

CITY OF TROUTDALE

"Gateway to the Columbia River Gorge"



Mayor

Doug Daoust

City Council

David Ripma

Corey Brooks

Larry Morgan

Glenn White

Rich Allen

John Wilson

City Manager

Craig Ward

AGENDA

CITY COUNCIL – REGULAR MEETING

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

Tuesday, November 22, 2016 – 7:00PM

1. **PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE.**
2. **CONSENT AGENDA:**
 - 2.1 **MINUTES:** October 25, 2016 City Council Regular Meeting.
 - 2.2 **RESOLUTION:** A resolution approving the appointment of Raymond Young as Interim City Manager and authorizing a City Official to negotiate and execute a temporary employment agreement.
 - 2.3 **RESOLUTION:** A resolution vacating a utility easement that is no longer needed due to the relocation of utilities and dedication of public rights-of-way associated with the Gateway Estates Subdivision.
3. **PUBLIC COMMENT:** Public comment is limited to comments on non-agenda items. *Remarks shall be limited to 5 minutes for each speaker unless a different time is allowed by the Mayor. The Mayor and Council should avoid immediate and protracted response to citizen comments.*
4. **PUBLIC HEARING / ORDINANCE (Introduction):** An ordinance to provide a procedure to request a building number different from the uniform system adopted by the City of Troutdale, granting authority to the Building Official to determine a building number and providing a process for appeal.
Steve Winstead, Building Official
5. **STAFF COMMUNICATIONS**
6. **COUNCIL COMMUNICATIONS**

7. ADJOURNMENT



Doug Daoust, Mayor

Dated: 11/17/16

City Council Regular Meetings will be replayed on Comcast Cable Channel 30 and Frontier Communications Channel 38 on the weekend following the meeting - Saturday at 2:30pm 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 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.

DRAFT

MINUTES

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

Tuesday, October 25, 2016 – 7:00PM

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

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

PRESENT: Mayor Daoust; Councilor Ripma; Councilor Brooks; Councilor White; Councilor Allen; and Councilor Wilson.

ABSENT: Councilor Morgan (excused)

STAFF: Craig Ward, City Manager; Ed Trompke, City Attorney; Sarah Skroch, City Recorder; Steve Gaschler, Public Works Director; Chris Damgen, Planning Director and Erich Mueller, Finance Director.

GUESTS: See Attached List.

2. CONSENT AGENDA:

2.1 MINUTES: September 13, 2016 Regular Meeting and September 27, 2016 Regular Meeting.

2.2 RESOLUTION: A resolution approving the First Amendment to the Lease Agreement with T-Mobile LLC for the Use of Reservoir #2 as a PCS Site.

2.3 RESOLUTION: A resolution authorizing the Mayor to execute an Intergovernmental Agreement with the Port of Portland for the warranty of the public improvements associated with the Troutdale Reynolds Industrial Park Phase II.

2.4 REPORT: Annual Status Report All City Facilities.

MOTION: Councilor Brooks moved to approve the Consent Agenda. Seconded by Councilor White. The motion passed unanimously 6-0.

3. PROCLAMATION: Red Ribbon Week – October 23-31, 2016

Mayor Daoust read the Red Ribbon Week Proclamation.

Mayor Daoust presented a signed Proclamation to the Lewis and Clark Young Marines.

4. PUBLIC COMMENT

Mayor Daoust states tonight I don't think we should be having any public comment on the campaign season and comments for or against any candidate running for office. It's

inappropriate for this deliberative body to listen to and consider any campaign rhetoric. I'm not going to allow that. My job as Mayor is to conduct the business of the City and that's what I'm going to do tonight. Conducting the business of the City should not put us into deliberating the silly season, campaign season. Limit your comments to business of the City, please.

Sam Barnett, Troutdale resident, states I have lived in Troutdale for 15 years. Based on the fact that the campaign season is definitely a part of the business of the City I would like to ask you to explain to myself and the people behind me how you're allowed to make such a jurisdictional note that we're not allowed to address anything with the campaign.

Mayor Daoust states in my interpretation it is within my jurisdiction to say what we can speak to. I will ask the City Attorney if my interpretation is correct.

Ed Trompke, City Attorney, states I did speak to the Mayor about this earlier and the Mayor is in charge of running the meeting. The meeting is to go over the agenda and the public comment period is to bring non-agenda city business items to the attention of the Council for future action. However, in the middle of the campaign season the political discussions can be distracting and can divert the Council from the business of getting the City's business done. The Mayor asked if it was proper to eliminate the political speech tonight and I said yes it is because it will interfere with the City's ability to get its work done in an orderly and timely fashion.

Sharon Ezzell, Troutdale resident, states I noticed in one of the resolutions it had to do with parking in the City. There is only one handicap parking spot on the street itself. There are 2 down here below but if you're like me, I can't park down here because I can't get back up to the upper level because I can't do the stairs. If I come into town and the street is lined with cars and there is only 1 handicap spot and it's taken, I have to leave. So that means I take my business elsewhere or I come back at a later time. I thought you might consider that we need a second handicap spot on the street level. The other thing I would like to comment on is something that happened at the last meeting. The West Columbia Gorge Chamber of Commerce came and did a presentation. Mayor Daoust, you wouldn't allow any kind of public comment. I understand you have the right to do that but what bothered me about that is I did have a public comment that I wanted to address and it was questions directed at the 2 women sitting up front here. What bothered me about it is I believe that you knew it was going to be a touchy subject and to avoid any conflict you said there would not be any public comment. I understand you have the right to do that but I also remember that at a previous meeting you all talked about the fact that when there were presentations made that each one should be open for public comment. It does bother me that I feel like you're picking and choosing which ones we get to comment on.

Mayor Daoust states the reason I didn't allow public comment on that particular item was because it had to do with the position between the 2 leadership members between the Chamber and the Council about a position that we share.

Sam Barnett states I would like to say, Mayor, nothing to do with the campaign other than the fact that you're leaving Council and you'll no longer be Mayor. I look forward to seeing

you on the street and chatting with you. I also look forward to you no longer being Mayor. I think that a lot of the division in the Council has been due to you. I think some of you are meant to be behind those tables in those chairs and some of you aren't.

5. REPORT: Levee Ready Columbia status report.

Craig Ward, City Manager, states the Oregon Solution Team is an executive effort of the Governor to bring together the decision makers and supporters of state agencies to focus on priority projects for the region. Dan Vizzini is the leading staff member on that effort and in this case the project that he's been assigned to is the Levee Ready Columbia recertification of the Columbia River levees which include the portion in Troutdale that is managed by the Sandy Drainage Improvement Company (SDIC). They have been a part of the effort and we are a member and have made financial commitments which will continue into the future for the analysis of the compliance of the Columbia River Levee system in Troutdale with FEMA requirements and standards.

Dan Vizzini, Project Manager, Oregon Solutions Team, states I want to thank you for your continued participation and support for Levee Ready Columbia. The regional partnership is critical to the success of the project and we're measuring success in two very specific ways. The levees under federal regulation need to be accredited under tightened regulations that have been put in place post hurricane Katrina. The maintenance and operations of the levee system has to be maintained at levels that satisfy federal rehabilitation and inspection program requirements. By doing both of those things the levees provide substantial benefits to more than 5 billion dollars-worth of public and private property and residential and commercial property behind more than 45 miles of levees. The economic activity has been estimated in the tens of billions of dollars. The investments that are being made today to move to re-accreditation of the levees is absolutely critical to maintaining these assets for Troutdale and the other Cities along the Columbia's south shore and the metropolitan area itself.

Joel Schoening, Community Affairs Manager, Multnomah County Drainage District and Community Affairs Manager for Levee Ready Columbia, showed the Council a PowerPoint Presentation containing the Levee Ready Columbia status report. (Attached as Exhibit A to these minutes).

Joel Schoening states our next meeting of the Levee Ready Columbia Partners is November 16th from 3:00 to 5:00pm at Portland State University. That is when all of the organizations get together and make policy decisions and direct us as staff about where to go with the project.

Councilor Wilson asks on the testing that you have been doing, what are you finding as far as making sure the levee's dry?

Joel Schoening responds the levee engineering assessments were completed on PEN 1 and PEN 2 and we found a few areas of concern. What we found was that in general, overwhelmingly, the levees were in really good shape. We were excited about our findings. We did find 4 areas of weakness. In the very top corner where NE 33rd Drive hits

Marine Drive there's a low spot. The old Columbia Edgewater Country Club Clubhouse burned down there some years ago. The foundation where that was is a little bit lower than the original design. Along 33rd Drive there's a north/south levee and we found that one to be too narrow when they loaded it. At the intersection of I-5 where it goes over Marine Drive there's a clover leaf on-ramp that creates a low spot. The big one is the railroad embankment that forms the western edge of the system. It was built as a railroad embankment and reinforced on the interior as a levee. The railroad would not allow us to do the drilling that would be necessary to test it as a levee so it's an open question. That's also where the 1948 Vanport breach occurred. It's an area of real concern. We are waiting to develop alternative analysis until we assess the entire system.

Dan Vizzini states the encroachment studies that we've done in PEN 2 turned out relatively minor. Good news in terms of the levee and on private property.

