



# CITY OF TROUTDALE

“Gateway to the Columbia River Gorge”

## REVISED AGENDA

### CITY COUNCIL – REGULAR MEETING

Troutdale Police Community Center – Kellogg Room  
234 SW Kendall Court  
Troutdale, OR 97060-2078

**Tuesday, October 8, 2019 – 7:00PM**

**Mayor**

Casey Ryan

**City Council**

David Ripma  
Randy Lauer  
Jamie Kranz  
Glenn White  
Nick Moon  
Zach Hudson

**City Manager**

Ray Young

**City Recorder**

Sarah Skroch

1. **PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE.**
2. **PUBLIC COMMENT:** Public comment on non-agenda and consent agenda items is welcome at this time. *Public comment on agenda items will be taken at the time the item is considered. Public comments should be directed to the Presiding Officer, and limited to matters of community interest or related to matters which may, or could, come before Council. Each speaker shall be limited to 5 minutes for each agenda item unless a different amount of time is allowed by the Presiding Officer, with consent of the Council.*
3. **CONSENT AGENDA:**
  - 3.1 **MINUTES:** September 10, 2019 City Council Work Session.
  - 3.2 **MOTION:** A motion approving Erskine Law Practice, LLC to serve as a contract City Prosecutor effective July 1, 2019.
  - 3.3 **MOTION:** A motion to accept the Annual Performance Evaluation of the City Manager, Ray Young, as completed on September 17, 2019 with a satisfactory or greater rating.
  - 3.4 **MOTION:** A motion to accept the Annual Performance Evaluation of the Municipal Court Judge, Rodney Grafe, as completed on September 17, 2019 with a satisfactory or greater rating.
4. **UPDATE:** An update from the Mt. Hood Cable Regulatory Commission (MHCRC) including the transfer of Frontier Communications Northwest Inc. to Northwest Fiber, LLC. Norm Thomas, Troutdale Representative, MHCRC & Bea Coulter, Program Coordinator, MHCRC
5. **PUBLIC HEARING / ORDINANCE (Introduction):** An ordinance creating Troutdale Municipal Code Sections 8.40 relating to the establishment of a business food waste requirements program pursuant to State and Local law. Ryan Larqura, Environmental Specialist

6. **PUBLIC HEARING / ORDINANCE (Introduction):** An ordinance amending Troutdale Municipal Code Title 12. Ray Young, City Manager
  
7. **STAFF COMMUNICATIONS**
  
8. **COUNCIL COMMUNICATIONS**
  
9. **ADJOURNMENT**

  
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**Casey Ryan, Mayor**  
**Dated: October 3, 2019**

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

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

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

**MINUTES**  
**Troutdale City Council – Regular Meeting**  
**Troutdale Police Community Center – Kellogg Room**  
**234 SW Kendall Court**  
**Troutdale, OR 97060**

**Tuesday, October 8, 2019 – 7:00PM**

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

Council President Ripma called the meeting to order at 7:00pm.

**PRESENT:** Council President Ripma, Councilor Lauer, Councilor White, Councilor Moon and Councilor Hudson.

**ABSENT:** Mayor Ryan and Councilor Kranz (excused).

**STAFF:** Ray Young, City Manager; Sarah Skroch, City Recorder; Ed Trompke, City Attorney and Ryan Largura, Environmental Specialist.

**GUESTS:** See Attached.

Council President Ripma asked if there are any agenda updates.

Ray Young, City Manager, suggested to Council to move item #6 to #5 and move the public hearing on the ordinance related to food scraps to #6 due to a witness needing to go on the record earlier on that matter.

**2. PUBLIC COMMENT:** Public comment on non-agenda and consent agenda items is welcome at this time.

<0:02:14>

Tim Goodman, Comcast Cable, explained he manages the franchise agreement with the City of Troutdale and wanted to introduce himself and give Council and staff some Comcast brochures with information on community investment, internet essentials and the community essentials program and his business card (copies can be found in the meeting packet).

