that was 1 test per quarter or several testings in a quarter?

Foss stated there were a range of metals test but, those were done 1 time per quarter.

Mayor Cox asked for further questions from Council.

There were none offered.

Lewis stated Wastewater welcomed the opportunity to renegotiate and for an extension of the lease, as well as SDC's. They recognized the difficulties in the building market now.

Jennings stated the body of the lease was not being renegotiated but, every so often the amount would be reviewed. The lease was set until 1995.

Councilor Fowler asked Jennings if the City had the same quarterly testing requirements to DEQ?

Jennings stated the City had more stringent testing since the City was actually putting materials into river... much more stringent.

Councilor Fowler asked if the City sewer plant had the same heavy metals testing? - There would be double safety with both having the same testing done.

Jennings stated how many and how often was not as important. An industrial user can take material in and cycle it out more quickly. It would need to be monitored more often. Pre-treatment intervention will monitor materials more regularly and efficiently. Wastewater Management isn't being singled out - testing effluent and discharge will be tested from everybody because we can't have materials coming into system that the City can't treat.

Councilor Fowler asked if the requirements would be the same for all industrial users?

Jennings stated yes, and it could be more often, if there is a problem. There was a real push to get material into plant that can be handled.

Councilor Fowler asked if this was an upstage or upgrade requirement for the treatment plant from all users?

Jennings stated, Absolutely.

Councilor Fowler stated then the only change would be to raise rents as stated by the lease which is an automatic mathematical problem. He felt satisfied Wastewater would comply.

Jennings stated the question was a breach of contract; or no breach of contract; #2 what capacity by new SDC's -- lease states 15,000 gals per week -- Foss states operates optimally at 50,000 gallons per week. Council would need to make a decision whether to sell new capacity [vis-a-vis other industrial users being able to come on]; #3 -- new lease rate based upon increased property value -- Staff can resolve this issue.

Councilor Fowler stated #1 - the increase in SDC's was provided for in the lease.

Jennings Can be provided if there is sufficient capacity; the City doesn't have to if there isn't sufficient capacity. Council would need to make this decision. The plant is close to capacity right now.

Councilor Fowler asked if the City could cut this from their lease and give to someone new?

Jennings: No. Not amount of cutting but whether to give the amount contracted for; or the amount currently being utilized.

Councilor Fowler stated to give 35,000 more gallons per week to Wastewater Management or, give to new business? That was a decision for the City Attorney.

Jennings stated no, it was a Council decision since it would be a policy decision. The option under lease of doing or not doing. What to do was the question.

Councilor Wakeman If the City discharges to the river and there is a problem of compliance, the City would be required to pay the fine. There was concern that the City needs to know, and control, where the material was coming from. Statement of certification of sewer treatment plant being different than your plant - has DEQ got certification for your plant?

Lewis: No, DEQ was not in that business - Wastewater Management deals with solid waste and it is not a sewage treatment plant.

Foss: Heavy metals not a problem because plants are monitoring users. If City of Sandy brings their waste to us, we don't know what materials are in it. [i.e., water coming from school bus washing has oil in it]. He stated they pre-treated with an electrolysis system. The water was fairly well cleaned up before it went to the plant. They were in the business of treating sludge - recycle everything.

Councilor Wakeman expressed concern of the issues and that they seemed to roll off shoulders regarding the potential costs of testing initially...

Foss stated, I understand \$3,000 approximately initially - certainly in agreement for testing. Last testing was done by Columbia Labs and was \$3,500 for a complete metal testing.

Lewis stated if the costs became economically too much, Wastewater Management may have to close down - that's an economic problem. Given the schedule Jennings discussed it is within reasonableness.

Jennings stated he wanted to be very candid - weekly unannounced testing for undetermined amount of time and it will be expensive - can't guarantee how much it will be - will provide listing of testing that will be done. There would be unannounced weekly testing for awhile. The intent is to screen out

anybody dumping into the City plant that creates danger to plant. He stated the City wanted to make it known that we would reserve the right to occasionally go to trucks that are discharging to periodically ensure what is being dumped.

Foss/Lewis: No problem. We already do grab samples to ensure dumping isn't creating a problem.

Foss stated there were periodic tests done by City of their lagoon, it would be fair to be the same testing.

Jennings stated there would be a prescribed list prepared and circulated in order to make it known what the City is testing.

Fowler: two items left: Are they complying and will they - SDC's. Jennings has tremendous direction from Council. He requested that the City allow a delay for 30 days to allow time...