Councilor Wilson states in 1996 we had that huge flood come through. Did you have any issues with any of the levees falling down?

Joel Schoening states we had no levee failures in 1996. The levees did have some damage so we did have some repairs and the (U.S. Army) Corps helped us with some of that.

Councilor White states I had the opportunity to go on a tour so I'm pretty familiar with the system. People don't realize what service you provide to us as a safety factor. If you look at the historical flooding back in the day this whole area was under water. We were able to take a lot of industrial land that would have been falsely labeled as floodplain had it not been for the pump station. FEMA didn't know about that or missed it.

Joe Schoening states as a side note we learned this week that we got \$46,000.00 in FEMA reimbursement for the presidentially declared storm disaster in December of last year which helped repair that pump station.

Dan Vizzini states to emphasize the importance of Troutdale I took a look at your last financial statement from 2015 and it includes a list of your top 10 taxpayers. Four of them are protected by the levee system representing more than 10% of the taxable assessed value of property in Troutdale. Under federal law, it's the City's responsibility to maintain the maps of the flood hazard areas. The FEMA map adjustments that would occur if the levees were deemed inadequate fall back to the City. It is small cities that have levee protected properties that have some exposure because they're the ones ultimately that are going to have to enforce regulations that come online if the levees are not there. It's very important to have the City's partnership in making this whole project work.

6. PUBLIC HEARING / ORDINANCE (Introduced 9/27/16): An ordinance amending section 1.04.010 – Definitions of the Troutdale Municipal Code to include definitions for Police which recognize contracted police services.

Sarah Skroch, City Recorder, states tonight is the second hearing of an ordinance to amend section 1.04.010 of the Troutdale Municipal Code adding definitions to reflect our

intergovernmental agreement with Multnomah County Sheriff's Office for police services. As I mentioned at the first hearing the reason I requested the change to the Municipal Code was so that I could have the Sheriff's Office perform our criminal history records checks on all of our applicants for City Commissions and Committees as it's required in Chapter 2.60 of the Municipal Code. Last year the Sheriff's Office was given permission by the Oregon State Police to access their database to do the criminal history checks for the City if we agreed to amend our Municipal Code to reflect that the Sheriff's Office would be performing those checks for us and not the Troutdale Police Department. Rather than just making a change to Chapter 2.60 we felt it would be more efficient to address the use of contracted police services throughout the entire Code. We are proposing to do that by adding 3 definitions for Chief of Police, Police Officer and Police Department and stating that these functions could be provided by Troutdale Police Department, Multnomah County Sheriff's Office or any other police agency contracting with the City for police services. We have also expanded on the definition for Chief of Police to make it clear that this position will remain under a contract scenario and will be fulfilled by a designee from within the Sheriff's office for any other contracted agency.

Mayor Daoust opens the public hearing at 7:49pm.

Mayor Daoust closes the public hearing at 7:49pm.

MOTION: Councilor Wilson makes a motion to accept the ordinance amending section 1.04.010 – Definitions of the Troutdale Municipal Code to include definitions for Police which recognize contracted police services. Seconded by Mayor Daoust.

VOTE: Councilor Brooks – Yes; Mayor Daoust – Yes; Councilor White – Yes; Councilor Allen – Yes; Councilor Wilson – Yes; and Councilor Ripma – Yes.

Motion passes 6-0.

7. PUBLIC HEARING / ORDINANCE (Introduced 9/27/16): An ordinance amending Chapter 12.03 of the Troutdale Municipal Code, Water System.

Steve Gaschler, Public Works Director, states we are required by the State as part of our drinking water program to complete a Water Management Conservation Plan which is required every 10 years. As part of that plan there is a section called the Curtailment Plan. In that Curtailment Plan we outlined 3 steps of what the trigger is to each step and the requirements for reduction of water would be for each of those steps. From our last meeting one of the issues I wanted to clarify was that there are 3 curtailment steps. The first step is all voluntary. There is no requirement and we are just notifying the public that we're in a water shortage and we need your help and here are some things you can do to help us. If that doesn't work we go into step 2. At that point the City has some steps we're required to do on our end. For businesses it's voluntary but for the residents we'll ask them for no outdoor water use except on a schedule. The third step is when we declare an emergency and that is handled under the emergency clause. The City Manager has the authority to declare an emergency and within 72 hours the Council has

to confirm the emergency. The Council will have the final say. I checked with the other jurisdictions around this area and it is a requirement for them also. Gresham, Fairview and Rockwood Water all adopted the same plan because they all share Portland water.

Mayor Daoust opens the public hearing at 7:54pm.

Mayor Daoust closes the public hearing at 7:54pm.

MOTION: Councilor White makes a motion to accept the ordinance amending Chapter 12.03 of the Troutdale Municipal Code, Water System. Seconded by Councilor Wilson.

VOTE: Councilor Brooks – Yes; Mayor Daoust – Yes; Councilor White – Yes; Councilor Allen – Yes; Councilor Wilson – Yes; and Councilor Ripma – Yes.

Motion passes 6-0.

8. PUBLIC HEARING / RESOLUTION: A resolution approving the annexation of approximately 2 acres of real property (Land Use File No. 16-014 Holder Tract Annexation) and adopting findings.

Chris Damgen, Planning Director, states this is a type IV procedure meaning this is a public hearing with a City Council decision making ability on this particular case file. Most of you are familiar with this location. It is in the far southern reaches of the City.

Chris Damgen showed the Council a PowerPoint Presentation containing the annexation of approximately 2 acres of real property and adopted findings. (Attached as Exhibit A to these minutes).

Councilor Ripma asks, is it necessary to declare that I've been on this property?

Ed Trompke responds technically, yes.

Councilor Ripma states I will say one time I remember going onto this property with someone who knew the Holders. For the record, it won't affect my ability to be unbiased. Is the property being annexed the one that has the house? And the part that is not annexed does it have a house?

Chris Damgen responds you can see the property in yellow and there is a house on that property. There is also a second house which is up the driveway as you go south from the S-curve. That property is not under consideration.

Councilor White asks, if this was outside the Urban Growth Boundary but connected to it, just on the wrong side, would this type of development be allowed?

Chris Damgen responds we would not have an intergovernmental agreement with the County so we wouldn't have the consideration.

Mayor Daoust opens the public hearing at 8:05pm.

Mayor Daoust closes the public hearing at 8:06pm.

MOTION: Councilor Wilson makes a motion to adopt the resolution approving the annexation of approximately 2 acres of real property (Land Use File No. 16-014 Holder Tract Annexation) and adopting findings. Seconded by Councilor White.

VOTE: Councilor Brooks – Yes; Mayor Daoust – Yes; Councilor White – Yes; Councilor Allen – Yes; Councilor Wilson – Yes; and Councilor Ripma – Yes.

Motion passes 6-0.

9. PUBLIC HEARING / RESOLUTION: A resolution approving the Procedures for the Recruitment and Selection of the City Manager in compliance with ORS 192.660(7)(d).

Erich Mueller, Finance Director, states this is the next step in the process for recruitment for a successor City Manager. The public meeting allows the Council to move to an executive session to interview potential candidates for the City Manager position. The resolution outlines the recruitment selection and procedures. Also included is the position profile that was developed working with the Prothman Company representative, Bill McDonald which many of you met and spoke with as well as their office staff. Once the resolution is approved we will go forward. There are several different exhibits included with the staff report that outline the recruitment and selection procedures in more detail.

Councilor White states on page 2 of Exhibit A it says the final interview process may include... At what point do we decide who is going to interview the finalists? Is that in an executive session?

Erich Mueller responds it will depend on the applicant's capability. It will partially depend on the process in January and what the Council decides. That's why it says "may" be interviewed in case something can't happen. We may not have the availability of other City Managers.

Councilor White states I think it puts the candidate at a disadvantage to be interviewed by the employees in a sense because he would actually be hired to manage those department heads. The other problem is if we pick somebody other than the person the department heads want it could become a conflict of interest. I thought it was odd that we did that in our process last time.

Erich Mueller states it is customary for the recruitment of City Managers across the state. It's customary with what we've done in the past. The Council can overrule the process.

Councilor Allen states I think it would be worthwhile to have some of our office people as well as some of our workers to be involved in the interviewing other than department heads.

Erich Mueller states I can discuss that with Prothman to see what their experience has been elsewhere.

Mayor Daoust asks, any thoughts on that from the rest of the Council?

Councilor Wilson states I think the department heads are going to be responsible for their employees under them so I think that the department director interviews are going to be enough.

Craig Ward states I have seen it done both ways. I have seen communities that have had a staff open house that Prothman or other recruitment companies have managed and any staff member is invited to it. Each candidate makes a brief statement as to why they're the best candidate or it's a question and answer session or however it's organized by Prothman. Then members of the audience, which are all City employees, are invited to ask questions and then meet all the different candidates and talk to them but I would not recommend that you then have a poll of the employees as to who they liked the most. Everybody who participates, department directors and City Managers from adjacent cities, know very well that it's a majority vote of Council that will decide who is selected. I can see it done either way. It does add to the complexity of the interview process.

Mayor Daoust states I have been a part of many interview panels in my career and we usually have one interview panel. Here we are calling for 3 separate interview panels which I have a little concern about. You're asking the candidates to show up to 3 separate events. If we have a fourth one, in my mind, that is overkill. I don't have a problem with an open house so employees can come and talk to the candidates.