<0:08:42>

Paul Wilcox, Troutdale resident, stated his comments are regarding consent agenda item #3.2. He stated it sounds like Scott Leonard is going to be around until the end of the year but the contract with the Erskine office is dated July 1<sup>st</sup> and it seems like an excessive amount of overlap to him. He pointed out another item on page 2 stating, "To eliminate any question as to the Council's approval to provide coverage of the municipal court docket, the following motion has been placed on tonight's consent agenda, which will provide a completed process

on the record.” He stated his reading of that portion sounds like it wasn’t authorized by the Council and is being back dated to get it on the record.

**3. CONSENT AGENDA:**

**3.1 MINUTES:** September 10, 2019 City Council Work Session

**3.2 MOTION:** A motion approving Erskine Law Practice, LLC to serve as a contract City Prosecutor effective July 1, 2019.

**3.3 MOTION:** A motion to accept the Annual Performance Evaluation of the City Manager, Ray Young, as completed on September 17, 2019 with a satisfactory or greater rating.

**3.4 MOTION:** A motion to accept the Annual Performance Evaluation of the Municipal Court Judge, Rodney Grafe, as completed on September 17, 2019 with a satisfactory or greater rating.

**MOTION: Councilor White moved to approve the consent agenda. Seconded by Councilor Lauer. Motion Passed 5-0.**

**4. UPDATE:** An update from the Mt. Hood Cable Regulatory Commission (MHCRC) including the transfer of Frontier Communications Northwest Inc. to Northwest Fiber, LLC.

<0:13:12>

Norm Thomas, Mt. Hood Cable Regulatory Commission (MHCRC) Troutdale Representative, and Bea Coulter, MHCRC Program Coordinator introduced themselves.

<0:15:06>

Norm Thomas read from a statement he prepared and provided the Council with a copy of the MHCRC annual report for fiscal year 2018-2019 and had some handouts for the Mayor and Council members. (The statement is attached to these minutes as Exhibit A, copies of the handouts can be found in the meeting packet).

<0:24:14>

Council President Ripma asked if there is any concern regarding Northwest Fiber being a brand-new company with no track record.

<0:31:40>

Bea Coulter explained the lead partners are from WAVE Division and Steve Weed who started WAVE Division is going to be in a management role for Northwest Fiber serving the Northwest area. There is a background in managing services as well as the infrastructure. They are a brand-new company and that did raise concerns for MHCRC because there isn’t a way to look at their track record. A consultant was engaged to do a financial analysis of the company and there are several large investors in their company. Based on the consultant’s evaluation of their plan, MHCRC feels that it’s a good decision to support the transfer.

<0:34:08>

Council President Ripma stated he has a landline phone through Frontier and asked if Northwest Fiber would be taking that over.

Bea Coulter replied yes, Northwest Fiber is taking over all their services.

Council President Ripma asked if he could get a copy of the consultant report.

Bea Coulter replied yes.

<0:36:12>

Norm Thomas informed Council that MetroEast has a new CEO, Terri Douglas, who is local and will come to present after a little time in office. He also talked about the FCC's recent franchise publication and how it could change grant processes work and government access channels. MHCRC doesn't know what it'll mean yet, but they have joined in on a lawsuit.

<0:39:22>

Bea Coulter stated one of the issues is the current FCC has changed definitions which are definitions that had already been agreed upon and the lawsuit is challenging those definition changes. MHCRC will provide updates as they happen.

**6. PUBLIC HEARING / ORDINANCE (Introduction): An ordinance amending Troutdale Municipal Code Title 12.**

<0:45:33>

Ray Young gave a brief overview of the staff report.

<0:51:12>

Councilor Moon stated it's a great idea.

Councilor Lauer stated it's a great program.

Council President Ripma asked if other cities do a program on the sewer.

Ray Young replied some cities do it differently and some cities do it across all services. Troutdale's proposal would be mandatory to reapply every year.

<0:53:16>

Councilor Moon asked about the application process.

Ray Young explained that the City would model off other cities with a one-page form showing income proof, etc. There needs to be some type of documentation.

Council President Ripma stated it's good that it's coming out of the General Fund and not short-changing the Sewer Fund. The City may have to increase everybody else's rates slightly to cover the program. He expressed that programs like this are easy to start but very difficult to end and the City should be thoughtful and sure about the program.

