

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

Tuesday, July 12, 2022 – 7:00PM

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

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

PRESENT: Mayor Lauer, Councilor Ripma, Councilor Caswell, Councilor Kranz, Councilor White, Councilor Moon and Councilor Glantz (7:01pm).

ABSENT: None.

STAFF: Ray Young, City Manager; Sarah Skroch, City Recorder; Ed Trompke, City Attorney; Chris Damgen, Community Development Director; Erich Mueller, Finance Director; Travis Hultin, Acting Public Works Director; Ryan Largura, Environmental Specialist and Melissa Johnston, Associate Planner/Floodplain Manager.

GUESTS: See Attached.

Mayor Lauer asked for agenda updates.

Ray Young, City Manager, replied there is one addition, a Public Works report to do right after public comment.

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

<0:01:40>

Greg Handy, Troutdale resident, stated he submitted a letter to the Mayor and the Council on March 7th that included a request for a written reply. At the May 24th Council meeting he reminded Council that he had not received a reply and was promised a reply by Acting Mayor Ripma. Today, July 12th, 120 days has passed and still no reply. Even a non-response sends a message. The message sent clearly validates, confirms and supports the concerns and comments he expressed in the letter. He would like to know when he can anticipate a response.

Ray Young, City Manager, stated tomorrow afternoon he will reach out to the Council members to see if or when a response will be given.

Ray Young stated that the City of Troutdale has an amazing water system. It owns and controls a whole well system. It costs 200 times more to buy bottled water than what comes out of the faucet and there is too much plastic waste. The City has purchased a cold-water dispenser and

all Council and Committee members are getting a Troutdale branded YETI mug. He encouraged all to use one of the mugs and to notify Sarah Skroch which color they would like, and she will have it at City Hall.

3. CONSENT AGENDA:

3.1 MINUTES: June 14, 2022 City Council Regular Meeting and June 28, 2022 City Council Regular Meeting.

3.2 RESOLUTION: A resolution correcting the documentation of the Fiscal Year 2022-2023 General Fund budget and appropriations.

**MOTION: Councilor White moved to approve the consent agenda. Seconded by Councilor Moon.
Motion Passed 7-0.**

4. RESOLUTION: A resolution establishing solid waste collection fees and rescinding Resolution No. 2521.

<0:09:35>

Ryan Largura, Environmental Specialist, introduced himself and Mike Jeffries, Waste Management, and Chris Bell, Bell & Associates. He gave a brief overview of the staff report. He stated that he added an updated Attachment A to make it easier to read for businesses. He presented a PowerPoint (attached as Exhibit A).

Councilor Glantz stated she would like to see us have a bulk pick up twice a year or maybe every other year have it twice. When she did the math, it seemed like the increase might be higher.

Ray Young asked when the contract is up for renegotiations.

Ryan Largura replied that the franchise agreement requires an assessment into the contract. He expects to bring this to Council in the fall. In the interim, he's going to have a survey to residents in August for satisfaction and gauging what other services the City may need such as bulky waste or e-cycling, etc.

Mayor Lauer asked if Troutdale's transfer station is set up to accept hazardous waste.

Mike Jeffries, Waste Management, replied it is. He stated the reason why the bills look so large is because Waste Management bills every 2 months.

Councilor Moon stated he thinks it's a great idea on the transfer station.

Mayor Lauer opened public comment.

None.

Mayor Lauer closed public comment.

MOTION: Councilor Glantz moved to approve a resolution establishing solid waste collection fees and rescinding Resolution No. 2517 and Resolution No. 2521. Seconded by Councilor Ripma.

VOTE: Councilor White - Yes; Councilor Moon – No; Councilor Glantz – Yes; Councilor Ripma – Yes; Councilor Caswell – Yes; Councilor Kranz – No and Mayor Lauer – Yes.

Motion passed 5-2.

5. DISCUSSION: A discussion on the Governor’s Executive Order on climate-friendly and equitable communities and its impact on Troutdale.