Erich Mueller states the final check item is a social event with community members. That was similar to what we did when Mr. Ward was hired. It was a social event where the candidates and their wives were invited and Council and community leaders were also invited. It was some brief comments and then a social interaction.

Councilor Ripma states I think the resolution we're voting on sets out in Exhibit A the 4 checkpoints Erich refers to on the second page. I think that is enough. If you look at #7 at the bottom of page 2, there's a bullet that says nothing in these procedures shall prevent the City Council from soliciting input and comments or other information from any group/groups or the general public concerning the candidates. When I read through this I thought it looked very good and I didn't have any problem with it. I also wanted to say that I thought Prothman did a very good job on their brochure.

Councilor Allen asks, what if some employees came to the social event?

Councilor Ripma responds I think it would be open to the public.

Mayor Daoust states that would be fine if they wanted to go to the social event that would be fine. I'm okay with the way it is written also. It can include employees.

Mayor Daoust opens the public hearing at 8:25pm.

Sharon Ezzell, Troutdale resident, states on page 2 where it talks about the final interview process it says it could possibly include an interview with representatives of adjacent City Managers. Can you explain to me why that would be beneficial?

Erich Mueller responds the official designation from Prothman would be that given their assessment of what the issues are and how Troutdale operates there's a great deal of intergovernmental cooperation required to operate the City. So having interaction with those other City Managers is going to be an ongoing necessary step for candidates to be successful.

Craig Ward states the reality is we do interact frequently and it is beneficial to the City overall. It is a drain on the individuals to do this. I have been on both sides of these processes and it comes down to how serious is the Council if they're not getting any input from anybody but the Council.

Mayor Daoust states when I've been on interview panels you try to get a good varied selection of people that are doing the interviews. A City Manager from another City may ask different questions than anybody else would simply because they know the job better than anybody else. Questions from other City Managers may be beneficial to get answers.

Craig Ward states I think it sends a message to the candidates that these are your peers and if selected you will be working with them. Try to form that relationship as early as possible. I think of the 3 groups we have if you cut any of these I would cut the City Managers.

Sharon Ezell asks, would the Council be at that interview?

Mayor Daoust responds no.

Sharon Ezzell asks, the City Managers would have their own interview with the candidate?

Mayor Daoust responds yes.

Mayor Daoust closes the public hearing at 8:32pm.

MOTION: Councilor Wilson makes a motion to adopt the resolution approving the Procedures for the Recruitment and Selection of the City Manager in compliance with ORS 192.660(7)(d). Seconded by Councilor Brooks.

VOTE: Councilor Brooks – Yes; Mayor Daoust – Yes; Councilor White – Yes; Councilor Allen – Yes; Councilor Wilson – Yes; and Councilor Ripma – Yes.

Motion passes 6-0.

10. STAFF COMMUNICATIONS

Craig Ward states there is an issue about the previous item we just brought up. You will complete the final interview process the week of February 13-17. My tenure with Troutdale ends December 31st and based on this schedule alone you'll easily need 2 months of an Interim City Manager. I don't think that it's urgent yet that the Council address the question of Interim City Manager but you're getting there. There are others of us that may be factors in your decision. I encourage you to be thinking in those terms and get on with it because right now it's looming out there and it's confusing to everybody.

Councilor White states I know you rotate department heads in your absence for vacations and other instances, do you think that could work in this situation?

Craig Ward responds I'm not going to speak to that. It's the Council's decision what they want to do. I would not recommend that you rotate. When I took the job here I went through the interview process really identical to this and what happened at the end of that was that I was informed that I had been selected and we would be negotiating a contract. I then made arrangements to come here and negotiate a contract and that took a few days. After that I was offered the job and I then had to move here. Typically the contract for City Managers requires that you give 30 days' notice to the previous employer. By the time you make the decision and negotiate a contract and go through that process, 2 months elapse is easy. I think it's unfair to ask a department heads to be acting City Manager in my absence. You're welcome to ask department heads if they're willing to bear their current job as well as the additional responsibility as a City Manager. That could quite possibly be up to 4 months in 2017.

Mayor Daoust asks, are you willing to be an Interim City Manager from January through the date needed?

Craig Ward responds I am willing to talk.

Ed Trompke states I was looking at the executive session rules and they do allow for an executive session if you wish to have one for the hiring of specific individuals but not for general discussion.

Craig Ward states there is an open house for citizen input for Main Streets on Halsey on October 27th from 6:30 to 8:30 at the Wood Village Baptist Church. This is a collaborative effort between Fairview, Wood Village and Troutdale and the County to create a shared vision for the Halsey Corridor and is a public open house. November 8th is Election Day and at this point there is no regular Council meeting scheduled. November 11th is the Veteran's Holiday and all non-emergency City facilities will be closed. November 22nd we

have the only November City Council meeting scheduled. We have penciled in on the calendar for the Council for November 29th when we hope to have election results from the County and the City Council can then certify those election results. December 13th is also the only meeting in December because the December 27th meeting is canceled. The final item is we have begun planning for the Mayors outgoing reception December 16th at the Troutdale House. Unfortunately we don't have much budget for this. Sarah, can you give a summary of what you recommend for the Mayors reception?

Sarah Skroch states I contacted the Troutdale House and they do have that evening available. It's \$230.00 per hour and I would anticipate 3 to 4 hours with setup and cleanup. They have given us some information as far as some catering and it's about \$12 to \$15 per person. I was looking back at what we had for Paul Thalhofer's reception at Edgefield and we had sent out invitations and asked people to pay to attend and that went towards the cost for the food and the room. I believe we only had \$300.00 budgeted for basically a gift. If we followed the same practice we did for Paul Thalhofer and charged per person including food and the room charge I'm thinking \$1000.00 to \$1200.00.

Craig Ward states I would say \$1500.00 and that way we have enough money to do it.

The Council consensus was to proceed with a budget of \$1500.00.

11. COUNCIL COMMUNICATIONS

Councilor Brooks states I wanted to thank the Young Marines for coming in. That was really neat to see especially serving in the Marine Corps myself. I appreciated that. Also, I had the opportunity to go to the VA Stand Down event over the weekend. It was an amazing event. There was public support and homeless vets and the community really coming together.

Mayor Daoust states on the 18th of October I went to the grand opening of Hiroshi Morihara's company called HM3 and it is right here in Troutdale. He has really done fantastic work to take wood waste and turn it into energy. He has used a technology and created a dense bio-fuel that looks like charcoal briquettes that is waterproof and it burns just like coal. It could be a substitute for coal fired power plants. He has produced the technology that he could provide to companies that want to build a big plant that could produce this bio-fuel to larger companies. Senator Wyden and other State representatives were there. A little about what this bio-fuel to replace coal is, it's called torrefied biomass. When I worked with the Forest Service part of my staff was involved with finding markets for wood waste after logging or after thinning. The markets we were looking for tied really nicely into what he's doing here in Troutdale. Pound for pound it gives the same energy as western coal and 30% more energy than wood pellets. Its greenhouse gas neutral with no mercury or sulfur emissions and a 30% reduction in nitrous oxide emissions. It's a very good demonstration. Another thing I want to talk about is a handout from the Columbia Gorge Express (a copy of the handout can be found in the meeting packet). I forwarded this via email to the Council also. This summer ODOT put together this bus system to shuttle people to Multnomah Falls. It really turned out that the expectations were exceeded. ODOT put forward this pilot study this year. The buses leave from the Gateway

Transit Center and it's a \$5 charge or you could park at Rooster Rock State Park and take it from there. Both options were highly successful with a lot of positive feedback from the riders. They did some surveys and 93% of those that responded said that it met their needs, 93% would recommend the Columbia Gorge Express to others and 84% of the riders boarding at Gateway Transit Center would consider using the service for one or more trips to Multnomah Falls in the future. They're planning on continuing it next year. One of the lessons they learned was that they started out with buses that were too small. In the middle of the summer they got bigger buses and that accommodated the crowds better.

Councilor Wilson asks, how did the other shuttle, Gray Line, do?

Craig Ward responds you may recall that around the early part of this year, Gray Line of Portland approached us and they intended to run a shuttle similar to this. It was a shuttle for profit essentially meeting the same needs. They wanted to rent parking spaces from us and ultimately the Council decided we could do that and I signed an agreement with them to do that. We never saw a coach or bus and never saw a dime after this agreement. They never did the shuttle. I've reached out to them but I have not received replies.

Mayor Daoust states I also want to bring up that tomorrow I have a meeting at Metro on the Urban Growth Boundary Task Force at 2:30pm. Friday there is a business recycling meeting with Metro with Craig and I and Shirley Craddick and maybe other people from Metro coming out to talk. On November 4th at 10:30 I have a meeting with the Holt Group. This is a development company that is interested in long term investments of purchasing land if the Urban Growth Boundary is going to be expanded. Craig, is your meeting space open on November 4th? Can you check on that and get back to me? I'm opening this up to anybody else on the Council who wants to come to this. It's an investment company that builds subdivisions where they look out long term 15 to 20 years in the future and where they can invest their money by purchasing land if the options of the future look promising. On November 7th I have an East Multnomah County Transportation Committee meeting and on November 9th I have a Regional Mayors meeting and also on that day is the Greater Portland Inc. small cities consortium.