**Council President Ripma opened the public hearing at 7:56pm.**

Zelma Sutherland, Troutdale resident, stated this is a good idea. She expressed that her income is very limited. She's a widow and only receiving Social Security. Social Security is not giving enough increases and the budget is getting tighter. After 53 years, assistance would be nice.

<0:58:47>

Councilor White stated it's a serious issue. The City has a benevolent fund for the sidewalk repair. A person's property can get a lien if a bill isn't paid. It would be nice for Troutdale to offer this program.

Paul Wilcox stated the issue of discounts was raised on the sewer charge which raised a larger question in his mind. He asked why the sewer rate is not tied into the water rate. He spoke to a city employee, Christopher, and asked about how the wastewater rates are set for people in apartments. He was told landlords pay .7 ERU per dwelling unit and homeowners pay 1 ERU, so that is a 30% discount. His other issue is with the program being senior only. Someone with a disability or someone with a caregiver may have a hard time obtaining supplemental income. He's not opposed to low income discounts, but he thinks it should be across the board. He would also like to address the idea of a rate base on the number of residents.

<1:02:44>

Ryan Young explained apartments pay less because of vacancy rates and generally have less residents per unit than a single-family home.

**Council President Ripma closed the public hearing at 8:04pm.**

**5. PUBLIC HEARING / ORDINANCE (Introduction):** An ordinance creating Troutdale Municipal Code Sections 8.40 relating to the establishment of a business food waste requirements program pursuant to State and Local law.

<1:05:05>

Ryan Largura, Environmental Specialist, gave a brief overview of the staff report and showed the Council a PowerPoint presentation (attached as Exhibit B).

<1:14:00>

Councilor Moon asked how likely it would be to combine groups 1 and 2.

Ryan Largura replied from a rate perspective he thinks it would be helpful and it may delay some of the impact for some of the businesses.

**Council President Ripma opened the public hearing at 8:17pm. Nobody wished to speak at the public hearing.**

**Council President Ripma closed the public hearing at 8:17pm.**

## 7. STAFF COMMUNICATIONS

<1:16:39>

Ray Young provided the following staff communications:

- Gresham Fire Annual Report handout
- October 23<sup>rd</sup> is the Urban Renewal Trail Planning Open House
- October 16<sup>th</sup> the Housing Needs Analysis Committee is meeting at 6:00pm
- November 19<sup>th</sup> there will be a Branding Consultant Meeting
- October 22<sup>nd</sup> is the Bond Levy Open House from 5:30 to 7:00pm in Kellogg Room
- Graham Road is closed Friday to Sunday due to bridge work, use Exit 16 or 18

## 8. COUNCIL COMMUNICATIONS

<1:20:04>

Councilor White stated the League of Oregon Cities conference in Bend was very informative and he's happy to share what he learned if there are any questions.

Council President Ripma stated he went to the League of Oregon Cities conference and there was a session on HB2001. Councilors were referred to the LOC bulletin dated June 27<sup>th</sup> for an analysis of the bill, and he recommends others to look at it.

## 9. ADJOURNMENT

**MOTION: Council President Ripma moved to adjourn. Seconded by Councilor Lauer. Motion passed unanimously.**

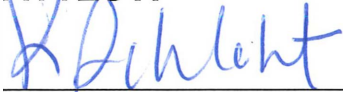
Meeting adjourned at 8:22pm.



Casey Ryan, Mayor

Dated: November 13, 2019

ATTEST:



Kenda Schlaht, Deputy City Recorder

# CITY OF TROUTDALE

City Council – Regular Session  
7:00PM

Tuesday, October 8, 2019

## PLEASE SIGN IN

Name – Please Print	Address	Phone #
Norm Thomas	Troutdale	667-4720
BEA Courte	MHCRC	
PAUL Wilcox	TROUTDALE	
ZELMA SUTHERLAND	TROUTDALE	
S. Korell	Troutdale	
Ryan Lagurus	Troutdale	
Diane Castillo-White	Troutdale	503888-1405



**\*\* The MHCRC budget was approved by the Troutdale City Council on June 25, 2019 \*\***

## **Talking Points**

**Norm Thomas, Commissioner  
Mt. Hood Cable Regulatory Commission**

### **Troutdale City Council meeting 10-8-19**

I am here to highlight a couple of the many MHCRC activities over the past year; AND update you on the MHCRC Fiscal Year 2019-20 quarter 1 activities. I have provided you with a copy of the MHCRC's Annual Report for fiscal year 2018-19.