Jennings stated if the negotiations were delayed the staff would need direction on the SDC issue - 30 days before it needs to be in place. Breach no breach - \$20,000 for them to pay but that would be putting the cart before horse. The City can sell capacity, if they so choose to do so. There would be consequences for doing that; but, they were unknown at this time. There would be no more industrial capacity to sell. The City was very close to that point now, and would be until the new plant came on line.

Councilor Schmunk pointed to an error of the dates on the memorandum from Barker --on metered records it should reflect December 1991 not 1992; are we willing to renegotiate when they are violation of taxes [keep in mind]; from Staff - what kind of capacity is in plant now that is able to be negotiated?

Christian stated she would ask Dick Riley to prepare answers to the questions.

Councilor Schmunk stated when lease would be considered for renegotiation other points discussed would need to be up to snuff.

Councilor Thalhoffer stated it was clear that Wastewater Management had breached some conditions; but not willing to do that. They have breached the contract but have provided answers to remedies of those breaches.

Councilor Schmunk stated when considering a renegotiated lease and come up to new price how long before considering renegotiation again?

Jennings stated three years.

Jennings addressed issues on site plans regarding the Site & Design review plan talks to topsoil storage. There are areas marked for topsoil storage and in fact, are stored in other places other than

what has been approved by the Site & Design review. Those areas of storage need to be identified by the end of June. The Plan, as shown alters the way the site appears. Barker would be the appropriate person to talk to in order to effectively reflect the reality of the soil and off site storage.

(A) 8. ORDINANCE: Amending Troutdale Municipal Code Chapter 5.08.050
[Definitions] Amusement/Vending Machine **Second Reading**

Mayor Cox called this agenda item and asked for declarations or challenges. There were none stated.

Mayor Cox read the Ordinance by title.

Raglione addressed the concerns raised at the May 12, 1992 meeting regarding the fee shown for diggers/crane machines being \$120. It was asked why this fee was set higher than the other machines. She stated that the Code listing pinball machines with a fee of \$10 was actually a fee of \$10.00 per month which equalled \$120.00/year. This fee wouldn't be out of line with what was currently in the Code. She stated that the supplier of the equipment, not necessarily the business owner themselves paid the fees. The application stated that the local business was ultimately responsible for application submission, however, indicated if the machines were rented or leased the form could be forwarded to the leasing company for completion and fees due. Raglione stated that she had queried other jurisdictions and the fees set the City's fees were scheduled in line with what other jurisdictions set their fees. Example: City of Gresham fees for a juke box were \$35/year and Troutdale's was scheduled to be \$25.00/year.

Raglione had prepared a Resolution separate from the Ordinance which established and revised the amusement and vending machines fees and charges. This would require a separate motion.

Councilor Bui stated that answered his concerns.

MOTION: Councilor Bui moved to pass the ordinance amending amusement device licensing regulations Ordinance No. 49 [1957] -- Troutdale Municipal Code Title 8, Chapter 5, as written. Councilor Fowler seconded the motion.

YEAS: 5

NAYS: 0

ABSTAINED: 0

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thalhoffer - Yea; Wakeman - Yea

Mayor Cox read the resolution by title.

MOTION: Councilor Bui moved to adopt the resolution establishing and revising amusement and vending machines fees and charges, as written. Councilor Wakeman seconded the motion.

YEAS: 5

NAYS: 0

ABSTAINED: 0

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thalsofer - Yea; Wakeman - Yea

(A) 9a. PUBLIC HEARING\ORDINANCE: Vacating a Publicly Owned Right-of-Way Located on SE Kibling Street between SE Third Street and SE Fourth Street First Reading

Mayor Cox closed the Council meeting and convened the Public Hearing.

Signed several as Mayor.

Fowler set on PC meeting on this issue.

Wakeman attended meeting also.

Closed CC meeting

PUBLIC HEARING:

.1: Open Public Hearing - 9:10 pm

.2: Declarations, Challenges, Ex Parte Contact: Mayor Cox stated that he had previously signed for vacating streets within the City limits.

Councilor Fowler stated he had attended the Planning Commission meeting at the time this agenda item was heard before that Committee.

Councilor Wakeman stated he had attended the Planning Commission meeting at the time this agenda item was heard before the Committee but had not been in attendance for the entire hearing.

.3: Summation by Staff - Barker stated there had not been improvements to this street in the past 80 years. There was no future need by the City for this property; it was not a buildable lot; each property owner would acquire approximately 30' property; there were City sanitary/water lines going through property; there were no City funds to maintain the area; the Planning Commission had recommended approval, with conditions to vacating the property; staff recommended approval of the street vacation. It was not navigable nor safe to as a pedestrian trail due to the steepness of the grade of the property.

Councilor Thalsofer asked if it could be maintained as a pedestrian access-way?