Councilor White states I had my hand up after what you said about public comment and I was just going to say that I disagree with that. I welcome public comment good or bad, positive or negative. I think we always need to hear it. I also want to thank the Young Marines. I love it when they come in. It's a good reminder to thank veterans for their service and I want to take this opportunity to thank Corey Brooks and Rich Allen for their service. Last, are we going to take the Gray Line signs down?

Craig Ward responds I've already directed Public Works to remove the signs.

Councilor Allen states I appreciate the Red Ribbon reminder. It's a good thing for us all to remember.

Councilor Ripma states I want to remind everyone to vote.

12. ADJOURN

MOTION: Councilor Ripma moves to adjourn. Councilor Wilson seconds. The motion passes unanimously.

Meeting adjourned 9:01pm.

Doug Daoust, Mayor

Dated: _____

DRAFT

ATTEST:

Kenda Schlaht, Deputy City Recorder

CITY OF TROUTDALE

City Council - Regular Meeting

7:00PM

Tuesday, October 25, 2016

PLEASE SIGN IN

Name - Please Print	Address	Phone #
Mary Massey-LCYM		
DAN VIZZINI	PSU OREGON SOLUTIONS	971-207-7552
Jed Schoening	MCDID	(503) 281-5675
Andrzej Tron		503-545-1856
PAUL WILGETS		
Frank Castillo White		503-888-1405
Carol All	Troutdale	503-701-8979
Jennie Arnold	Fairview	



Levee Ready

COLUMBIA

FLOOD PROTECTION FOR THE PORTLAND COMMUNITY

Troutdale City Council

Levee Ready Columbia Project Updates

Joel Schoening & Dan Vizzini

October 25, 2016



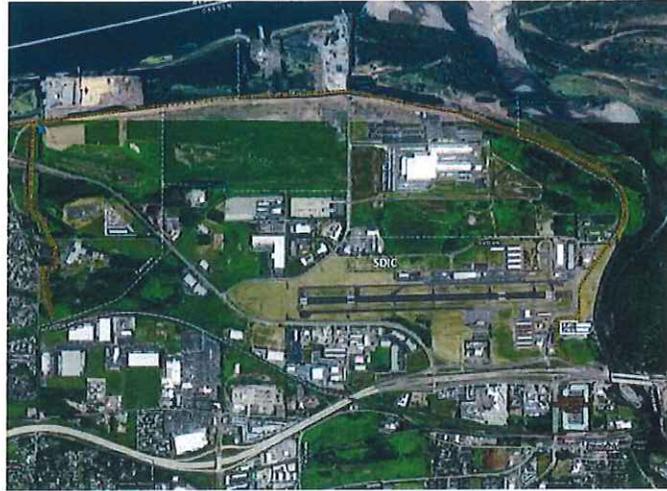
- Drainage and flood-control system with 45-miles of federally authorized levees
- Project goals:
 - Re-certify the systems and maintain accreditation with FEMA
 - Stay active in USACE Rehabilitation and Inspection Program

Background - Columbia Corridor Levee System



Levee Ready Columbia project work

- Certification and Accreditation
- Risk Assessment
- Rehabilitation and Inspection
- Community Engagement



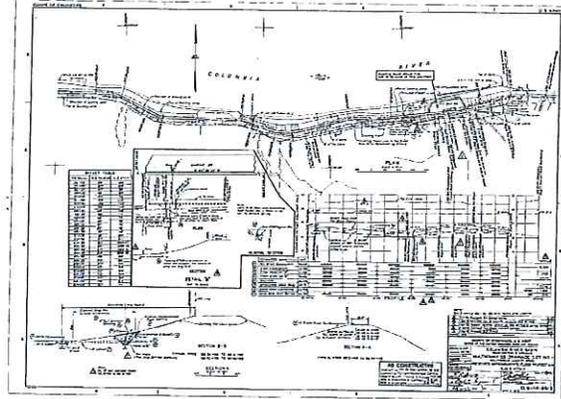
MCDD & SDIC Levee Engineering Assessments



Certification and Assessment

Certification and Accreditation Phase 1

- ✓ Review of document from District and USACE archives.
- ✓ Subsurface information exists but lacks the data needed for modern engineering analyses.
- ✓ Substantial drilling work plan for both districts will be needed



MCDD & SDIC Levee Engineering Assessments



Phase 1: Interior Drainage

- SDIC: Existing interior drainage model needs minor updates.
- MCDD: Existing interior drainage model is not suitable in its current condition and requires updates/revisions



MCDD & SDIC Levee Engineering Assessments



Certification and Accreditation Next Steps

- Draft has been reviewed by Technical Advisory SC
- Final report released by late October
- Early Nov: Receive boring work plan to review and get approval from USACE
- Mid-Nov: Traffic mobilization & permitting
- Winter: begin collecting boring data



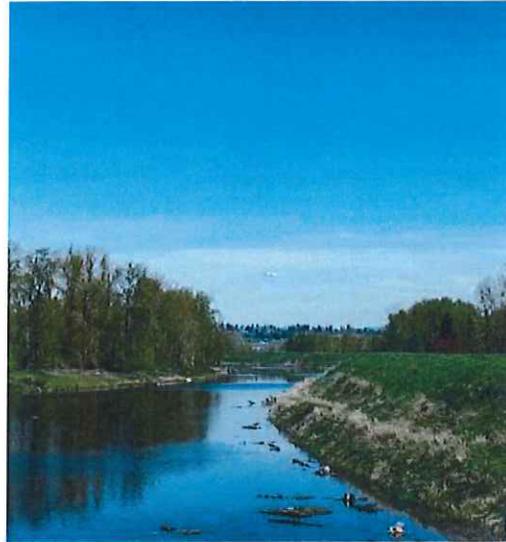
MCDD & SDIC Levee Engineering Assessments



Risk Assessment

Risk Assessment Projects

- Economic Asset Inventory
- Environmental Conditions Assessment
- Community Asset Inventory
- Future Flood Stage Conditions
- Hazus modeling



LECA – Summary of Work to Date



Ocean boundary
(MCR)



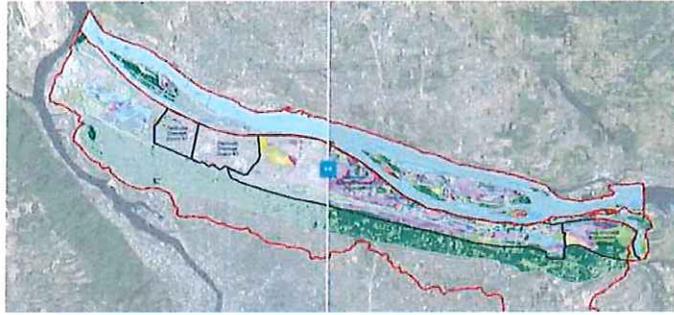
Upstream
boundaries

Columbia River Flood Stage – Future Conditions



Levee Environmental Conditions Assessment Update

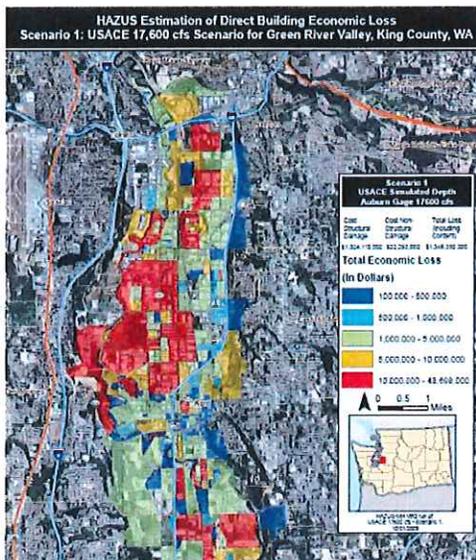
- To date: 19 map sets
- Data Inventory
- Draft narrative
- Webmapping tools
- Check-in meetings with the Environmental Subcommittee
- On schedule to complete the Assessment by end of October 2016



LECA – Summary of Work to Date



Portland Metropolitan Area – Drainage Districts Hazus-MH Analysis & Community Asset Mapping



- Fully funded by FEMA - \$114,000
- Goals:
 - Analysis of estimated damages of flood scenarios
 - Capture and document flood risk
 - Inform flood emergency response
 - Feed into decision making framework

FEMA Continuing Technical Partnership Grant



Community Asset Inventory: Phase 1

- Creating the draft inventory
 - Interviews
 - Field research
 - Review of existing documents
- Review of literature and case studies
- Mapping in progress
- 175 assets identified
 - Agricultural resources
 - Community centers
 - Gathering places
 - Community programs



Community Outreach Update



Community Asset Inventory: Next phase

- Received \$20K from FEMA to put towards this effort.
- Valuing assets
- Mapping challenges
- Clarify asset categories
- Check scope with partners
- Community review
- Final Deliverable