As a reminder, the Mt. Hood Cable Regulatory Commission is an intergovernmental partnership among Troutdale, Fairview, Portland, Troutdale, Wood Village and Multnomah County.

Each of these jurisdictions appoints citizen representatives to the Commission.

The MHCRC has oversight, enforcement and public benefit responsibilities for the cable services franchises with the cities and the County.

Troutdale has two cable service franchises: Comcast and Frontier.

As highlighted in the Annual Report, the MHCRC deals with ever changing technology to support community needs for:

- local authority over public right of way and compensation;
- a consumer watchdog platform for community voices;
- affordable broadband networks for schools, libraries and local governments;
- and local solutions for addressing digital equity issues.

Over this past year, the MHCRC has provided many services to our communities and residents.

- The MHCRC continued its work with public school districts under the TechSmart Initiative for Student Success. Reynolds, and Gresham-Barlow school districts have active grants serving Troutdale students. Thus far, the MHCRC is over \$11 million into the longer-term investment goal of \$17 million.

About 220 classroom teachers in five school districts are currently supported by resources provided under the TechSmart Initiative.

- The Community Technology Grants annual competitive round funded 6 new grants with community organizations. These grants leveraged over \$2.1 million in matching resources.

These grants are responsive to needs identified by the community and support organizations to use technology in addressing their issues. For example, an MHCRC grant is supporting APANO's mission to reduce disparities in economic and education for Asian and Pacific Islander communities. The grant will equip APANO's community space in a new affordable housing development with technology for digital literacy training and broadband internet access for low-income residents.

- Affordable broadband has become more and more critical to our local public institutions. The MHCRC is leading a network planning effort in partnership with 18 public agencies within Multnomah County. This partnership for the current Institutional Network provides high speed, affordable broadband connectivity to 308 schools, libraries, and public agencies throughout the County.
- The MHCRC provided funding and franchise enforcement support to MetroEast Community Media. This past year, MetroEast produced over 1,800 hours of original local programming. They also trained over 522 residents in digital and media literacy skills.
- The MHCRC addressed consumer protection issues both broadly and with individual subscribers. For example, the MHCRC worked with the cable companies on issues related to clear information on subscribers' bills, on-time appointments, phone-answering timeframes and service fees.

The MHCRC assisted in the resolution of 181 complaints from local cable TV subscribers.

- Coming up in FY2019-20, the MHCRC is engaged in future-focused planning. Considering rapidly evolving technology and public policy - and our community's increasing reliance on availability of broadband internet - the MHCRC is turning its sights on the future.

We intend to work with you, Troutdale city staff, and our communities to identify needs and opportunities for our broadband future. The budget includes funds to assist the MHCRC in this endeavor.

This community technology needs ascertainment will also prepare the MHCRC and its member jurisdictions for franchise renewal negotiations with Comcast and Frontier.

- Now onto the money...
- I'm happy to report that, once again, the MHCRC received a clean audit for FY 2018-19. The full audit document is available on the MHCRC's website.

I also wanted to note the downward trend we are seeing in cable franchise revenues. On page 9 of the Annual Report, you will see a graph that shows this trend that the MHCRC reported on last year.

For the first time in franchise history, actual revenues for 2017-18 decreased about 7% over the previous fiscal year. Based on the first three quarters of 2018-19 revenues, we are projecting another 6% decrease for the current fiscal year.

The MHCRC has been closely monitoring this trend and anticipating implications for franchise fee revenues for local governments and for revenues that support MHCRC community grants and other programs. The FY2019-20 budget reflects a projected decrease in franchise fee and PEG/I-Net fee revenues.