<0:31:16>

Ed Trompke, City Attorney, stated this is something that is a big deal that not a lot of people are talking about. The Climate Friendly and Equitable Communities is a Land Conservation and Development Commission (LCDC) proposed set of rules that starts kicking in as early as August this year. It is not the Metro rules that were adopted in 2014. If you google climate smart communities, you’ll come up mostly with the Metro rules that were adopted 8 years ago and don’t have a lot to do with this. Most of this is forward looking and, as an editorial comment, it sort of preempts Mr. Staffenson’s job on the Planning Commission (PC) in much of what PC in this city and other cities across the state will be doing for the next few years and the constrains of the city’s home rule authority to plan for themselves. He stated he’s been talking to some other cities, and he got some support. There may be an opportunity to bring it to the League of Oregon Cities (LOC) to explain to them what the systemic problems with this are. Ordinarily, LCDC base their rule making on statutes. The legislative power is in the legislature and the administrative agencies then implement it or carry it out. This didn’t work that way. This says in it that it’s based on Executive Order 2020-04, adopted by the Governor. The only statute reference is encouraging electrical vehicle use. The only thing in there is for developments that get built, 40% of parking must be for electric chargers for electric vehicles. The rest of it doesn’t seem to be related to the statute. There may be other statutes that they are trying to implement, but they’re not referenced. It seems to him that it ought to be challenged by cities as overstepping state authority into city matters and local affairs. On page 10 of agenda item 5, there are three options for parking.

Ray Young stated he thinks Ed is understating it. Essentially, the Governor’s Office has decided that they’re going to preempt the whole process of how cities have done land use planning and development codes in the whole state by executive fiat and tells the City of Troutdale they shall have one size fits all whether they like it or not.

Chris Damgen, Community Development Director, stated that some of his colleagues in the region have been tracking this. Metro has had a lot of hesitation and reluctance with this too. He thinks it’s a violation of Goal 1. There will be development code changes and changes to the Transportation System Plan which would need to be done in the next 2-3 years. Housing policy will need to be revisited.

Ed Trompke stated Chris did the City a huge favor by getting the Housing Needs Analysis done early.

<0:41:46>

Chris Damgen stated it needs to be considered that this will take money for analysis, consultant work and possible staff addition to handle the mandates that are coming from the state. Troutdale will have to “Planner” up on the transportation side. Troutdale doesn’t have a transportation planner.

Councilor Glantz asked if staff has reached out to Senator Gorsek or Representative Hudson.

Ed Trompke stated staff should reach out to them, however, in order to get the legislature to sign on as a party to litigation, it would require leadership (Tina Kotek) and she may not consider it in her best interest to challenge the standing Governor and the standing Governor’s executive authority to issue orders. It’s worth asking.

Councilor Moon asked if a citizen’s action standpoint would be a good bearing. He thinks the average citizen doesn’t know about these types of things that Council discusses like this.

<0:58:52>

Councilor Glantz suggested having some kind of parking permit program at the ready just in case. Seattle has neighborhood parking permits to address this scenario.

Ed Trompke stated one of the things that jumped out at him was that new development cannot add VMT, vehicle miles traveled. He doesn’t think there’s a way to distinguish between residents of property A and property B that may be on the same block, and one is a house, and one is an affordable housing building that has no parking and give permits to one and not the other. You might be able to require people that move into apartments without parking to make sure they have no vehicles in their names and can’t own them or have guests with them. He doesn’t know how to do that.

Chris Damgen stated one of the papers he’s preparing is a consideration that you may want to work with the other cities. A lot of this is predicated on the availability of public transit. They’re struggling to fill driver positions and are having to reduce services on popular routes. This might be a time for Troutdale to explore their own transit agency.

Ed Trompke stated that there needs to be thinking outside the box here.

Mayor Lauer stated the City can plan 20 to 40 years ahead and all come to an agreement that the transportation system will change. He doesn’t want to come up with a plan where groups of people are alienated because they don’t want to own a bike or don’t care if they have an electric car. He suggested making smart development, smart changes to the systems and smart transportation systems. The cities can talk about pulling from Trimet and starting their own transportation system. The overuse of power needs to be checked.

Councilor Kranz stated Troutdale is currently recruiting a replacement for their Community Development Director and she thinks qualifications that synch up with this should be looked at.

Councilor White stated that he thinks it feels like a slap in the face because Troutdale has been working with them and meeting their requirements and requests and being heavy handed on this by an outgoing Governor. He avoids court but he likes having Ed on Troutdale's side. He thinks the City will get support if they fight this. He would like to pursue every other option before court action.

Councilor Ripma stated Ed mentioned home rule and it's a usurpation of legislative authority. He asked where Portland is on this.

Mayor Lauer stated they didn't sign the letter on it.