Community Outreach Update





Levee Ready COLUMBIA

FLOOD PROTECTION FOR THE PORTLAND COMMUNITY

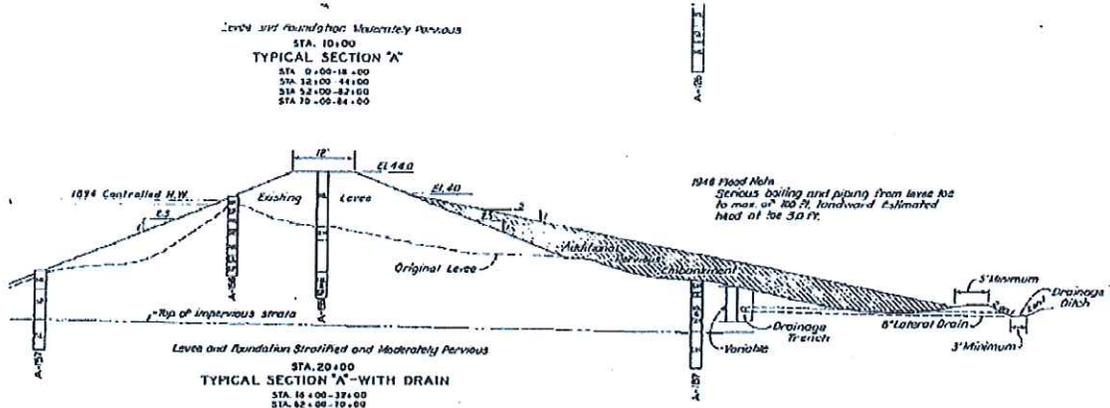
USACE Rehabilitation & Inspection Program *PL84-99 Project Work*

Rehabilitation and Inspection Program (RIP) Recap

- **Two types of inspections**
 - Routine: generally every two years
 - Periodic: generally every five years
- **Why do we want to remain active in the RIP?**
 - One of LRC's primary goals is to remain active in federal programs
 - Preparedness
 - Flood Fighting Assistance
 - Rehabilitation after flood event

SDIC - Toe Drain Inspection and Assessment

- Project identified during 2015 Periodic Inspection.
- Project to locate, unearth, clean, inspect, assess, and develop any remediation.



What's a Toe Drain you ask?



SDIC Toe Drain Inspection and Assessment Update

- GPR locate of 53 toe drains
- Located all drains in the field
- MCDD crew cleared toe drains
- Active procurement for CCTV inspection and PACP rating
- Rehabilitation plan based on findings will be developed



SDIC Toe Drain Assessment – Work to Date



Upcoming RIP Project Work

- MCDD and SDIC Encroachment Evaluations
- PEN 2, MCDD, and SDIC Outfalls
- Develop work plans in MCDD and SDIC Periodic Inspections



What's Next?



Communications & Outreach

39

Events and Presentations

1576

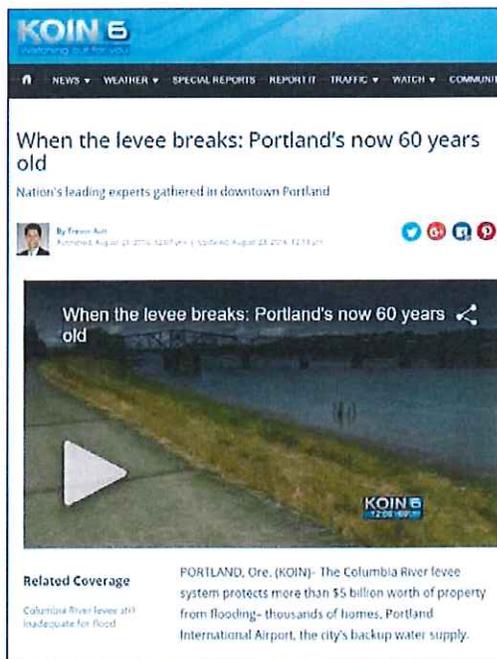
Direct, face-to-face engagements

4876

Digital reach



Outreach Results to Date



In the News!





Levee Ready COLUMBIA

FLOOD PROTECTION FOR THE PORTLAND COMMUNITY

Upcoming Meeting:

November 16, 2016 – 3:00-5:00 p.m.
Levee Ready Columbia Partners Meeting
Located at Portland State University



Levee Ready COLUMBIA

FLOOD PROTECTION FOR THE PORTLAND COMMUNITY

Thank You!

For more information:

www.leveereadycolumbia.org

jschoening@mcdd.org

(503) 281-5675

Holder Tract Annexation

Case File 16-014

Type IV Procedure – City Council Resolution

October 25, 2016

Staff Presentation

The Property & Applicant

- **Location:**
27510 SE Sweetbriar Rd
- **Status:** Developed
- **Size:** +/- 2 acres
- **Zoning:** R-10 Single Family Residential
- Urban Planning Area (unincorporated)
- **Applicant:**
Richard & Lillian Holder



3

The Application

- Annexation into the City of Troutdale
- Maintains existing zoning district (R-10) and land use designation (low-density single family residential)
- No development, redevelopment, or subdivision proposed
- Access to city utilities

Applicable Criteria

City Standards

- Comprehensive Land Use Plan
- Construction Standards for Public Works Facilities
- Troutdale Development Code >>>>>>

Metro Code Chapter 3.09

Local Government Boundary Changes

Troutdale Development Code (TDC)

- Ch. 1 (Introductory Provisions)
- Ch. 2 (Procedures for Decision-Making)
- Sec. 3.020 R-10 Single-Family Residential
- Sec. 6.000 Annexation
- Ch. 8 (Site Design)
- Ch. 16 (Public Deliberations & Hearings)

5

Review Procedure

Type IV Quasi-Judicial Procedure

- Public Hearing
- Planning Commission review & recommendation
- City Council review & decision
City Council is the decision-making entity

If there is an appeal...

1. State Land Use Board of Appeals (LUBA)

Timeline

- March 2016: Pre-Application conference
- August 2016: Submittal
- September: Notices sent & property posted
- October 5: Staff Report created
- October 12: Planning Commission Hearing
- ***October 25: City Council Hearing***

6

Notification & Comments

Who Was Notified

- Nearby property owners
- City of Troutdale
 - Planning
 - Public Works
- Oregon Dept of Conservation & Land Development (DLCD)
- Metro
- Multnomah County Land Use Planning

Comments Received

- Yes (in writing and at meeting; neutral)
- Yes
 - Yes
 - Yes
- No
- No
- No

Analysis

This property is surrounded by similar types of single-family residential properties and is also designated and zoned to be of the same use based on the City’s official maps and its Urban Planning Area Agreement with Multnomah County.

Based on discussions with the applicants (who are also the property owners living on the site), there is no intended future development of the property and that access to utilities is the major motivator.

The Urban Planning Area (UPA) was designed in part to encourage unincorporated properties to annex into the City to obtain services, as the City was or was planning to provide them to adjacent areas.

TDC Decision Criteria [TDC 6.010]

- 1. The proposal conforms to the Comprehensive Land Use Plan (Comp Plan), or substantial changes in conditions have occurred which render the Comp Plan inapplicable to the annexation.**

Finding: Annexation of this particular property is relatable to several goals. Goal 14 (Urbanization) in particular is relevant. Goal 14 lists six policies for urbanization, one of which states "Annex those areas within the City's [Urban Planning Area] when services are requested."

Criterion is met.

TDC Decision Criteria [TDC 6.010]

- 2. Inclusion of the territory within the City would be consistent with the purpose served by the City.**

Finding: As one of its primary services it offers, the City provides high quality water, sanitary sewer, and wastewater services to properties within the incorporated areas. Through Goal 14 policy, the services are provided to contiguous unincorporated properties in order to facilitate an orderly annexation into the City if and when it is requested.

Criterion is met.

Metro Decision Criteria *[TDC 6.010]*

The [boundary] change is consistent with expressly applicable provisions in:

d. Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities & services.

FINDING: The current Public Facilities Plan was adopted in May 2014. Public Works Staff has provided commentary on this application and has met with the applicants to discuss tie-in procedures and system development charges. This annexation petition is consistent with the Plan. The criterion is met.

e. Any applicable comprehensive plan.

FINDING: See the Findings associated with the Troutdale Development Code. The criterion is met.

Recommendations

Staff recommends **approval** of the Annexation petition.

Planning Commission voted unanimously to recommend **approval** of the Annexation petition.

Public Testimony

Public Testimony

Order of Testimony

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

Reminder:

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

Requesting Additional Time

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



CITY OF TROUTDALE

STAFF REPORT



SUBJECT / ISSUE: A Resolution Approving the Appointment of Raymond Young as Interim City Manager and Authorizing a City Official to Negotiate and Execute a Temporary Employment Agreement.

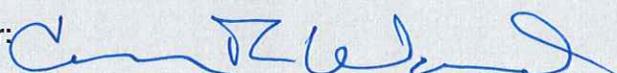
<p>MEETING TYPE: City Council Regular Mtg.</p>	<p>MEETING DATE: November 22, 2016 STAFF MEMBER: Erich Mueller DEPARTMENT: Finance</p>
<p>ACTION REQUIRED Consent Agenda Item PUBLIC HEARING No</p>	<p>ADVISORY COMMITTEE/COMMISSION RECOMMENDATION: Not Applicable</p>
<p>STAFF RECOMMENDATION: Approved the proposed resolution providing a period of concurrent service to support a smooth administrative and management transition.</p>	
<p>EXHIBITS: none</p>	

Subject / Issue Relates To:

- Council Goals
 Legislative
 Other: **Administrative transition**

Issue / Council Decision & Discussion Points:

- ◆ The City Manager position will be vacant at year end due to the announced retirement of Mr. Ward.
- ◆ An opportunity exists for a period of concurrent service to facilitate administrative and management transition.
- ◆ An Interim City Manager providing necessary coverage until the successor City Manager is hired.