Surprisingly, the number of cable TV subscribers bounce upward in 2018. The MHCRC is currently conducting franchise revenue audits with Comcast and Frontier. These audits will provide us more data as to why revenues dropped while subscribers increased.

- The MHCRC proposed FY2019-20 Fund Budget is on page 5 of the budget document. The annual budget allocation from all the jurisdictions collectively funds about half the MHCRC total operating budget.

Troutdale's allocation for FY2019-20 is \$18,902 - Or - another way to view it is that the City of Troutdale spends about 10% of its cable franchise fees on regulation and program related administration. More detail is contained on page 7 of the budget document.

The remaining portion of the MHCRC budget is funded by other resources mostly to administer the dedicated capital fee revenues and related programs, such as the MHCRC Community grants, the I-Net and MetroEast Community Media.

- Before closing, I want to thank the Mayor and Council for supporting this county-wide partnership among the jurisdictions for the past 25 years.

With that support, the MHCRC has been successful at convening community members and public agencies to steward and creatively leverage resources and regulatory authority to amplify the benefit for all.

Over the coming year, we are excited to work with you to explore and discover how to leverage our success as we adapt to the evolving needs of our city and communities.

- I thank you for your time today. As always, please contact me or the MHCRC staff with any questions, ideas or concerns.

# BUSINESS FOOD SCRAP COLLECTION

1<sup>st</sup> Reading

# BACKGROUND

- Metro Council adopted the Business Food Waste Requirement in July 2018
- Metro region hit plateau with voluntary food scrap programs
- Service was not offered consistently across region
- Metro met with various stakeholders such as:
  - Oregon Health Department
  - Oregon Department of Agriculture
  - County Food Inspectors
- Metro considering ban of food scraps as backstop after rollout

# WHY FOOD SCRAPS?

- Food is a resource worth conserving
- Life cycle impacts largely upstream and invisible to public
  - Environmental and economic costs
- Help businesses focus on food waste stream, similar to energy conservation
- DEQ's goal is to reduce GHG emissions, water use, energy use, and wasted resources by reducing the generation of wasted uneaten food by 15 percent by 2025

# WHO IS AFFECTED?

- Businesses and organizations that process, cook, or sell food and generate quantities of 250 pounds or greater
- Affect about 52 businesses in Troutdale
- Rollout would occur potentially over three phases, starting with 1,000 pounds or more per week (equivalent to four 60-gallon roll carts)

	Business Group 1	Business Group 2	Business Group 3
Notification Date	March 31, 2020	March 31, 2021	September 30, 2022
Compliance Date	March 31, 2021	September 30, 2022	September 30, 2023
Food Waste Generation	≥1,000 pounds per week	≥500 pounds per week	≥250 pounds per week
Affected Businesses	~ 6	~ 16	~ 25

## COVERED BUSINESSES

- Included but not limited to:
  - Cafeterias
  - Caterers
  - Correctional facilities
  - Food product manufacturing
  - Full-service restaurants
  - Grocery retail
  - Grocery wholesale
  - Limited service restaurants
  - Specialty food markets
  - Warehouse clubs
- If full-service restaurants or on-site food preparation service:
  - Colleges & universities
  - Drinking places
  - Elementary and secondary schools;
  - Hospitals;
  - Hotels;
  - Nursing & residential care; and
  - Retirement & assisted living



## DRAFT ORDINANCE

- Mirrors Metro's model ordinance language
- Similar to Business Recycling Requirement
- City of Gresham would assist with technical assistance
- City of Troutdale would oversee potential enforcement and eventually oversee technical assistance
  - Goal is not enforcement or penalties
  - Multiple opportunities to attain compliance
- Temporary compliance waivers if criteria met with annual site visit

## DISCUSSION POINTS

- Everybody contributes to food waste generation
- Work together as region so constituents receive same service
- No additional garbage added to collection
- Vector, pests issues would be the same as is now
- Interior collection bins can be cleaned periodically by business
- Rate impact will occur to businesses
  - Council decides at later date
- Rate adjustment most likely to occur with Waste Management

QUESTIONS?