Barker stated it was not only financially but physically impossible to develop a trail/path system through due to the grade.

.4: Public Testimony: Proponents

Paul Sorensen, 2234 SE Lewellyn, Troutdale - Suggested vacating area landowners surrounding area will be able to put to better use. Landscape plan set out for area; other owner made use of area for driveway. Another owner also testified would landscape area. Add to community and surrounding area. Won't be losing potential benefit in future. Road below is already vacated.

CITY COUNCIL MINUTES

MAY 26, 1992

Page 12

- .5: City Council Questions -0-
- .6: Public Testimony: Opponents -0-
- .7: City Council Questions -0-
- .8: Rebuttal -0
- .9: City Council Questions-0-
- .10: Recommendation by Staff -0-
- .11: City Council Questions -0-
- .12: Close Public Hearing Process. 9:24 pm

(A) 9b. ORDINANCE: Vacating a Publicly Owned Right-of-Way Located on SE Kibling Street between SE Third Street and SE Fourth Street -- First Reading

Mayor Cox reconvened the Council meeting at 9:24 p.m. and called this agenda item. Mayor Cox read the ordinance by title.

MOTION: Councilor Bui recommended passing the ordinance vacating a publicly owned right-of-way located on SE Kibling Street between SE Third Street and SE Fourth Street. Councilor Fowler seconded the motion.

YEAS: 5

NAYS: 0

ABSTAINED: 0

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thalhoffer - Yea; Wakeman - Yea

Christian wanted to make Council aware that this item was for first reading and could pass since the vote was unanimous. She asked if that was Council intention?

Bui; first - Thalhoffer - second.

Councilor Fowler stated he became aware at the Planning Commission meeting that none of the Commissioners had viewed this site. He stated the vacation would also eliminate City liability from the street. The steep grade wouldn't allow the City to build a ramp to meet wheelchair requirements and it would also eliminate City costs in taking care of the weeds and brush.

Christian added this had been before Council 10 years ago and recommended vacating all streets in the area due to the same issues as had been included in this staff report. The areas were impossible to maintain, and would never be paved. The adjacent property owners at the time didn't give unanimous consent. Also the abutting property owners didn't want the tax liability.

(A) 10. RESOLUTION: Declaring Surplus Property and Setting a Date for Bid [Tax Lot 129, Sec. 25 - Jackson Park Road]

Mayor Cox called this agenda item and asked for declarations, challenges, or ex parte contact. There were none offered.

Christian gave a brief review and stated that the Council comments which had previously been stated were included in Resolution.

MOTION: Councilor Fowler moved to adopt the resolution declaring surplus property and setting July 26, 1992 at 4:00 p.m. as the date to open sealed bids. Councilor Bui seconded the motion.

YEAS: 5

NAYS: 0

ABSTAINED: 0

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thalsofer - Yea; Wakeman - Yea

(A) 11. RESOLUTION: Accepting the Public Facilities in Stuart Ridge Phase I into the City's Fixed Asset System

Mayor Cox called this agenda item and asked for declarations, challenges, or ex parte contact. There were none offered.

Christian stated that the final punch list had not been concluded. Therefore, this agenda item would be before Council at a later meeting date.

MOTION: Councilor Bui moved to table this item to the June 9 regular City Council meeting. Councilor Fowler seconded the motion.

YEAS: 5

NAYS: 0

ABSTAINED: 0

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thalsofer - Yea; Wakeman - Yea

(I) 12. COUNCIL CONCERNS AND INITIATIVES

Councilor Bui asked about a draft resolution certifying results of the May 19, 1992 election. Christian stated that the Portland Boundary Commission would be meeting June 4 at 7:00 p.m. and needed to have a certified copy of the resolution accepting the results of the election at that meeting. This would require a Special Meeting of the Troutdale City Council which could be held at 4:30 p.m. on June 4th. It would allow time for the Certified results to be received from the County Elections Officer. If a quorum could be present, the resolution could be passed and prepared for delivery to the Portland Boundary Commission.

Councilors Schmunk, Fowler, Wakeman and Mayor Cox stated they would be in attendance on June 4, at 4:30 to take action on the resolution.

(A) 13. ADJOURNMENT.

Mayor Cox called this item.

MOTION: Councilor Schmunk moved for adjournment. Councilor Fowler seconded the motion.

YEAS: 5

NAYS: 0

ABSTAINED: 0

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thalsofer - Yea; Wakeman - Yea

Sam K. Cox, Mayor

Dated: _____

ATTEST:

Valerie J. Raglione, CMC

City Recorder

F:\AGENDA\052692CC.AGE