Reviewed and Approved by City Manager: 

BACKGROUND:

In order to allow the City Council time to conduct a search for a successor, the City Manager informed the Council of his intention to retire at the end of 2016. At the July 19, 2016 meeting the Council authorized an agreement satisfying the City's existing employer obligations and providing for a smooth transition.

At the August 9, 2016 meeting the Council considered the need for an Interim City Manager and for a successor City Manager. Council decided to defer consideration of an Interim City Manager to a later date.

August 17, 2016 the City published a public Request for Proposal (RFP) for Professional Recruitment Services for the City Manager position.

September 13, 2016 the Council selected The Prothman Company (Prothman) proposal to provide recruitment services and authorized staff to negotiate and complete a contract for services.

On October 10, 2016 representatives from Prothman met with elected officials, City management staff, and held a Public Input on Hiring the Next City Manager meeting for community members, to gather input for the recruitment.

On October 25, 2016 after a public hearing, the Council adopted hiring standards, criteria and policy directives for recruitment of the successor City Manager, which included the estimated timeline projecting a successor City Manager may not be selected, hired, and able to start work until mid-March 2017, or later. At present, with the anticipated retirement of Mr. Ward, the City Manager position could be vacant beginning January 1, 2017 for up to four months.

At the November 15, 2016 work session the Council discussed four potential approaches to provide an Interim City Manager during the expected January to April 2017 period. Options for filling an Interim City Manager Position considered included: extending Mr. Ward's employment (90-120 days), attempting a brief recruitment for a 4 month Interim City Manager engagement, a "flex-time" option from former Interim, Ron Garzini, or to designate an existing City Department Director as Interim City Manager.

Council discussed and determined that a period of concurrent service would benefit the City by supporting a smooth administrative and management transition of duties. Council selected current Troutdale municipal court judge Raymond Young to potentially serve Interim City Manager. Staff was directed to proceed with confirming availability and willingness, and securing the services of Mr. Young as soon as reasonably possible.

SUMMARY:

Staff has begun the process of preparing to hire Mr. Young as Interim City Manager, subject to and subsequent to Council approval of the proposed resolution.

PROS AND CONS:

- A. Approve the proposed resolution providing the position appointment and leading to a timely, appropriate and professional transition.
- B. Not approve the proposed resolution delaying the process and potentially complicating the administration and management transition, and increasing costs.

Current Year Budget Impacts <input checked="" type="checkbox"/> Yes (<i>describe</i>) <input type="checkbox"/> N/A Concurrent service costs and subsequent Interim City Manager compensation.
Future Fiscal Impacts: <input type="checkbox"/> Yes (<i>describe</i>) <input checked="" type="checkbox"/> N/A
City Attorney Approved <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A
Community Involvement Process: <input type="checkbox"/> Yes (<i>describe</i>) <input checked="" type="checkbox"/> N/A

RESOLUTION NO.

A RESOLUTION APPROVING THE APPOINTMENT OF RAYMOND YOUNG AS INTERIM CITY MANAGER AND AUTHORIZING A CITY OFFICIAL TO NEGOTIATE AND EXECUTE A TEMPORARY EMPLOYMENT AGREEMENT.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. That the City Manager has informed the City Council of his intention to retire at the end of 2016.
2. The City Council has undertaken to recruit, interview, select, and hire a successor City Manager, the process of which is unlikely to be completed until at least March 2017.
3. As the City Manager position will be vacant effective January 1, 2017, the Council has determined that it is both necessary and desirable to have the City Manager position staffed with an interim City Manager until such time as the successor City Manager is hired.
4. The Council is desirous for the City to benefit from a period of concurrent service to begin as soon as reasonably possible to support a smooth transition of City Manager duties to the Interim City Manager.
5. The Council has selected Raymond Young to serve as Interim City Manager and has directed staff to proceed with an appropriate temporary employment agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE:

Section 1. In accordance with Section 2.04.010.A of the Troutdale Municipal Code Raymond P. Young is hereby appointed as Troutdale City Manager effective January 1, 2017, subject to negotiation and execution of a temporary employment agreement.

Section 2. The authorized City Officials are directed to begin Mr. Young's employment prior to January 1, 2017 and as soon as reasonably possible to support a smooth transition of duties.

Section 3. In accordance with Section 21.D. of the City Charter, the term of employment shall be temporary and shall continue until the Council hires a successor City Manager, however, nothing in this resolution shall prevent a majority of the Council from removing the City Manager at any time. The City Manager shall serve at the direction and pleasure of the City Council.

Section 4. The City Attorney, Ed Trompke, and Finance Director and City Personnel Officer, Erich Mueller, (each a "City Official") are designated to act jointly and cooperatively, and in consultation with employment law counsel, on behalf of and in the best interest of the City consistent with the consensus of the City Council, and without further action by the City Council, the City Officials are hereby, authorized, empowered and directed to negotiate the terms of, and to execute, a temporary employment agreement on behalf of the City.

Section 5. Further, consistent with intent of this resolution, and in the best interest of the City, the City Officials are authorized to determine, negotiate, execute, acknowledge and deliver any subsequent addendums, extension, revisions, modification, or successor documents, and all other required and necessary supporting documents, and to take any other action as may be advisable, convenient, necessary, or appropriate to give full force and effect to the terms and intent of the resolution or agreement, and the execution thereof by any such City Official shall be conclusive as to such determination.

Section 6. The Finance Director is authorized to disburse funds, as necessary to fulfill the terms and conditions of the agreement, and is further directed to implement all such actions necessary to ensure budgetary compliance.

Section 7. This Resolution shall take effect immediately upon adoption.

YEAS:
NAYS:
ABSTAINED:

Doug Daoust, Mayor

Date

Sarah Skroch, City Recorder
Adopted:

- ◆ The water main that occupied the subject easement has been replaced with a new water distribution system within the new public rights of way and new easement.
- ◆ The new water system within the subdivision adequately loops 14th Street to the existing water distribution system.
- ◆ With the new looped water system within the new public rights of way and new easement, there is no need to retain the existing easement for the administration of public services.

BACKGROUND:

In 1972, Patricia and Albert Mauck granted a 30' wide easement to the City across their property, now the site of the Gateway Estates subdivision, for the construction of a water main to loop the water system from SW 14th Circle to SW 257th Avenue. The waterline was constructed within the easement and was operated by the City since that time.

In 2015, Gateway Estates LLC, obtained approval to develop the subject property as the Gateway Estates subdivision. In the spring of 2016, Gateway Estates LLC commenced construction of the subdivision infrastructure improvements. Those improvements are practically complete. As of the writing of this staff report, the final inspection has occurred and the developer is in the process of completing the final construction "punch list". Concurrently, the developer is in the process of recording the plat for Gateway Estates.

The infrastructure improvements for the subdivision included replacement of the existing loop water main with new water distribution mains for the subdivision that are looped to the existing water system in SW Wright Place. The plat of Gateway Estates includes dedication of new public rights-of-way and a new realigned water line easement across Lot 11. The new water distribution mains are contained entirely within the new public rights-of-way and new easement.

With the provision of new looped water mains within public rights-of-way and new easement, the existing 1972 easement is no longer needed for the administration of public services, and creates an unnecessary encumbrance on some of the subdivision lots. Retaining the easement would continue the encumbrance of lots 11, 12, 13 and 17, and could limit the ability of the developer to fully develop some of those lots.

The developer has submitted a request for the City to vacate the easement and has provided a legal description and exhibit drawing of the easement prepared by a licensed surveyor.

PROS & CONS:

Pros:

- Removes an unnecessary encumbrance on privately owned lots within the Gateway Estates subdivision.
- Removes a potential barrier to full development of the some of the subdivision lots.
- The easement is no longer needed for the administration of public services.

Cons

- None

Current Year Budget Impacts Yes (*describe*) N/A

Future Fiscal Impacts: Yes (*describe*) N/A

City Attorney Approved NA Yes

Community Involvement Process: Yes (*describe*) N/A

Exhibit A

11/22/16 Council Mtg. – Item #2.3



Firwood Design Group, LLC
SURVEYING ♦ ENGINEERING ♦ PLANNING

EXHIBIT 'A'
VACATION OF 30' WIDE UTILITY EASEMENT

That portion of the 30 foot wide City of Troutdale Utility Easement described in Book 913, Page 552 recorded on March 3, 1973, Multnomah County Deed Records, as located in Lot 19 of "TROUTDALE PARK", in the northeast quarter of Section 35, Township 1 North, Range 3 East, Willamette Meridian, City of Troutdale, Multnomah County, Oregon, being more particularly described as follows:

Beginning at a 5/8" iron rod with a yellow plastic cap marking the northeast corner of the plat of "CHERRY MEADOWS", Multnomah County Plat Records; thence following the west line of the plat of "VILLAGE GREEN LOTS 20-39", Multnomah County Plat Records, North 01°23'36" East a distance of 109.98 feet to the "TRUE POINT OF BEGINNING"; thence leaving said west line and then following the southerly line of the 30.00 foot wide easement described said Book 913, Page 552, North 88°15'16" West a distance of 631.35 feet to the intersection with the east right-of-way line of Southwest 257th Avenue (being 40 feet from centerline); thence following said east right-of-way line, North 01°24'34" East a distance of 30.00 feet; thence leaving said east right-of-way line and following northerly line of the said 30.00 foot wide easement described said Book 913, Page 552, South 88°15'16" East a distance of 631.34 feet to the intersection with the said west line of VILLAGE GREEN LOTS 20-39"; thence following the said west line, South 01°23'36" East a distance of 30.00 feet to the the "TRUE POINT OF BEGINNING".