Ed Trompke stated there are a number of city attorney staff in Portland who are on the side that he's speaking about, but he doesn't think there's any political ability from their Council to say anything publicly.

Councilor Ripma stated that he's in favor of gathering as many allies as possible and he very much supports challenging this based on its illegality.

Councilor Caswell stated that anytime the City can fight for home rule it should. It will take getting a lot of people involved. She stated that control is coming from every angle and it's exhausting.

<1:23:53>

Mayor Lauer opened public comment.

Taney Staffenson, Planning Commission Chair, stated approximately 50 years ago the State of Oregon and Metro laid out how land use planning was going to work in the City of Troutdale. The work has been done within that framework and rules and policies have been followed. The Planning Commission holds public hearings, and they take a ton of public input and make decisions based on criteria but also listen to the public testimony and then try to look at each development and figure out how to integrate it into the City of Troutdale. He asked why they would cut off a public process that seems to be working. He wants to know the State's goal and where Metro is, since they're the land use gurus. He thinks about Home Forward with no parking and The Confluence with no parking. If Salem really cares, why would they do this? They didn't even respond to the letter from the mayors. He stated that he was one of the businesses in Wilsonville that got the transportation Ed Trompke was talking about started. He's not saying Troutdale should do it, but it can happen. He asked when it stops. At some point you have to say no. He applauds what the Council is discussing.

Mayor Lauer closed public comment.

6. STAFF COMMUNICATIONS

<1:31:32>

Ray Young provided the following staff communications:

- This is the last scheduled Council meeting until 8/23 due to the summer break

- Planning Commission has a meeting 7/27 discussing the Governor's Executive Order
- Movies in the Park this Friday, Encanto at 6pm and Back to the Future at 8pm
- LOC Conference registrations start tomorrow, contact Sarah Skroch
- 7 ½ weeks away from the election filing deadline, get your packets in by August 30th

7. COUNCIL COMMUNICATIONS

<1:34:18>

Councilor White stated that he feels bad for Mr. Handy. He read the letter but had some trouble understanding it. He's also concerned about the Community Enhancement Fund going to Metro. He's more concerned about them being solely in charge of it. It should be a Council agenda item.

Councilor Moon stated that he had read through a lot of the letter from Mr. Handy and didn't sense the need for a response. Movies in the Park will be fun. He thinks it's important for Council to come out and join, as many as possible.

Councilor Glantz stated she's curious how the 4th of July fireworks stuff went. She heard from folks about troubles with parking in the food truck area.

Ray Young stated there were no reports of fires or any problems in the community at all. He has not received a report from Captain Bevans yet. When he gets a report, he will forward a short memo to the Council.

Councilor Ripma wished everyone a happy summer. Stay safe and stay well.

Councilor Kranz stated she is looking forward to Movies in the Park. Reinforced getting Mr. Handy a timeline on a response to his letter.

8. ADJOURNMENT

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

Meeting adjourned at 8:41pm.

Randy Lauer, Mayor
Dated: August 25, 2022

ATTEST:

Kenda Schlaht, Deputy City Recorder

July 12, 2022 City Council Regular Mtg. - Zoom Guest List

Name (Original Name)	User Email	Join Time	Leave Time	Duration (Minutes)
Troutdale Conferencing	troutconf@troutdaleoregon.gov	7/12/2022 18:44	7/12/2022 20:40	117
Oasis Team		7/12/2022 18:44	7/12/2022 20:41	117
Testimony Table		7/12/2022 18:45	7/12/2022 20:42	118
tim.seery		7/12/2022 18:45	7/12/2022 20:40	116
Sarah Skroch	troutconf@troutdaleoregon.gov	7/12/2022 18:48	7/12/2022 20:42	115
Mike Jefferies - WM		7/12/2022 18:50	7/12/2022 19:31	41
Zach Andrews		7/12/2022 18:54	7/12/2022 20:38	105
Randy Lauer		7/12/2022 18:54	7/12/2022 20:40	107
Nick Moon		7/12/2022 18:54	7/12/2022 20:40	107
Melissa Johnston		7/12/2022 18:54	7/12/2022 20:41	107
Travis H		7/12/2022 18:55	7/12/2022 19:46	52
Dave Ripma		7/12/2022 18:55	7/12/2022 20:40	106
Chris Bell		7/12/2022 18:55	7/12/2022 19:31	36
Paul Wilcox		7/12/2022 18:55	7/12/2022 20:40	105
Jamie Kranz		7/12/2022 18:56	7/12/2022 20:40	105
Alison Caswell		7/12/2022 18:58	7/12/2022 20:40	102
Ray Young		7/12/2022 18:59	7/12/2022 20:40	102
Meg Gallagher		7/12/2022 18:59	7/12/2022 19:31	32
Ryan Largura - City of Troutdale		7/12/2022 18:59	7/12/2022 19:36	37
Sandy Glantz		7/12/2022 19:01	7/12/2022 20:40	100
Glenn White		7/12/2022 19:05	7/12/2022 20:42	98
SS (Scot's iPhone)		7/12/2022 19:11	7/12/2022 19:36	26

A Resolution Establishing Solid Waste Collection Fees

City of Troutdale
Public Works Department
July 12, 2022

Background

Chris Bell, CPA, of Bell and Associates

- 20 years waste and recycling industry experience
- Work completed for most Metro area jurisdictions
- Assisted Troutdale since 2003

Rate Review Process

- A rate review is the examination of the financial results of operations to determine the cost of service
- Waste Management submits an annual Detailed Cost Report (DCR)
- The exclusive franchise agreement with Waste Management has an Operating Margin of 8%-12%
- Waste Management reported a 2021 DCR with 8.5% Operating Margin

Factors Influencing the Service Rates

Metro Fees and Taxes

- Since January 1, 2021, a total increase of \$11.12/ton
 - Regional System Fee – \$10.79/ton
 - Excise Tax – \$0.33/ton

Solid Waste Transport and Disposal

- Assuming Waste Management has the same contractual arrangements as Metro, a total increase of \$5.73/ton
 - Disposal Expense – \$0.94/ton
 - Transport Expense – \$1.50/ton
 - Fuel Expense for Transport – \$3.29/ton

Factors Influencing the Service Rates

Overall Disposal Cost Increase

- Disposal increase of \$16.85 since January 1, 2021
- Previous collection rate adjustment anticipated a Metro fees and taxes increase of \$3.75/ton

Pass-Through Increase

- Private transfer stations are required to collect Metro fees and taxes that are charged on all mixed solid waste
- Pass-through increase is calculated on the average set-out weight for various roll cart and container sizes
 - $\$16.85 - \$3.75/\text{ton} = \$13.10/\text{ton}$

Factors Influencing the Service Rates

Troutdale Transfer Station

- Operating margin unknown at private transfer stations
- Metro has jurisdictional authority to oversee private transfer station operational costs
- Metro staff to explore options for greater fee and rate transparency for Metro Council consideration

Anticipated Future Increases

- In April, Metro Council endorsed a 7-8% yearly fee increase as a recommended rate smoothing approach for next five years
- Garbage and Recycling System Facilities Plan will connect cost estimates from facility planning to fee impacts

Commercial System Change

Commercial Food Waste Service

- A commercial food waste rate has been added for commercial customers to use carts or containers for food waste collection
- Troutdale Municipal Code requires qualifying businesses to have food waste service by various dates beginning in 2023



Proposed Rates

Residential Service

SW Cart	Current	Proposed	\$ ▲
20 gallon	\$27.38	\$27.86	\$0.48
35 gallon	\$32.42	\$33.26	\$0.84
60 gallon	\$37.57	\$39.00	\$1.43
90 gallon	\$45.04	\$47.19	\$2.15

Commercial Service

Container	Current	Proposed	\$ ▲
2 cubic yd.	\$171.94	\$178.28	\$6.34
4 cubic yd.	\$326.76	\$339.44	\$12.68
6 cubic yd.	\$447.20	\$466.23	\$19.03
8 cubic yd.	\$596.28	\$621.65	\$25.37

Regional Rate Comparison

Jurisdictions	Residential 35-gal. Cart/Can	Residential 60/64/65-gal. Cart/Can	Commercial 1 yard Cart/Can	Commercial 4-yard ³ Container
City of Fairview	\$36.55	\$44.22	\$100.80	\$332.25
City of Gresham	\$36.62	\$48.09	\$104.86	\$351.79
City of Troutdale	\$33.26	\$39.00	\$105.64	\$339.44
City of Wood Village	\$30.30	\$39.62	\$100.79	\$329.29



CITY OF TROUTDALE
PUBLIC WORKS
DEPARTMENT

Questions?

Thank you for your time.

City of Troutdale

Public Works Department