The above described 30 foot wide vacation strip of land contains 18,940 square feet, more or less.

All bearings are based upon Multnomah County Survey No. Survey No. 61794.

An EXHIBIT 'B' sketch is supplemental to this description, and by this reference is made apart hereof.

File: E07-050A
Revision date: 10/26/16
By: GWH



RENEWS: 06/30/17

GATEWAY ESTATES, LLC.

City of Troutdale
Attn: Travis Hutlin
219 East Historic Columbia River Highway
Troutdale, Oregon 97060

RE: Vacate Easement

November 1, 2016

Travis Hutlin:

Please accept this letter, as a request to 'vacate' the existing easement for the property described below. This request is in conjunction with the recent residential development of Gateway Estates Subdivision. All public utilities have been abandoned, removed, and inspected by the City. The easement is no longer needed, or used. Other easements on the property can accommodate future needs of public utilities. The existence of this current easement greatly restricts the future use of the property.

- Property ID # R290706
- Tax Roll # Troutdale PK, LOT 19 W 170' OF S 100' EXC PT IN ST
- State ID # 1N3E35AA 5700
- Alt Account # R843502870

Feel free to contact our office with any additional questions or concerns, or additional requirements to complete this request.

Respectfully,



Gateway Estates, LLC.
Alex Mauck / Owner & Developer

Exhibit D

11/22/16 Council Mtg. - Item #2.3

UTILITY EASEMENT

NE 1/4
Sec. 35, T1N, R3E

KNOW ALL MEN BY THESE PRESENTS, That PATRICIA EARLY
AND ALBERT M. MAUCK, Board of Trustees of said

grantor, in consideration of TWO DOLLARS
to grantor paid, the receipt whereof hereby is acknowledged,
does hereby grant to the City of Troutdale, Oregon, its suc-
cessors and assigns, referred to herein as the City, a permanent
right to construct, reconstruct, operate and maintain utility
lines, and all necessary related facilities under the following
described land:

A strip of land 30 feet in width in Section 35, T1N, R3E, W.M., Multnomah
County, Oregon, the northerly side of which is described as follows:

Beginning at the common corner of Sections 25, 26, 35 and 36 Township 1
North of Range 3 East of W.M. thence south 89°52'30" west 1521.3 feet to
a point which is the point of intersection of the centerlines of N.E.
Cherry Park Road and N.E. 257th; thence south 0°2'30" east 853.91 feet
along centerline of N.E. 257th; thence south 89°42'20" east 20 feet to a
point on the east right-of-way line of N.E. 257th which is the point of
true beginning of herein described easement; thence south 89°42'20" east
659 feet more or less to the east property line of Lot 19 of Troutdale Park.

TO HAVE AND TO HOLD the above easement unto said City its
successors and assigns, forever.

IN ADDITION THERETO, The Grantors do hereby give unto the
City, a construction easement of 10 feet in width along and
abutting the south side and for the full length of
the aforementioned and described permanent easement.

It is the intent that the outer defined limits of the per-
manent and construction easements extend from property line to
property line.

TO HAVE AND TO HOLD said construction easement and right of
way unto said City, its successors and assigns, during construc-
tion of the utilities and related facilities.

The City shall fill all excavations as soon as practicable
after opening, dispose of all brush and debris, and replace in
like condition all improvements, trees, ornamental shrubs and
crops, if practicable, and as soon as practicable after damage

or destruction, but if not practicable then pay to Grantors, their heirs and assigns, the reasonable value thereof.

Grantors reserve the right to use the surface of the land for walkways, driveways, planting, and related purposes; and all utility facilities shall be at a depth consistent with these purposes. No building shall be placed upon the granted property, however, without the written permission of the City.

The Grantor agrees to pay to the City of Troutdale a proportionate share of the cost of the waterline at such time the Grantor connects to the waterline for water service. The proportionate share shall be based upon the actual cost of constructing the waterline on front foot basis for property adjacent to the waterline.

The only other persons, firms, or corporations known by Grantors to have any interest in the granted property are:

Dated this 10th day of July, 1972.

Albert M. Mauck

Patricia A. Mauck

STATE OF OREGON)

) SS

July 10, 19 72

County of Multnomah)

Personally appeared the above-named Albert M. Mauck and

Patricia A. Mauck

and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me Trudy D. Wright

Notary Public for Oregon

My Commission expires: March 5, 1975



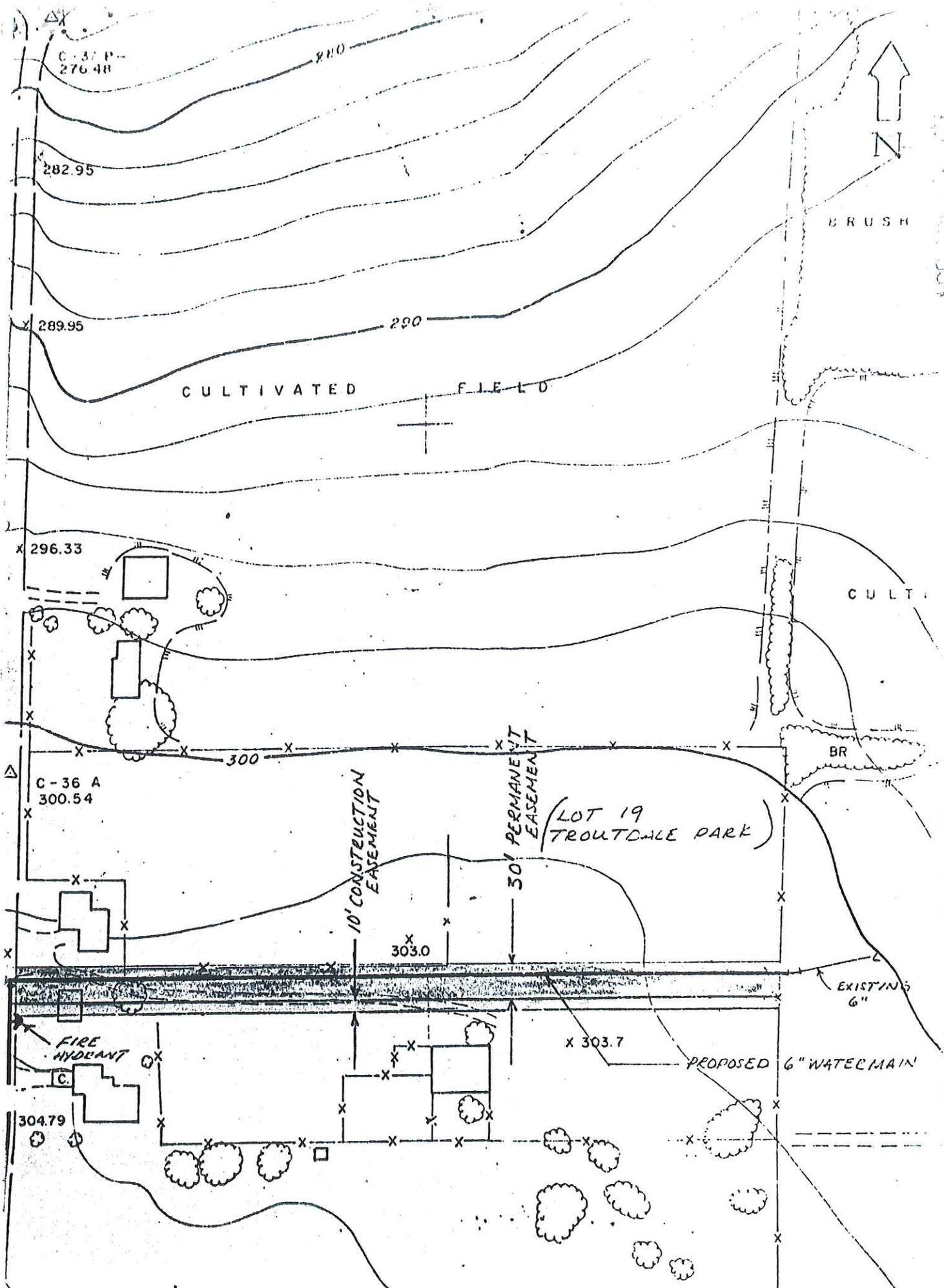


EXHIBIT E



Gateway Estates Site

Legend

- SW 257th Ave
- SW 25th Ave
- SW 26th Ave
- SW 27th Ave
- SW 28th Ave
- SW 29th Ave
- SW 30th Ave
- SW 31st Ave
- SW 32nd Ave
- SW 33rd Ave
- SW 34th Ave
- SW 35th Ave
- SW 36th Ave
- SW 37th Ave
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- SW 76th Ave
- SW 77th Ave
- SW 78th Ave
- SW 79th Ave
- SW 80th Ave
- SW 81st Ave
- SW 82nd Ave
- SW 83rd Ave
- SW 84th Ave
- SW 85th Ave
- SW 86th Ave
- SW 87th Ave
- SW 88th Ave
- SW 89th Ave
- SW 90th Ave
- SW 91st Ave
- SW 92nd Ave
- SW 93rd Ave
- SW 94th Ave
- SW 95th Ave
- SW 96th Ave
- SW 97th Ave
- SW 98th Ave
- SW 99th Ave
- SW 100th Ave



RESOLUTION NO.

A RESOLUTION VACATING A UTILITY EASEMENT THAT IS NO LONGER NEEDED DUE TO THE RELOCATION OF UTILITIES AND DEDICATION OF PUBLIC RIGHTS-OF-WAY ASSOCIATED WITH THE GATEWAY ESTATES SUBDIVISION

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. The City presently holds a 30' wide utility easement crossing the property identified as TLID 1N3E35AA-05700 to accommodate a public water main, recorded in Book 913, Page 552 of Multnomah County Records.
2. TLID 1N3E35AA-05700 is the site of the Gateway Estates subdivision.
3. The plat of Gateway Estates is being recorded, and the utility improvements for the subdivision are virtually complete, including the reconfiguration of water mains to reside within new public rights-of-way and a new easement.
3. The construction of new water distribution mains in the Gateway Estates subdivision, and the dedication of new public rights-of-way and easement on the subdivision plat, render the existing easement no longer necessary for the administration of public services, specifically the provision of public water service.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE

Section 1. The 30' wide utility easement recorded in Book 913, Page 552 of Multnomah County Records, described in Attachment A and depicted in Attachment B, is hereby vacated.

Section 2. This resolution is effective upon adoption.

YEAS:
NAYS:
ABSTAINED:

Doug Daoust, Mayor

Date

Sarah Skroch, City Recorder
Adopted:



CITY OF TROUTDALE



STAFF REPORT

SUBJECT / ISSUE: An Ordinance to provide a procedure to request a building number different from the uniform system adopted by the City Of Troutdale, granting authority to the Building Official to determine a building number and providing a process for appeal.

MEETING TYPE:
City Council Regular Mtg.

MEETING DATE: November 22, 2016

STAFF MEMBER: Stephen Winstead
DEPARTMENT: Building

ACTION REQUIRED
Ordinance - Introduction

ADVISORY COMMITTEE/COMMISSION RECOMMENDATION:
Not Applicable

PUBLIC HEARING
No

Comments:

STAFF RECOMMENDATION: Approval of modifications to Troutdale Municipal Code Chapter 15.30 to permit the Building Official discretionary approval of preexisting addresses that are not compliant with the adopted grid system.

EXHIBITS:
N/A

Subject / Issue Relates To:

- Council Goals Legislative Other (describe)
#4 – Continue to remove barriers to development and permitting

Issue / Council Decision & Discussion Points:

- ◆ The City of Troutdale has many properties that are not addressed properly according to the uniform system established for addressing. This system is a grid overlay that is used by all City services, Gresham Fire, Police and other first responders. By amending the current ordinance, the Building Official will have authority to make a discretionary addressing determination.
- ◆ The proposed amendment also allows for the final determination of addressing to rest with the City Council by way of appeal should a property owner disagree with the determination made by the Building Official.

Reviewed and Approved by City Manager: 

BACKGROUND:

The City of Troutdale initially was provided a grid system as an overlay for addressing. This grid system consisted of an overlay that was placed over a city map. At the time this was appropriate since we did not have the technology we have today. This overlay addressing technique was not consistently administered and thus addresses were inappropriately assigned.

Recent development of infill subdivisions and minor partitions has brought the addressing issue to light since the City is discovering that many areas are not in conformance with the grid.

The Municipal Code states in Section 15.30.010 that the city is divided into four general districts. Buxton Road/Troutdale Road shall constitute the north and south base line. Historical Columbia River Highway shall constitute the east and west base line.

The numbering for all four directions was established upon the basis of one number for each ten feet of property frontage, wherever possible, starting at the base line with the number one hundred one and continuing with consecutive hundreds at each intersection, again, when possible. There is also a provision which allows for the use of letters, "A" "B" etc., to allow for further identification of the property.

The addressing grid is used by all first responders and is essential in identifying the location of incidents.

Council directed the Building Official during the May 2016 council meeting to work with property owners where possible and to use discretion before readdressing properties off the grid system. This was done without the proposed amendment but the Building Official lacks specific authority to make a determination which does not conform to the addressing grid.

PROS & CONS:

Pros:

- The provision for discretionary addressing by the Building Official for addresses off grid will permit property addresses to remain as they currently exist provided there is reasonable cause as determined by the Building Official, or on appeal, by the City Council. A declaration or other instrument will be recorded after the decision to approve a nonconforming address number ensuring that the approval of the nonconforming address will not extend past the date the property is transferred to a new owner.

Cons

- Addressing consistency for first responders will continue to degrade over time as exceptions to a uniform approach are granted.
- By adopting this amendment, an appeal of the Building Official's addressing decision will be to the City Council, which will lengthen the process and could create unanticipated issues in the addressing process.

Current Year Budget Impacts Yes (*describe*) N/A

This amendment may require additional time by the Building Official for negotiating proposed addressing changes when new subdivisions are approved should nonconforming addresses be impacted by the new subdivisions.

Future Fiscal Impacts: Yes (*describe*) N/A

By approving off-grid addressing, response time may be lengthened which could result in future litigation for loss of life and property if it is determined that response time had a significant impact on the loss. The City does maintain liability insurance through CIS should such a claim be made.

City Attorney Approved N/A Yes

Community Involvement Process: Yes (*describe*) N/A

ORDINANCE NO.

AN ORDINANCE TO PROVIDE A PROCEDURE TO REQUEST A BUILDING NUMBER DIFFERENT FROM THE UNIFORM SYSTEM ADOPTED BY THE CITY OF TROUTDALE, GRANTING AUTHORITY TO THE BUILDING OFFICIAL TO DETERMINE A BUILDING NUMBER AND PROVIDING A PROCESS FOR APPEAL.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. Ordinance No. 746, adopted in 2004 and codified as Chapter 15.30 of the Troutdale Municipal Code, established a street and building numbering system for the City.
2. Certain addresses in the City predating Ordinance No. 746 do not conform to the uniform building numbering system.
3. Residents who have had their address for many years wish to keep their current address but the Building Official currently has no authority to approve a nonconforming address.
4. The City Council has carefully considered testimony at public hearings and has determined that it is in the best interest of the City's residents to establish a procedure to allow the Building Official to consider an application to retain a current address and make a determination to approve or deny such an application.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROUTDALE:

Section 1. The City of Troutdale adds the following section to Chapter 15.30 – STREET AND BUILDING NUMBERING SYSTEM of the Troutdale Municipal Code:

15.30.045 – Application for Nonconforming Building Number.

- A. If a person wishes to retain an existing building number which is improper under the rules for numbering buildings set forth in this chapter, the person may apply to the Building Official to retain the building number and state the reason(s) on the application form why the building number should be retained. The application form shall include a release of liability by the applicant to the City for any claims related to the use of a nonconforming number, and indemnification agreement from third party claims.

- B. The Building Official shall review the application and make a determination as to whether the nonconforming building number may be retained. The Building Official may set conditions, including limiting the length of time the nonconforming building number may be retained but no approval shall extend past the date the property is transferred to a new occupant or owner.
- C. The Building Official shall record an instrument placing the public on notice of a determination approving a nonconforming building number in the appropriate real estate records of the county, that states the event(s), if any, the occurrence of which will trigger changing the pre-existing address to a conforming address. No approval for a nonconforming address shall extend past the date the property is transferred to a new owner, or the date a new occupant takes possession of the approved property.
- D. The Building Official shall notify all affected public safety agencies, including but not limited to police, fire and 911, of the application and accept input from the agencies prior to making a determination.
- E. A determination by the Building Official may be appealed to the City Council. The appeal must be requested in writing and delivered to the City Recorder within 30 days of the determination by the Building Official. The City Council will hear testimony from the applicant and the Building Official and make a final determination.
- F. Failure to change a building number to comply with the determination of the Building Official, or the City Council if appealed, shall make the person subject to the provisions of Section 15.030.100.

Section 2. Section 15.30.090 of the Troutdale Municipal Code is amended to read as follows:

15.30.090 – Enforcement.

It is unlawful for any person to alter any building number which conforms to the provisions of this chapter. It shall also be unlawful knowingly to retain any number which is improper under the rules for numbering buildings set forth in this chapter, or to display any number on a building other than the number assigned the building, *unless the building number has been assigned pursuant to the application process in Section 15.30.045 above.*

YEAS:
NAYS:
ABSTAINED:

Doug Daoust, Mayor

Date _____

Sarah Skroch, City Recorder
Adopted: