



CITY OF TROUTDALE

"Gateway to the Columbia River Gorge"

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, May 13, 2014 – 7:00PM

1. **PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE.**
2. **CONSENT AGENDA:**
 - 2.1 **ACCEPT MINUTES:** April 1, 2014 Work Session, April 8, 2014 Regular Meeting and April 22, 2014 Regular Meeting.
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. **PROCLAMATIONS:**
 - National Public Works Week – May 19-23
 - Multnomah County Library Sesquicentennial Month in Troutdale
5. **PUBLIC HEARING / ORDINANCE (Introduced April 22, 2014):**

An ordinance adopting a new Public Facilities Plan as an implementing element of Comprehensive Land Use Plan Goal 11 Public Facilities and Services in partial fulfillment of Periodic Review Task 3.

Craig Ward, City Manager
6. **PUBLIC HEARING / ORDINANCE (Introduced April 22, 2014):**

An ordinance adopting text amendments to Comprehensive Land Use Plan Goal 11 Public Facilities and Services in partial fulfillment of Periodic Review Task 3.

Craig Ward, City Manager
7. **DISCUSSION:** A discussion of Metro's Solid Waste Community Enhancement Program by Roy W. Brower, Manager, Metro Solid Waste Compliance & Cleanup.

Amy Pepper, Civil Engineer

Mayor Daoust

Mayor

Doug Daoust

City Council

Norm Thomas

Glenn White

David Ripma

Rich Allen

Eric Anderson

John L. Wilson

City Manager

Craig Ward

City Attorney

David J. Ross

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8. RESOLUTION: A resolution approving the proposed concept for Contracted Law Enforcement Services from the Multnomah County Sheriff, and authorizing negotiation of an Intergovernmental Agreement. Erich Mueller, Finance Director

9. RESOLUTION: A resolution adjusting the storm sewer utility fee, and rescinding Resolution No. 2216. Steve Gaschler, Public Works Director

10. RESOLUTION: A resolution adjusting the sanitary sewer utility fee, confirming the average flow rate for an equivalent residential unit, and rescinding Resolution No. 2217. Steve Gaschler, Public Works Director

11. RESOLUTION: A resolution adjusting the water commodity fee, confirming other water related fees, and rescinding Resolution No. 2218. Steve Gaschler, Public Works Director

12. STAFF COMMUNICATIONS

13. COUNCIL COMMUNICATIONS

14. ADJOURNMENT



Doug Daoust, Mayor

Dated: 5/7/14

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 Debbie Stickney, City Recorder at 503-674-7237.

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: Debbie Stickney, City Recorder 503-674-7237.

DRAFT

Agenda Item #2.1
5/13/14 Council Meeting

Troutdale City Council Work Session
Troutdale Police Facility – Community Room
234 SW Kendall Court
Troutdale, OR 97060-2078

Tuesday, April 1, 2014

1. Roll Call

Mayor Daoust called the meeting to order at 6:33pm.

PRESENT: Mayor Daoust, Councilor Ripma, Councilor Anderson, Councilor Thomas, Councilor White, Councilor Allen (6:35pm), and Councilor Wilson.

ABSENT: None.

STAFF: Craig Ward, City Manager; Erich Mueller, Finance Director; Scott Anderson, Chief of Police; Joel Wendland, Lieutenant; Teresa Troutd, Administrative Specialist; and Sarah Skroch, Deputy City Recorder;

GUESTS: See attached.

2. Discussion: A concept proposal for contracted law enforcement services in Troutdale.

Mayor Daoust stated this is very early in the process and we haven't even seen an agreement. We're hearing this for the first time just like you are. There have been some rumors floating around and I'd really appreciate if you could hold your judgment until you hear the details. We will hear the presentation, the City Council will have an opportunity ask questions, and then I will open it up to the public for questions only. Next Tuesday we have a Regular City Council Meeting where we will continue talking about this.

Craig Ward, City Administrator, stated just so that everybody knows it isn't just the Mayor who hasn't seen the agreement, I haven't seen the agreement, Erich hasn't seen the agreement, our Attorney hasn't seen the agreement, the Sheriff hasn't seen the agreement because there is no agreement. All we've done is talk. There are some numbers that have been crunched in order to get a better understanding for how an agreement could be structured. If staff can get direction from the Council as to what the critical bargaining positions are that the City should use, we welcome that. It's very premature to jump to conclusions about whether or not this is good or bad for us. One of the Council's goals for the year is to promote fiscal solvency. I think that you'll see that this will promote fiscal solvency. One of the measures for that is to promote pooling of resources with neighboring jurisdictions. I guess the County could be considered a neighboring jurisdiction so I'll say that this fits. I came to Troutdale from the City of SeaTac, Washington and we contracted for police services with the King County Sheriff. To you this is a very unfamiliar and kind of bizarre that we would do this. To me it's a very well established model that we used with great success. The police force wore City uniforms, not Sheriff's uniforms, the police cars were City police cars. It's unfortunate what I've read in the paper that it's a takeover by the Sheriff.

That is absolutely not true. What we've had is a conversation about how the Sheriff's Office could provide a contract service for us and that's all that we're here to talk about today. In SeaTac we maintained City identity under a contract, we improved the service levels, it gave us improved coordination and supervision, it reduced our risk exposure, we had contractual controls, and we negotiated those and reworked them and had performance measures that we tracked to make sure we were getting the product we were contracting for. We had our own Police Chief, it wasn't the Sheriff, and if I had a problem then I would call my Chief. We expect that if this should all go through as it is currently conceived, Scott Anderson would continue to be our Chief. In my experience, when the Chief changed we had a lot to say about who our new Chief would be. I realize this is an unusual model for Troutdale and I'm not saying that it's a perfect model in any respect but my experience is that it worked and worked quite well.

Scott Anderson, Chief of Police, stated the Sheriff and I have had discussions as far back as 4 years ago. The topics were how can we serve the public better, how can we save the tax payers money, and how can we enhance the services. This has been a long time coming. We invite your questions at the end of the presentation. We believe that the Sheriff's Office and Troutdale have been working very well together regardless if there's a proposal for the Sheriff to provide these services.

Dan Staton, Multnomah County Sheriff, stated this has been a long process coming. When this first started I was given a monumental task by the local Public Safety Coordinating Council and our District 4 Commissioner. That monumental task was to find ways to reduce costs while enhancing services. It also required looking at ways to improve public safety in East Multnomah County and also to interject some of the services that the County provides that East Multnomah County currently doesn't get. When I first took on the task 4 years ago I sat down with the East Multnomah County Chiefs and we had a long conversation where I posed the problem to them. At this point we knew what the economic status was, we knew what the reductions that each agency were looking forward to over the next couple of years and we were trying to figure out ways to combine services, not necessarily to combine 2 law enforcement agencies together, but how we could piecemeal different services within the Sheriff's Office with each of the cities to provide specific units that would save money and provide public safety in East Multnomah County. As this grew some of the Chiefs lost interest. Scott and I have worked together for well over 20 years. What I found is that our communication and collaboration with regards to what the Sheriff's Office is currently doing and what the City of Troutdale is currently doing with public safety, the way we train our folks, everything across the board including our policies and practices mirror image one another. Ultimately we began to see that it was more or less interchangeable. When I needed support in Multnomah County areas and Troutdale Officers responded the citizens that I serve got the same kind of service that we would normally provide and vice versa. As things progressed we started looking at a better way to serve the citizens here and throughout the County. My responsibility to Troutdale is to support Scott in every possible way. I think as we start talking about this you can understand why we started the discussion. We had talked to some of the political leaders and they indicated to do whatever we can to try to make it work. We've been waiting for the right possible opportunity and that we had the right type of information, the right type of plan, and if we laid it out to you, you would understand it. We wouldn't be coming in and asking you to look at something that wasn't well thought through and wasn't put together properly for you to observe, study and hopefully agree with the process.

Chief Anderson, Sheriff Staton showed a PowerPoint Presentation. A copy of the PowerPoint is attached to the minutes as Exhibit A.

Chief Anderson stated under our proposal, if anyone in Troutdale wants to make a complaint or call somebody about an issue, the way we do it now is the same way that will continue. If a citizen calls the Council then they will be directed to either the City Manager or me and it will be taken care of just like it is now. I think the citizens of Troutdale have said that we have a very effective communication back and forth with issues. We believe tonight that these are going to be met.

Sheriff Staton stated we are talking about relocating the Sheriff's Office. We are working on how we're going to develop that building, where it is going to be located, what size it'll be, and how the staffing outlay is going to be. We will probably build a new building but if this came to pass some of the savings would come out of putting the Patrol side in the Troutdale Police Facility. The Records Unit, Investigations, Search and Rescue, Fire Arms, CHL Licensing, Alarm Ordinances and all of that would be in another location. I would like it along this corridor because the bulk of our patrol section and the services that we provide are in East Multnomah County. Also, if anything should financially impact the Sheriff's Office under the County's General Fund it will have no impact on our contracts with the City of Wood Village or Maywood Park and the same thing would apply here if this should go forward. The Sheriff's Office is bound to honor that contract. We may cut things in the jail, we may cut things in law enforcement, and we may cut things in our investigative side but the services that are outlined in the contract are protected for the duration of the contract. Once a contract is in place the Board of County Commissioners can't come in and say that the dollars being committed will be cut or that the services will be cut because we're seeing a change in the General Fund. The contract is being paid by the City and the Sheriff has to operationally meet that contract and the Board of County Commissioners is responsible to release the funds under the contract.

Greg Vining, President of the Troutdale Police Officers Association, stated I'm a 20 year employee of the Troutdale Police Department and prior to that I worked for the Sheriff's Office as their Corrections Deputy. I've been on our Association's Board for 10 years and have been the President for 6 years. Our Association Board met multiple times with the Chief and his command staff, the Sheriff and his command staff, and Mr. Mueller. We also met with the unrepresented employees of the Police Department. We have also met with the legal representation for the Association and the legal representation for the Deputy Sheriff's Association. We wanted to let you know that we strongly support the proposal. There is a benefit for us 18 people including expanded job opportunity and more money which is important but that is only a small piece. All of our members are really proud of our department, the moral is really good, we have strong leadership, we trust our leadership, we trust the Sheriff and his leadership, we believe the numbers that Erich has shown us, and we appreciate the experience that Mr. Ward has in this as a working model. We are all here as public servants. This a good deal for the City financially and is a really good deal for the citizens of Troutdale because they will save money and see enhanced services.

Mark Herron, Deputy Sheriff's Association President, stated I've been with the Sheriff's Office for 17 years and about 13 years on the Association. Myself along with other members of our Association's Board have had the opportunities to have discussions like this in the past. The big question we have going into this is what's different and what are we really trying to accomplish. Ultimately we're trying to provide a better service. Those of us working on the streets are doing

this already, every one of us in uniform work together. We went to the same academies together and we work on major crime teams investigations together. If it means we can save the public money in the process then where is the common sense not to do that. The road blocks that we've had in the past were when the politics weren't there. I'm elated to see how much the politics have come into play here between all of our elected officials. I say thank you as a citizen of Multnomah County. I see an opportunity to be a part of something bigger that will ultimately benefit me as a citizen. It's a more efficient way to deliver police services. I love my job and I know Troutdale employees will benefit greatly from this opportunity.

Councilor Wilson asked are there any cities that are currently using this model that you're proposing?

Sheriff Staton replied not similar to the one that we're proposing. This is kind of a unique situation and it's simply because of the partnership that the Chief and I have and that our agencies have. If you look around the room you will see that you have a lot of Troutdale and County Officers here. The philosophies that we've developed internally are almost identical. Our policies and practices mirror each other. The Officers cover each other and this is something very unique in the way that we work. When you are looking at this type of a collaboration it's newer because most Sheriff's keep themselves a little bit separated from Cities that have their own police departments. One thing that I have done working with Scott is that I keep just about everything that I possibly can at his disposal without becoming a target budgetarily by the Board of County Commissioners. We've worked very well at doing that. How I collaborate with Chief Anderson and the other Chief's is unique. I don't provide the same level of service to the Chief of Gresham or the Chief of Portland. They don't desire that type of collaboration nor do their Mayor's or City Council's. They have a limited expectation of the role of the Sheriff's within the city limits.

Councilor Wilson stated there was an ordinance or law passed by the County about guns and we weren't in agreeance with it. If this takes place, do we have to go with the County rules or do we keep our own?

Sheriff Staton replied no, we apply ordinances at Wood Village or Maywood Park if there is a specific ordinance that they want us to enforce, based on their demand. If they're not directing us to enforce that particular ordinance then we leave it alone. We restrict our responses to the State Criminal Code. I find that an ordinance in a lot of cases is just a redundant system to the State Statue.

Councilor Wilson stated you said there were some costs that we would still end up bearing. Are those not included in the \$3.9 million?

Erich Mueller replied the \$3.9 million is essentially what the cost is that the General Fund bears. The \$3.1 million is the calculation of what the contract with the Sheriff's Office would cost us plus the costs that I see we would continue to have in a Police Department budget within our General Fund. Currently we have a fire services budget in our General Fund with 1 line item. The police budget has lots of pages and lots of lines but it would move toward looking more like the fire services portion of the budget. It would have much fewer things in it with the single largest item being the contract cost. The single largest cost that we would retain is the Bureau of Emergency Communications (BOEC) cost for dispatch charges which are based on population.

Councilor Wilson asked that isn't in the \$3.9 million?

Erich Mueller replied yes it is. \$3.9 million is our net cost. The \$3.1 million is what our cost would be under the contract as well as the retained costs that we would continue to pay, including the BOEC charges. That is how you get to the \$800,000 in savings.

Councilor Anderson stated you are doing exceptionally well as the Chief. If our citizens have problems then they come to you and you give them results. How effective can you be in the bureaucracy at the Multnomah County Sheriff's Office and how confident are you that you can provide that same level of attention to detail that our citizens here love from you?

Chief Anderson replied I'm absolutely confident that I can do it or I wouldn't be here tonight. I know that we have a high expectation of service here and that's what gets me excited. The reason we're here tonight is because I'm not going to settle for less. I want the people to get the best for the taxpayer's money that we can possibly give them. It's not right for me to come here tonight and be proud of the fact that we don't always have supervisors on the street helping our officers make decisions in critical times. It's my job to provide that and the buck stops here. I'm telling you that I haven't been able to accomplish that and I don't feel good about it. I will continue to search to solve the problems that we have, to fill those gaps and if I can come up with something better then I'd love to go with that. I'm excited about this because I know we can make this happen and do it well. I have a partner who is willing to put in the effort to make sure that our Council and our Citizens get the service that they desire. That's going to be my job and if that doesn't happen then he's not going to be happy. If it doesn't happen, Craig Ward isn't going to be happy. I'm up for the task and I'm telling you that I can do it.

Councilor Anderson stated you mentioned 13 vacant FTE's (Full Time Equivalent Employees) at the Sheriff's Office yet we have 27 FTE's. What's happens to the other 14?

Sheriff Staton replied everybody would come to the Sheriff's Office. We are picking up an increased population of 16,005 and because of that we need to make sure we have adequate patrol coverage, adequate supervision coverage, and we need to have the support from the detective units for the City of Troutdale. Everything that a full service law enforcement agency is supposed to provide to the citizens of the City, that's what I have to make sure is assured here if this contract comes to fruition. When you talked about bureaucracy well the bureaucracy stops right here with the Sheriff, not with the Board of County Commissioners or anyone else. The way that it's structured in the Sheriff's Department is that I don't run the operation. My job is to make sure that policies, practices, and everything that's expected from the citizens is met. The Chief here would be responsible to this City. He would be the one responding to everything that goes on in this City just as the Chief Deputy that I have currently in charge of Law Enforcement is responsible to respond to everything on water ways and to the unincorporated areas of Multnomah County. That's the way that it's structured and there's no one in between.

Councilor Anderson asked when is the last time the Multnomah County Sheriff's Office had a work stoppage or labor dispute?

Sheriff Staton replied it's never happened.

Councilor Thomas stated it can't happen.

Councilor Anderson asked why can't it happen?

Sheriff Staton replied by law and it's also part of the contracts.

Councilor Anderson stated I wanted to get that out there because we just went through something with our TPOA. I don't think we were ever in any danger but it caused some consternation as to what might happen if our guys had a labor dispute.

Mayor Daoust stated you mentioned that timing is critical from your point of view and that you have these vacancies that you're filling with overtime costs. What is the general time frame that you're comfortable with to continue what you are doing?

Sheriff Staton replied as long as I stay within the conversations with the Board of County Commissioners on this issue then I can keep it status quo through generating savings from other areas within the Sheriff's Office to plug into our overtime issues. But I don't know how much longer I can carry those savings over. The other end of the timing that I talked about is that we're looking for a site to build a new building. How things transpire here will also help me to work with the District 4 Commissioner on what it is that we'll need in a new building. You don't see many opportunities between 2 entities where you can actually enhance and improve public safety while generating the savings on both ends of the scale. I don't know how long we can hold that position before it's going to start becoming expensive for both the City of Troutdale and Multnomah County.

Mayor Daoust asked how many patrol officers would Multnomah County bring to Troutdale?

Sheriff Staton replied we've started looking at the remapping of the districts and how they would outlay. The number of officers patrolling within the city limits would remain the same. You would have constant supervision within the city limits. We would also be looking at the district coverages on either end of the city and to the contract cities. Right now we provide 4 Officers with a Sergeant. This would increase it to 7 or 8 Officers in total that would be out working. 2 of the Officers would be within the city limits of Troutdale. They would still be supported by the County Officers in the adjoining city and in East Multnomah County.

Mayor Daoust asked we'd be physically locating some Patrol Officers in this building?

Sheriff Staton replied my vision is that we'd place the East County booking here and run the entire patrol division out of this building including the districts outside Troutdale city limits. You're going to see a greater number of both Sheriff and City cars. My hope would be to bring Search and Rescue into this building as well. What I believe would be ideal would be to have a public safety cul-de-sac right here. It would have the Sheriff's Office and City Police combined. I've walked the ground and it's certainly large enough. I think it would be a huge cost savings for the City and the County and it would provide better services to the citizens in East Multnomah County.

Mayor Daoust asked in your mind, would this agreement be a yearly agreement where we'd have to revisit it every year?

Sheriff Staton replied it would be my hope that we could develop a 5 to 10 year agreement to actually show some realization in savings and build upon what it is that we'd need to do both from

the City Council's side, the Sheriff's Office side, and the Board of County Commissioners side. You need a contract that is going to last long enough to grow legs but also you have to ensure that there are escape clauses as a protection to both the City and the County. We've talked about situations that could develop and the possibilities of those developing are very slim.

Councilor Ripma stated my main concern is that we need to see some numbers of how this would work and also how patrols would be reallocated if you have such a plan. Before we give a green light to staff to start negotiating this, you must have some ideas that could demonstrate how this is going to work both in savings and improved services. I come at this with a very long history with the Sheriff's Office. I was on the Citizens Crime Commission back before I was on the Council and we studied the police consolidation. At the time I was proud to know that Troutdale had a really good working relationship with the Sheriff's Office. We've always been mutually supportive and I want that to continue however this plays out. We've had excellent Sheriff's over the years but one of the challenges for the Sheriff's Department is that the County Commissioners control their budget. We have an excellent representative in Dianne McKeel but that's just one vote. We often are neglected. That's one thing that really concerns me about the idea. I love to hear the idea that it's going to cost less with more services but forgive me for being skeptical, it sounds too good to be true. Erich, you mentioned \$3.9 million is the current budget for the Police Department and \$3.1 million if we join the Sheriff. Is that because of the FTE's that would move over to the Sheriff's Office?

Erich Mueller replied the largest part of the cost savings is certainly the personnel related costs. We went line by line through the materials and services and capital with Chief Deputy Gates and Chief Deputy Bosch and looked at what the City would continue to spend, what the Sheriff would need to spend to provide that service, and what was a duplication that would be a cost that could be saved. We have 27.5 FTE's. Under this concept the Sheriff's Office will take on 27 of those 27.5 FTE's and we would retain the Code Enforcement Officer and the Code Enforcement function as a City Employee. All 27 FTE's would go onto the Sheriff's payroll. The payroll cost back to us for providing a service would represent 15 FTE's including a Chief, Lieutenant, 4 Sergeants, and 9 Police Officers. That's where the major savings comes from. The SRO's will continue to provide that service but provide it as Sheriff's Deputies rather than Troutdale Police Officers. The first year has significant transition costs of \$493,000. That isn't a recurring cost. In my estimates I have \$432,000 of materials and services costs that we would retain and a majority of that is related to the BOEC charges. The way I currently have it calculated is the contract portion of that \$3.1 million would be \$2.1 million and I've got in the first year \$976,000 of retained costs that we would have and those 2 numbers together give you the \$3.1 million. It still brings us in at \$800,000 below doing it on our own.

Councilor Ripma stated it sounds like you have some numbers that you could share with us at some point in a future work session.

Erich Mueller replied absolutely. We had to work through the numbers to see if this was even feasible to talk about.

Councilor Ripma stated I'm asking that we consider having another work session before we direct staff to start negotiating.

Councilor Thomas asked would you still be able to respond to all calls?

Chief Anderson stated I believe you are talking about taking reports over the phone or other methods. We will continue to do the same service that we provide now.

Councilor Thomas stated we are essentially 2 years into a 20 year bond for this building that we asked the citizens to pay for. If the County is essentially operating out of the building how do I justify that to a taxpayer that's now paying \$200 to \$300 per year to pay for a building?

Sheriff Staton replied that would come under the lease agreement that the County would have to develop with the City of Troutdale to have the officers there. So we would actually be paying the City for the utilization. We're currently paying for the use of the Hanson Building. Once the Hanson Building goes away and those costs are gone then the monies need to be applied to a new building.

Councilor Thomas stated I can see the advantage of having a public safety complex here and I think that's a great idea.

Councilor Anderson asked you had said that we have 2 Officers on the streets most of the time here in Troutdale.

Chief Anderson replied that is our minimum staffing attempt.

Councilor Anderson asked the concern is that there are times with no supervision?

Chief Anderson replied yes.

Councilor Anderson asked can we put in the contract that we want to maintain that level of service?

Sheriff Staton replied we've already discussed that the current level of service cannot change. It would be unacceptable for me to even consider reducing the level of staffing that's required to maintain public safety in the city limits of Troutdale.

Councilor Anderson stated I have to think that this is going to help Corbett, Springdale, Cascade Locks, and unincorporated Multnomah County East of here having a patrol base here.

Sheriff Staton replied yes. This is an ideal location. It puts us closer to our service areas. I've been addressing my concerns about public safety in East Multnomah County with the Board of County Commissioners, LPSCC (Local Public Safety Coordinating Council), and others. We're not getting what we deserve out here and that's part of what we need to work on.

Councilor White asked is Fairview going to be included in this?

Sheriff Staton replied Fairview has just recently become actively involved and wants to consider this process. My first focus is making sure we establish something here that's effective. If it works here then looking at Fairview and the same process would be substantially easier.

Chief Anderson stated I support the people in Fairview however when the Sheriff and I were talking about this and the media started doing coverage in Fairview about this topic, I made it very clear that we had something that was preceding that in a very orderly manner. I didn't want anything to throw our ability to have a proposal. Anytime you invite another association, City Council, or entity I can see that it's potential for railroading our efforts.

Councilor White stated the citizens want to know if Troutdale is going to continue to pay for this facility that is going to be used by more than just the Troutdale Police Department?

Chief Anderson replied they're going to share the cost.

Councilor White asked when you talked about enhanced services you mentioned the dive team. How would that be different or enhanced from what we currently receive because you have the only dive team?

Sheriff Staton replied this is something that we've been looking at for quite awhile and the pressure comes from our Board of County Commissioners on how we outlay operations. Currently with East County Booking we have to charge for that. Because of the economy and our costs to provide services, we're going to have to start charging for some of them. The Sheriff's Office tries to provide the services for free but we consistently get billed by the Cities whenever we ask for support. That's something that's being recognized by our Board of County Commissioners. There has to be some compensation for services provided but to what level, I don't know. All I know is when my budget outlay comes in with reductions but I'm still required to provide full services and those costs are incurred and I have to absorb them then the County begins to look at how they can recover some of the expense.

Councilor White asked is there a risk of losing any jobs from support services?

Chief Anderson replied no.

Councilor Allen stated I'm very proud of the service that we get from Multnomah County Sheriff's Office and with our own Troutdale Police. I've always encourage cooperation between the organizations. I'm happy to see that cooperation. Let's look outside Troutdale at Multnomah County, we all pay taxes for that so the question is if you're not hiring FTE's and you're transferring Troutdale Officers into those FTE positions then we actually have overall fewer Officers servicing the same population.

Sheriff Staton replied the number of Troutdale Officer's that will be actually working in the districts here will be about 15 to cover all 3 shifts. The additional Officers will be disbursed out because you're going to require and demand full service on investigations, child abuse, and we'll be tapping into that. When you're looking at the support of the Sandy River we're going to want to add an Officer to the River Patrol so support to that river is increased and enhanced. You have 27.5 FTE's that are fulfilling multiple tasks. In most cases after talking with the Chief, they can't complete those tasks or they're falling behind in their capabilities of completing those tasks. This allows us to spread the personnel out so all of those tasks are accomplished.

Councilor Allen stated when doing investigations, I can't image that they have a lot of free time on their hands but they're picking up more responsibility.

Sheriff Staton replied the more people that you have the less responsibility that you have to put on each Officer. One problem that we face right now is our vehicle crash team. My responsibility is to the unincorporated areas and yet I dedicate our deputies to respond to crashes within the city limits of Gresham, Portland, and Troutdale and I pull them away from their duties and responsibilities that they're supposed to be giving to the districts that they're responsible for. This helps eliminate this. The more people that you add, the less you're compiling duties and responsibilities on 1 Officer or 1 Deputy, you can spread it out a little bit.

Councilor Allen stated maybe I'm missing something because we'll have fewer Officers for the same population and we're paying them more. It's hard for me to understand where the savings is coming from unless we're losing some service. Where there's duplication can we cooperate in those areas or do we really need to go down this road?

Sheriff Staton replied we realize that Troutdale needs to have 2 Officers because we don't want to change that structure however we may broaden the boundaries a little bit on either side and we may take the boundaries of a Wood Village Officer and extend those to overlap into the City of Troutdale to provide extra patrol so rather than dealing with 4 Officers it's only going to require 3 so we could take that other Officer and apply that individual to another position. When you look at what the City of Troutdale is providing, they're not meeting their service needs. We are currently meeting our service needs but we do have vacancies. That's the way I worked it with the Board of County Commissioners to work operationally and to provide an adequate level of service to the citizens that I'm responsible for. I'm looking at the deficiencies that Scott and I talked about with regards to the City of Troutdale. We can redistrict. We're looking at the size of the cities that we're serving and how we can redistrict so that service is greater, the response times are faster, and you get more coverage. One of the things that Troutdale does not have is the reserve capabilities that the Sheriff's Office currently has. We have a very extensive Reserve Unit that helps support the patrol side, not to mention the Citizens Patrol that we've established.

Chief Anderson stated one of the things that we're going to do if you direct us to continue down the road is to do a more data driven comprehensive look at what is acceptable response times for the people and what is the geography that we can expect to be covered in that area. I will demand that we have a Sergeant on duty and 2 Officers in the city limits of Troutdale 24/7. If we can get to that level then we're good. I've been trying to do that for 5 years. I've changed the schedules of the Officers and Sergeants 3 times to try to get there and you can't get there without more people.

Councilor Allen stated that's important to me. I agree with Councilor Ripma that we'll need to look at the details to see how this works out. I do appreciate the cooperation.

Mayor Daoust called for a minute break at 8:37pm and reconvened the meeting at 8:53pm.

Mayor Daoust opened up the meeting to audience questions.

Jamie Sorenson, Council 75 AFSCME, stated this is the first time that I'm hearing the details of this plan as well. An Intergovernmental Agreement would do a transfer of employees to another AFSCME local but we still have some concerns. Can you tell me what your vision is for the enhanced services for the records folks? Those are the people that I represent.

Sheriff Staton replied as we start building on this the 2 unions will have to speak to one another. I know that they go through AFSCME also so it's going to be an easy conversation. The vacancies that we have meet the level of classification that the staff currently has with the City of Troutdale. We would consolidate the Records Units but we have to pick up and fill the vacancies that we currently have in our Records Units on the Law Enforcement side. We also have additional vacancies that would be an opportunity for the staff here if they would prefer working downtown versus working in a new location. It's not just records, we also have alarm ordinances so they will have other opportunities available to them.

Jamie Sorenson stated so I'm hearing that a co-location would be likely.

Sheriff Staton replied it would be in 1 location. Should the City Council agree we would start looking at whether the Records Unit would be placed here or at the future site.

Diane White, Resident, asked would the Council retain the vote to extend or expire the contract at the end of the contract period?

Craig Ward replied yes at the end of the contract we can terminate the contract or extend it and the County could too. Let's say at the end of 10 years they've given us such a good deal that they can't honor it anymore. Could they terminate it, of course. What will likely happen is that we'll have terms for extending the contract. We will negotiate terms and see if we're willing to extend the contract. I have no doubt that it'll be a pretty heavy duty negotiation.

Brad Robertson, Fairview Police Officers Association President, stated we've been curious how that contract would work between the Sheriff's Office and Troutdale. We've had 3 Officer involved shootings and I'm wondering how the civil liability would work between the County and the City of Troutdale if there were an Officer involved shooting?

Sheriff Staton replied under this contract the Officers would become Deputy Sheriffs. That means all responsibility with regards to litigation and costs associated would come from the County. Our County Attorney would be the one representing them in any Officer involved shooting and also the Association.

Susan Huwe, Troutdale Resident, asked if Fairview and Troutdale Police contract with the Multnomah County Sheriff's Office, what happens to their court systems?

Craig Ward replied the simple answer is that we don't know. It's really not addressed in the initial stages of this proposal. We would have to have subsequent discussions. My proposal to the Sheriff and the District Attorney is that we need to take time to work that out. We have enough moving parts in this that we need to keep everything in place for issuing infractions and misdemeanors for at least the first year. We would then need to take that year to figure out if we're going to have a different plan for a longer time period.

Penny Cruz, Marco Polo Designs, stated you mentioned that the Patrol Division would be moved here and then there would be a new building to house records and some other administrative functions. Is that a lack of efficiency to have those functions in separate buildings?

Sheriff Staton replied no, most of our Investigators cannot be directly attached to a patrol side, the standard practice is to keep them separate. We would need to have a separate building because of the extensive size, we'd be adding the Search and Rescue group of about 130 to 150 individuals. Obviously we can't fit that many people in this building. You're looking at a Detective Unit that at total capacity would be in the vicinity of 20 which will grow slightly. We have our Alarm Ordinances, the Records Unit, and other separate locations where Records Units are established for different purposes. This building is not large enough by any means. The building that we're in right now is roughly 38,000 square feet plus out buildings.

Chief Anderson stated this building is about 23,000 square feet.

Mayor Daoust asked are there any more questions from the audience?

There were no additional audience questions.

Mayor Daoust stated this will not be your only opportunity to ask questions and comment. There will be other City Council meetings where you can get involved. I think that we need to give direction to staff as to how we want them to proceed. Do we want another work session? Questions have come up where we need to look at the numbers and look at some of the assumptions.

Councilor Ripma stated I was going to suggest that we direct staff to schedule a work session in the near future on this topic where we have a discussion with our staff and I think we need our legal counsel present. This is a very important decision. It's the biggest function that the City of Troutdale performs.

Councilor Thomas stated I like the idea of a work session but if all we are going to do is look at numbers then I don't see any value. To me there ought to be some sort of preliminary plan to look at, maybe an idea of what you are thinking for the scope and outline of the agreement. To me it would be valuable to have an outline showing how the numbers fit into that outline.

Councilor Anderson stated the question on the table for April 8th is authorizing negotiation of an agreement. All we are doing is authorizing a negotiation. We're saying this proposal looks alright, let's put some numbers on paper and have a chat and start developing an agreement. During that development we would have to be engaged, we would want to be engaged, and we should be engaged. I don't see anything that precludes staff from starting to have the conversation with the Multnomah County Sheriff on this. What I do see is the need for repeated check-ins with us in terms of progress and to get our measurables and objectives and give the people that we serve multiple times to be heard.

Councilor Wilson stated I think what Councilor Thomas is asking for is exactly what we would be voting on April 8th, to get those numbers and what the contract would look like. You are still asking for it. Why don't we just put it to a vote on Tuesday and get it moving forward that way. Because you're going to make them do all the work without any direction.

Councilor Ripma replied it isn't the same thing. It's an authorization for them to start negotiating an agreement and having seen this for the first time tonight I haven't even gotten to the point where I want to go that far.

Councilor Wilson stated I understand where you're coming from. What Councilor Thomas is asking for is the same thing that they're asking us to make a decision on.

Councilor Thomas stated I think they have the outline already put together for what they want the agreement to look like.

Chief Anderson stated we're here because we want your direction. We don't want to go down the road and do something that you won't support. If you don't want us to go forward, tell us you don't want us to go forward. If you want us to go forward we will give you all the information that we can possibly provide.

Mayor Daoust stated do we want to have 1 more work session to get some of the question answered or go ahead with the agenda item next Tuesday that basically says go ahead and start working on this and then schedule a work session after that?

Councilor White stated I think 1 more work session would be good to allow more public input and to get our legal representation into the room.

Councilor Allen stated I don't have a real good feel about what the Council is thinking and the direction that we want to go. I need more input from that end and another work session would probably help.

Councilor Thomas stated if we give direction tonight to go forward and put that together then there's really no need to have a vote next Tuesday. We'll have a work session to look at everything and then we can say if we like it or not and to continue on with the negotiation process. I think that the Chief, the Sheriff, and City Staff already have a lot of this stuff figured out. It's just a matter of pulling it all together for the work session.

Councilor Anderson asked has anybody heard anything tonight that says we absolutely shouldn't proceed down this road any more?

Councilor White stated I heard comments from the audience that they feel it's being rushed. I want to avoid the appearance that we're rushing into it. I want the citizens to feel like they have a voice in this because they do.

Councilor Ripma stated we the Council are responsible to the citizens of Troutdale for a long term and this is a very affecting change that would make a big difference in our City and we haven't had any independent advice. I want our legal counsel at a work session. If it came up for a vote I would vote no. I don't think we're ready to answer something this complicated and important tonight or next Tuesday.

Mayor Daoust stated let's schedule 1 more work session before we put this on the official City Council agenda. We have the budget meetings coming up in the middle of April and that's going to take a lot of our attention. This is not built into next year's budget in any way so there are no assumptions being made.

Erich Mueller stated I'm all for however the Council wishes to proceed. I just want to make sure I'm clear about what we're going to be able to accomplish. What the resolution for next Tuesday was intended to do, regardless of how I miscommunicated it, wasn't to commit anybody to anything other than to continue the process of gathering information. There is a limited amount of additional information in terms of questions we can answer without starting to get serious about negotiating. At this point it's a lot of assumptions. My concern is that you'll have another work session and we can only answer some of your questions. It may be a useful work session in that it will help identify what additional questions that you have.

Councilor Ripma asked can you share the PowerPoint with us?

Craig Ward replied of course the PowerPoint is a public record. We'll be happy to post it on our website.

Councilor Ripma stated I would be happy with whatever Erich has in the way of support for that \$3.9 million down to \$3.1 million. Sheriff, if you have anything in mind about how the patrol districts would be allocate that would be great but I'm not asking you to do more.

Sheriff Staton replied those models are put together.

3. Adjourn

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

Meeting adjourned at 9:27pm.

DRAFT

Doug Daoust, Mayor

Dated: _____

ATTEST:

DRAFT

Sarah Skroch, Deputy City Recorder

CITY OF TROUTDALE
CITY COUNCIL – Work Session
Tuesday, April 1, 2014

PLEASE SIGN IN

Name – Please Print	Address	Phone #
JEN & ANDREY LOWELL	TROUTDALE, OR	(503) 465-6591
Deanne McKeel	Muel Co	503 988-5213
Debbie Waugh	COT	503-674-7224
Aaron Williams	COT	503-674-3302
PAUL CARPENTIER	TROUTDALE	503 253 5946
Cari Harshmann	Outlook	503-492-5115
Carol Allen	Troutdale	503 701 8979
MV Woidysa	"	503 665-2823
Susan Huwe	Troutdale	503-674-7030
Paula Goldie	Troutdale	N/A
PAUL WICK	TROUTDALE	-
Frank Winkler	CORBETT	503-645-5132
Anil Kuria	PDX	
Mark Herrow	MCSO	
Jason Gates	MCSO	503-251-2451
Brad Robertson	Fairview POA	
TAINOY STAFFORSON	TROUTDALE	503-319-7732
Stan Cassity	Troutdale	503 539 2718
Marianne Daoust	Troutdale	503 936 9788
Penny Cruz	Troutdale	503-328-8661
Patricia Woolsey	Troutdale	503-661-3624
Jay Penning	MCSO	-



Sheriff's Office & Troutdale Police

Win!

Win!

Win!

Collaboration

A Bright Future for East
County Public Safety

Sheriff's Office & Troutdale Police

The Big Idea:

Law Enforcement
Services Consolidation

Chief – Sheriff Proposal Criteria:

- ▶ Significant financial benefit
- ▶ Enhanced police services
- ▶ Community and employee support
- ▶ Support City Council and MCSO goals
- ▶ Troutdale maintains significant local control

Sheriff's Office & Troutdale Police

Win – Win – Win

Win for the City & taxpayers

Win for the Officers

Win for the Sheriff

Sheriff's Office & Troutdale Police

Win for the **Officers**

- ▶ Larger organization with expanded career opportunities
- ▶ Variety of future assignment rotations, expanded training and compensation increases

Sheriff's Office & Troutdale Police

Win for the **Sheriff**

- ▶ Opportunity to reposition both operational and administrative centers into East County the focus of services
- ▶ Enhancing the MCSO team with the addition of quality law enforcement personnel
- ▶ Cost savings through eliminating duplication, and efficiency from location and facility changes

Sheriff's Office & Troutdale Police

How would it work?

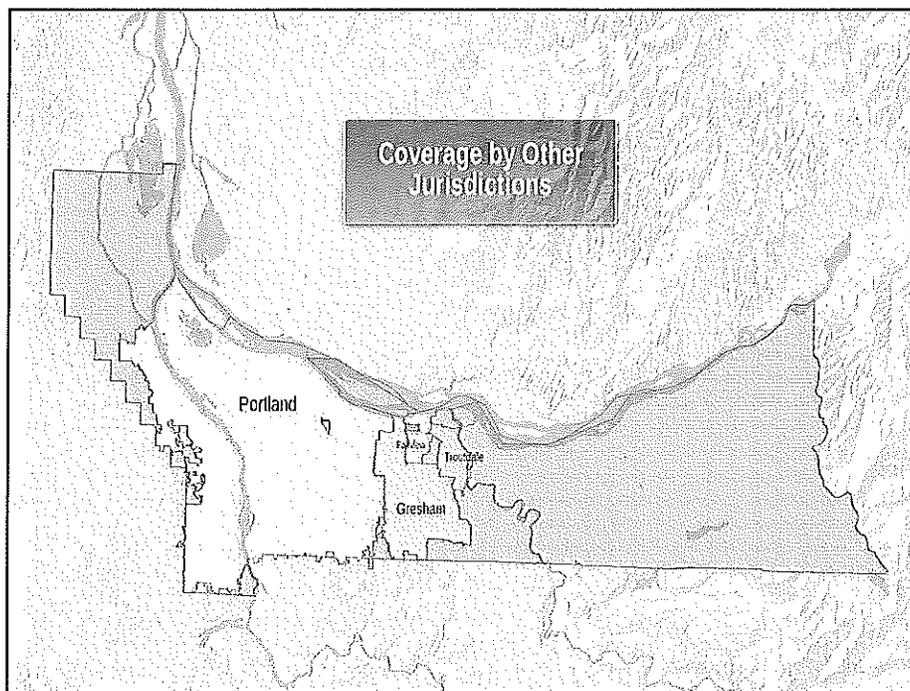
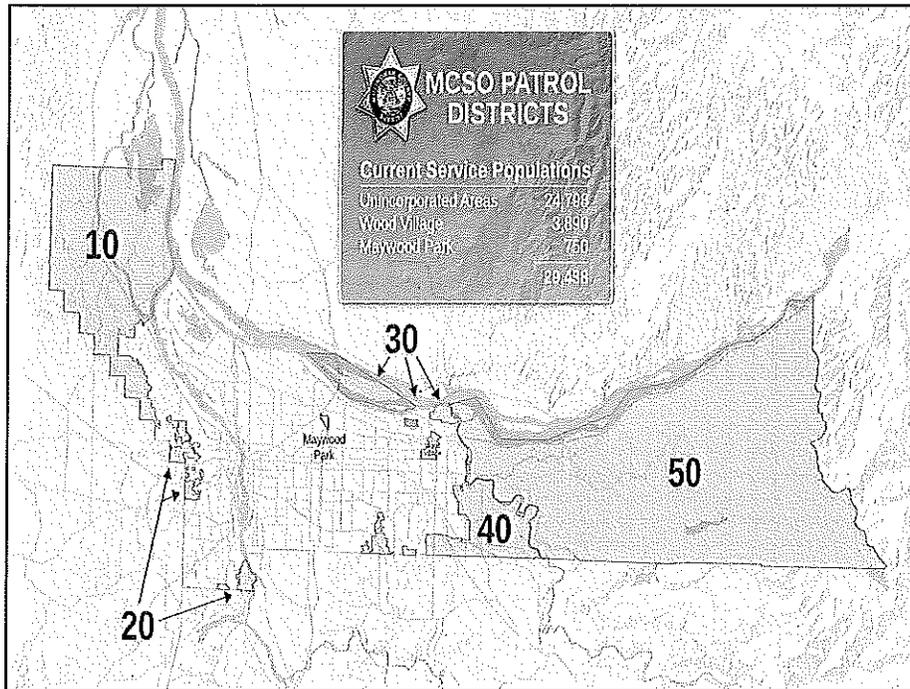
What would "change"?

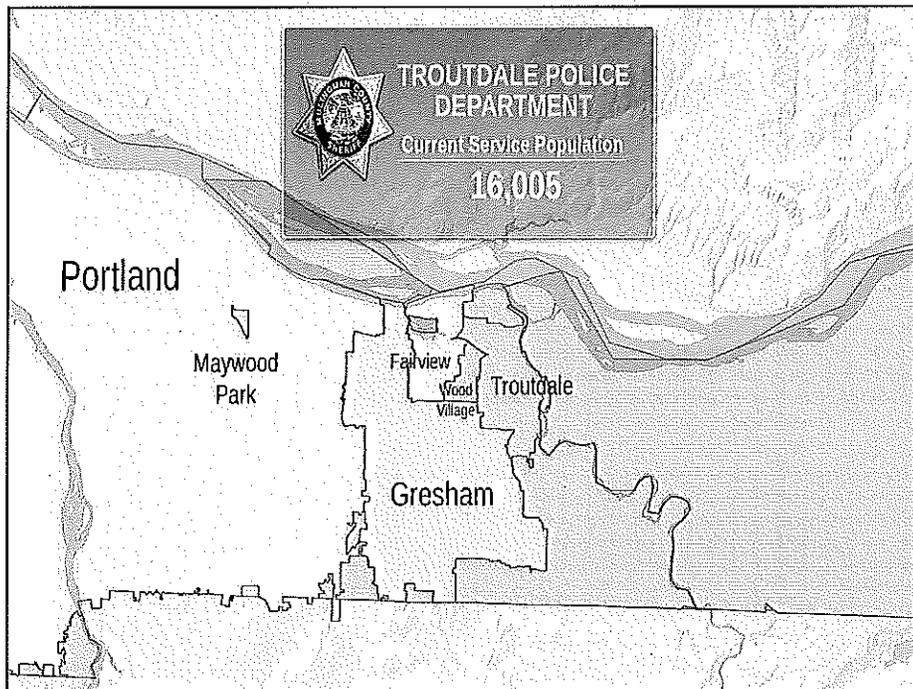
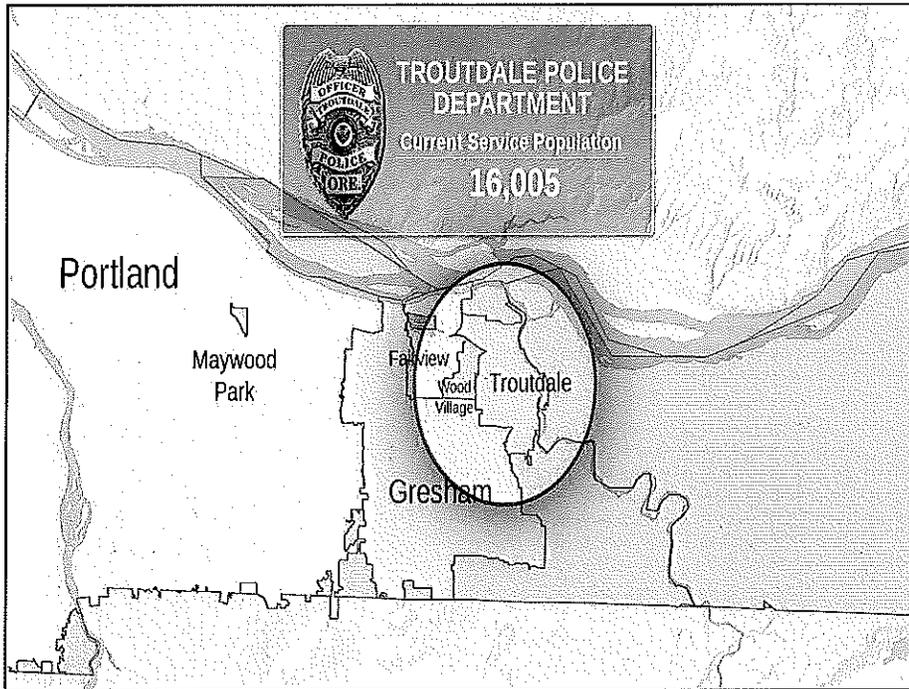
What would stay the same?

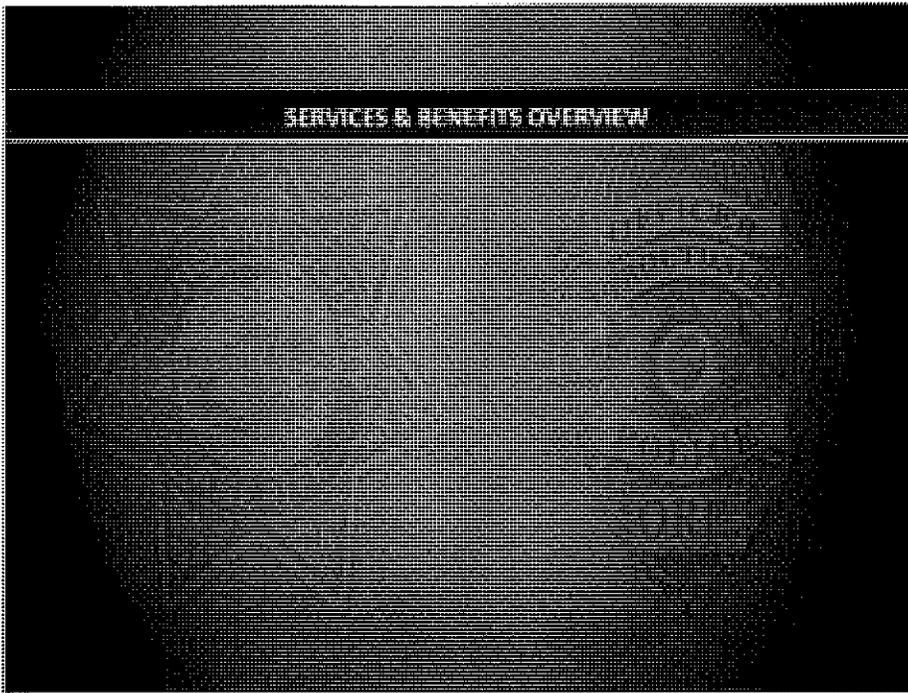
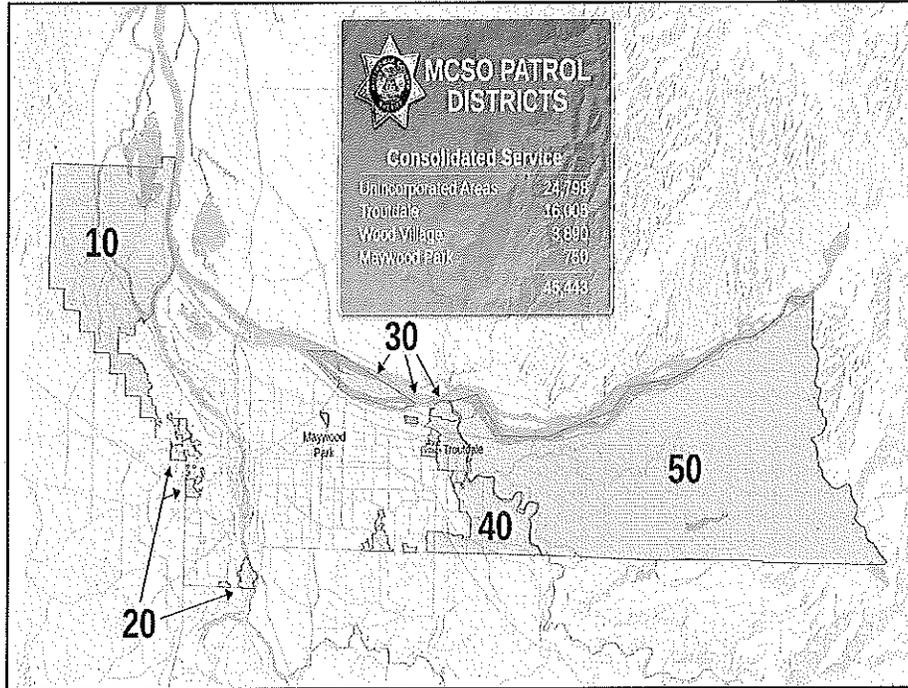
Sheriff's Office & Troutdale Police

How would it work?

- Services
- Operations





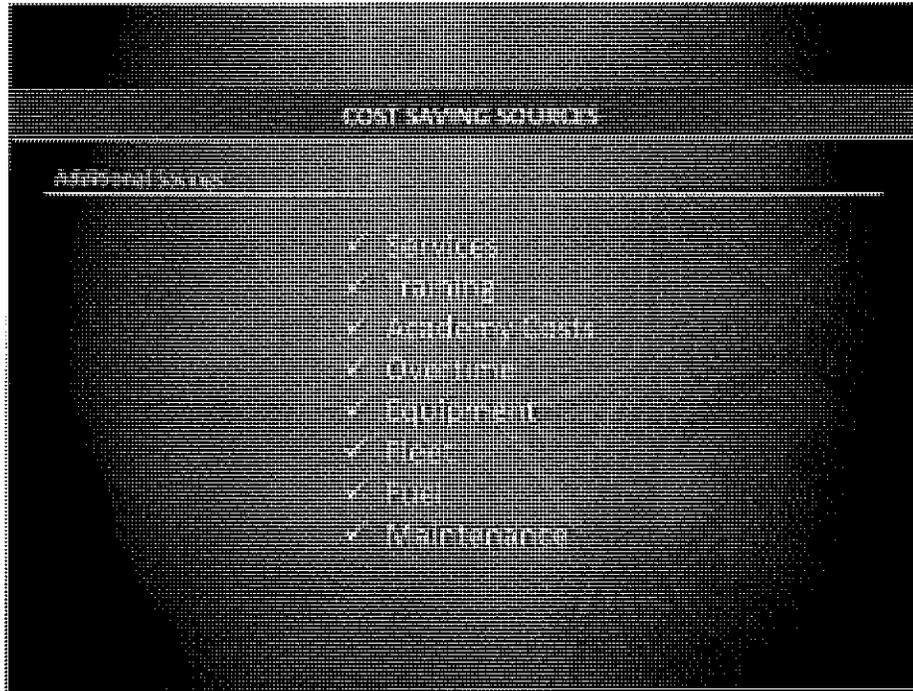


Service Levels	
Current	Proposed
Management Communication & Reporting	Management Communication & Reporting <i>(No Change!)</i>
Limited Supervision (NOT 24/7)	FULL Supervision (24/7)
Patrol <i>(minimum staffing)</i>	Patrol (FULL staffing)
Investigations (partial)	Investigations (Full-Service)
Limited Records Staffing	Full-Service Records (24/7) Staffing

Service Levels	
Current	Proposed
Training (ancillary)	Dedicated Training Unit
Property Control (ancillary)	Full-Service Property Control
SRO - School Resource Officer	SRO - School <i>(no change)</i>
EMGET - Gang Enforcement Team	EMGET Officer- <i>(no change)</i>
Trimet Officer	Trimet Officer- <i>(no change)</i>

Service Levels	
Current	Proposed
River Safety (seasonal)	Dedicated River Patrol Unit
SWAT (ancillary)	SWAT (<i>Enhanced Staffing</i>)
MCT – Major Crimes Team (ancillary)	MCT – Major Crimes Team (<i>Enhanced Staffing</i>)
VCT – Vehicle Crash Team (ancillary)	VCT – Vehicle Crash Team (<i>Enhanced Staffing</i>)

Service Levels	
Current	Proposed
HNT – Hostage Negotiation Team (ancillary)	HNT – Hostage Negotiation (<i>Enhanced Staffing</i>)
Reserve Program (limited)	Reserve Program (<i>Enhanced Staffing</i>)
Program Management (ancillary)	Program Management (<i>Enhanced Efficiency</i>)
Crime Analysis (unavailable)	Crime Analysis (<i>Enhanced Staffing</i>)



Sheriff's Office & Troutdale Police

On the First Day:

What would "change"?

What would stay the same?









Sheriff's Office & Troutdale Police

How would it work?

- Contract
- Budget
- Labor

Sheriff's Office & Troutdale Police

Contract Law

Enforcement Services:

a widely used nationwide
approach for saving
taxpayers' dollars

Sheriff's Office & Troutdale Police

Contract Law Enforcement Services:

- ▶ Of a 193 Oregon cities, 55 use the County Sheriff's Office for police services, or 28.5% with a total population of 143,865 served

Ten largest Oregon cities using County Sheriff for Police Services:

	Incorporated City/Town	Pop. 2011
1	Wilsonville	19,565
2	Happy Valley	14,330
3	Damascus	10,575
4	Sheridan	6,125
5	Creswell	5,015
6	Veneta	4,610
7	Wood Village	3,885
8	Coquille	3,865
9	Lafayette	3,740
10	Harrisburg	3,585

Intergovernmental Agreement

IGA with several exhibits:

- “Services” Provided
- Cost tables and formulas
- *Local Control* Provisions
- Labor Union: TPOA & DSA
- Labor Union: Troutdale AFSCME local 3132 & County AFSCME Local 88
- Transition Implementation
- ...other

Sheriff's Office & Troutdale Police

How does the math work?

- ▶ Personnel cost savings
- ▶ Reduction of duplication of effort
- ▶ Fleet cost savings
- ▶ Facility cost savings

Many, many, many, moving parts...
A multi-year implementation

Sheriff's Office & Troutdale Police

Budget Big Picture:

Troutdale Police Costs: \$3.9M

Estimated Cost with MCSO Contract: \$3.1M

Estimated Net City Savings: \$800,000...(year 1)

A multi-year implementation...!!!

Sheriff's Office & Troutdale Police

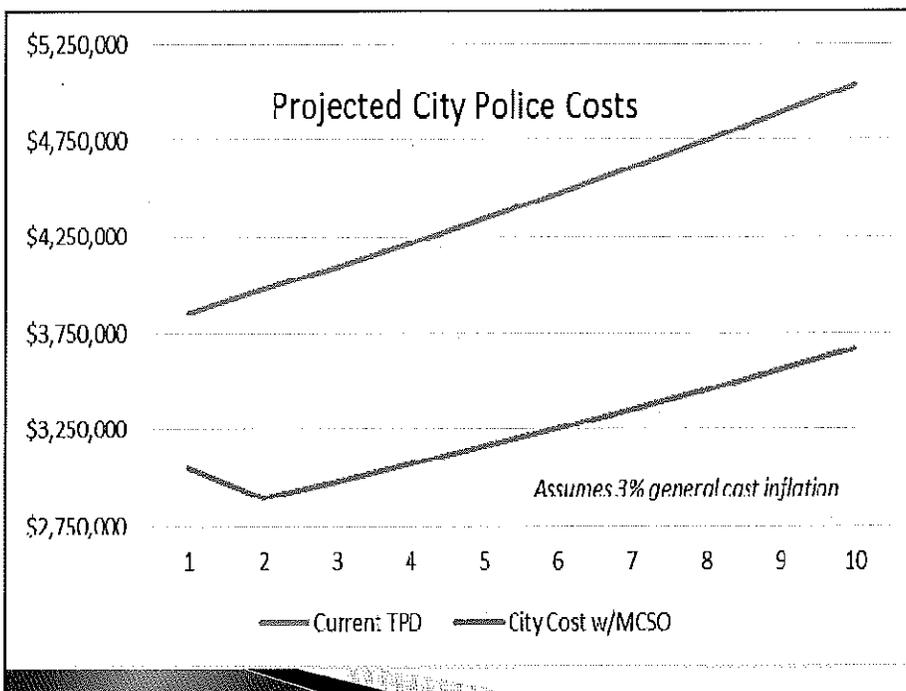
Budget Big Picture:

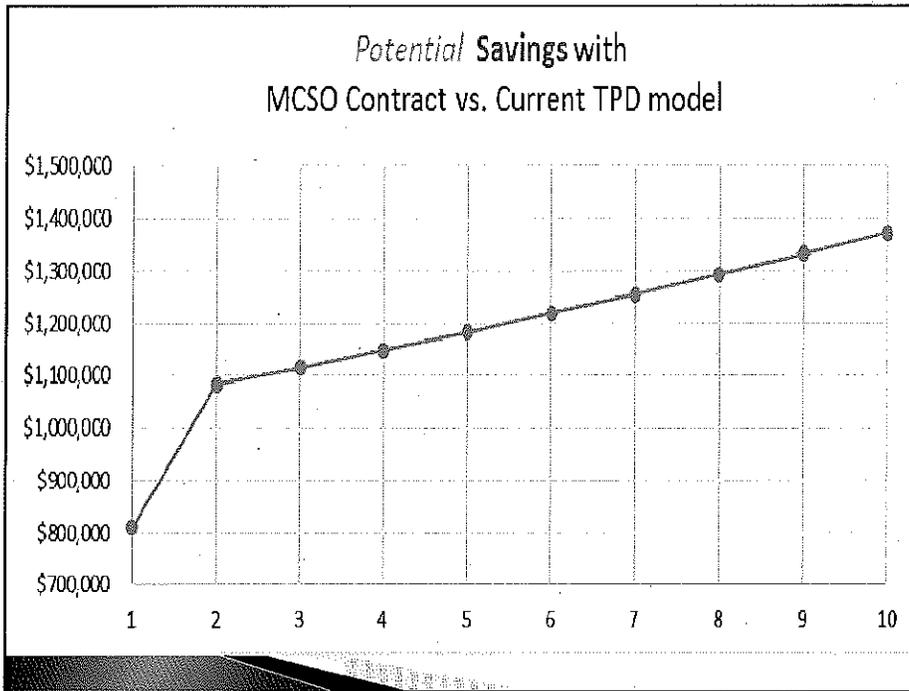
Savings estimates
include several large
dollar assumptions
subject to final
negotiations!!!

Sheriff's Office & Troutdale Police

Budget Big Picture:

What about savings
after the first year...???





Sheriff's Office & Troutdale Police

*What is the impact on
our services, if...*

the MCSO budget is

cut...!?

Sheriff's Office & Troutdale Police

*Many, many, many,
many, moving parts...*

A multi-year
implementation

Transition & Implementation
Issues *(just a few of them...)*

- ▶ Employee Transfers
 - Transfer Statute
 - Union Contracts
- ▶ Vehicles
- ▶ Technology

ORS Chapter 236 *TRANSFER OF PUBLIC EMPLOYEES*

236.610 Rights of employee when duties assumed by different public employer; employer duties.

(1) No public employee shall be deprived of employment solely because the duties of employment have been assumed or acquired by another public employer, whether or not an agreement, annexation or consolidation with the present employer is involved...

ORS Chapter 236 *TRANSFER OF PUBLIC EMPLOYEES*

236.610 Rights of employee when duties assumed by different public employer; employer duties.

- ▶ (3) It is the responsibility of the transferring employer to liquidate accrued compensatory time at the time of transfer, consistent with any applicable statute or collective bargaining agreement.

ORS Chapter 236 *TRANSFER OF PUBLIC EMPLOYEES*

236.610 Rights of employee when duties assumed by different public employer; employer duties.

(4)(a) At the time of transfer, the transferred public employee may elect to:

(A) Retain any accrued sick leave;

(B) Retain up to 80 hours of vacation leave; and

(C) Retain additional vacation leave if agreed to by the transferring employer, the receiving employer and the transferred public employee.

ORS Chapter 236 *TRANSFER OF PUBLIC EMPLOYEES*

236.610 Rights of employee when duties assumed by different public employer; employer duties.

(b) At the time of transfer, the transferring employer shall pay to the receiving employer a sum equal to the number of hours of accrued leave retained times the employee's hourly rate of pay.

▶ Snapshot cost estimate 2/16/2014: *\$493,000*

City Council *Goals*

The proposed service consolidation supports:

- ▶ Improve and support livability in Troutdale
- ▶ Fiscal prioritization and budget accountability
- ▶ Improve employee morale

Sheriff's Office & Troutdale Police

Why is this a
limited window of
time opportunity...?

Win for the **Officers**

Comment from the

**Troutdale Police Officers
Association**

&

**Deputy Sheriff's
Association**

Sheriff's Office & Troutdale Police

Win!

Win!

Win!

Collaboration

**A Bright Future for East
County Public Safety**

Sheriff's Office & Troutdale Police

Questions...???



DRAFT

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

Tuesday, April 8, 2014

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

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

PRESENT: Mayor Daoust, Councilor Ripma, Councilor Anderson (via phone), Councilor Thomas, Councilor White, Councilor Allen, and Councilor Wilson.

ABSENT: None.

STAFF: Craig Ward, City Manager; Ed Trumpke, City Attorney; Travis Hultin, Chief Engineer; and Sarah Skroch, Deputy City Recorder.

GUESTS: See Attached List.

Mayor Daoust asked is there an agenda update?

Craig Ward replied there is. Item #7 as published was incomplete. The item is the same we just had to republish it with a complete topic. Then for Item #8 instead of Lieutenant Joel Wendland as the presenter, our attorney Ed Trumpke will be making the presentation.

2. PROCLAMATION: Proclaiming April as Autism Awareness Month in Troutdale.

Mayor Daoust read the Proclamation (copy included in the packet). Austin Hinden (?), a student from Sweetbriar Elementary School with Autism, came forward and sat with the Mayor while he read the Proclamation.

3. PROCLAMATION: Proclaiming April 26th as Arbor Day in the City of Troutdale.

Mayor Daoust read the Proclamation (copy included in the packet).

4. CONSENT AGENDA:

4.1 ACCEPT MINUTES: February 25, 2014, City Council Regular Meeting; March 11, 2014, City Council Regular Meeting; and March 18, 2014, City Council Work Session.

4.2 RESOLUTION: ~~A resolution approving a transparent process plan for evaluating the needs and options for a potential new City Hall. (pulled from the consent agenda at the meeting)~~

4.3 MOTION: A motion approving Scott Leonard to serve as the contract City Prosecutor effective February 10, 2014.

Councilor Ripma stated I would like to pull Item #4.2 from the consent agenda onto the regular agenda.

Councilor White stated I have a question regarding the consent agenda. What is the term of the contract for Item #4.3?

Craig Ward replied I believe it's indefinite until the City Council selects a permanent attorney.

MOTION: Councilor Thomas moved to adopt the consent agenda (Items 4.1 and 4.3 only). Seconded by Councilor Wilson. The motion passed unanimously.

5. PUBLIC COMMENT: Public comment is limited to comments on non-agenda items.

None.

4.2 RESOLUTION: A resolution approving a transparent process plan for evaluating the needs and options for a potential new City Hall.

Councilor Ripma stated we had a work session on this and there are a couple of things that I would like to suggest changing. The staff report now includes the discussion of renovating old City Hall as one of the options. I just wanted to add a few words here and there to reflect that (suggested changes are in ***bold, italicized and underlined***).

Staff Report, page 2; Background, paragraph 4:

The various stakeholders have offered many and widely varying opinions and preferences for the potential new facility ***or renovation of the old City Hall***. However, to date there has not been a cohesive strategy, beginning with a clear definition and agreement on what is required "in" a new ***or refurbished*** City Hall facility.

Staff Report, page 2; Approach Overview – Council Role, 1st bullet:

Commitment to "explore" ***repair and renovation of old City Hall or*** a potential new building for City Hall

Staff Report, page 5; Costs: "Construction" vs. "Project", paragraph 2:

Construction Cost, or cost to build ***or repair*** the building, or what is paid to General Contractor, are all ways of referring to the largest component of the total project cost, which is generally 75% to 80%. But overall project costs include many additional items such as:

Staff Report, page 5; Administrative Costs, paragraph 2:

All the above potential cost items need to be established to more fully inform the Council as you consider the possible cost and funding requirements, before making any "building" ***or repair*** commitment.

Staff Report, page 5; Summary:

The resolution begins the process, but does not commit to “build” or refurbish anything, only to gather more information for future decisions, and authorizes the City Manager of Finance Director to begin implementation of the process plan.

Resolution, Section 2:

Designates the City Manager or Finance Director (each a “City Official”) or a designee of the City Official, to act on behalf of the City, and without further action by the City Council, the City Official is hereby authorized, empowered and directed to implement the necessary purchases, contracts, agreements, studies, proposals and any and all other required and necessary documents to implement this resolution and the adopted materials of Section 1, up through Phase I Needs Analysis of the process outlined in the staff report.

Resolution, Sections 5 and 6:

Section 5. Following Completion of the Phase I Needs Analysis the Council will consider further steps in the process.

Section 56. This Resolution shall take effect upon adoption.

Councilor Allen asked is this from the Exhibit A timeline? This authorization is to go forward with the Needs Analysis Stage which is the first stage?

Councilor Ripma replied yes.

Mayor Daoust asked what about the Architectural Programming – space planning?

Councilor Ripma replied this is a change but I’m proposing that we authorize staff to pay for the Needs Analysis which is \$17,000, and then we would meet to discuss it in a work session to see where we’re at. We might decide not to go forward with architectural plans. I’m uncomfortable authorizing the whole \$150,000 worth. After the needs analysis we really should sit down and discuss it.

Councilor Thomas stated considering the last set of changes that have been suggested, I’d like to see this come back on the next agenda so we can see all the changes.

Mayor Daoust stated I was ok until you got to the last change of cutting off staff after the first item on the timeline. I think we need to discuss that because I’m not clear what affect that has on the overall timeline and the process.

Councilor Ripma replied the Council would consider the space needs analysis before we authorize expenditure on site selection. We might decide at that point to refurbish the old City Hall. I think our site options study, schematic design, design development of the building, is all pitched toward the building of a new building. I think it would be wiser and more prudent to do the space needs analysis first.

Councilor Wilson stated with the seismic study and things like that, you have to look at that building to see if it'll meet the standards. I don't think it's excluding it. You're going to have to look to see if the building is going to be capable of being refurbished.

Councilor Ripma replied we can do that at that point. That way with the revision of the resolution we're not authorizing the full expenditure. I added up all of these things that we were authorizing and it totaled \$142,000.

Mayor Daoust stated that's over a multi-year timeframe where we would get involved at each step of the way. This wouldn't be writing a check up front.

Councilor Ripma stated this won't deprive us of being able to do the rest of it.

Councilor Allen stated what you're talking about here is that Phase I is pretty encompassing and not a short task at all. I'm all for having checks and balances before we spend peoples hard earned money.

Craig Ward stated the purpose is to be transparent and to conduct this process as openly and with as much input as possible. Whatever the Council adopts tonight can be changed. If you're uncomfortable moving forward beyond Phase I you could stop it and revise the process. This provides a clear pathway to see how we plan to get from Phase I, all the way to the end. We want your support and direction at every stage.

Councilor Thomas stated when I look at this from a project management perspective, the changes make sense because you always want to evaluate after every phase to see if it's worth going forward. My issue with trying to vote on it tonight is that there were a lot of things added that I would like to see in the full contexts and have a chance to read it before we vote on it.

Mayor Daoust asked is the Council ok with this coming back on the consent agenda next time?

The Council was ok with this coming back on the consent agenda.

Councilor Anderson asked on Exhibit B, who is Ankrom Moisan?

Councilor Ripma replied they refurbished Wood Village City Hall. They work for McMenamins so they work on historic buildings. Their offices are located in Wood Village.

Councilor Anderson asked how did they come to contact us?

Craig Ward replied they called me up one day and said that they'd like to look at the old City Hall and reviewed the documents that we already prepared on the cost to repair the building and make it functional.

Councilor Anderson asked did a member of the Council reach out to them?

Councilor Ripma replied I did. They say it can be refurbished for a reasonable price like they do for buildings all over the place. We don't have to use this company it's just new information.

Councilor Anderson stated you're missing the point, in December we were accused of doing a back room deal. These folks were reached out to on behalf of the City Council from a Councilor at large. That's concerning to me.

Councilor Allen stated it's one of the options. We're not limiting options.

Councilor Ripma stated I've spoken since we've moved out of the old City Hall that we should consider refurbishing it. We seem to be heading down a track to building a new one but that doesn't mean that I don't have the right to see if it's feasible. It's just information.

Mayor Daoust stated we'll bring this back on the April 22nd Consent Agenda. That'll give us an opportunity to read it.

MOTION: Councilor Thomas moved that we forward this agenda item to the Consent Agenda for the April 22nd Meeting with the changes proposed by Councilor Ripma. Seconded by Councilor Allen. The motion passed 6 – 1 (Anderson).

6.1 REQUEST: Kiwanis Club of Troutdale's 11th Annual Troutdale Cruise-In – potential City financial partnering.

Councilor Wilson stated I'd like to acknowledge a potential conflict since I am a member of the Kiwanis Club.

Councilor Allen stated that would be the same for me.

Ed Trumpke, City Attorney, stated by declaring the potential conflict it is now on the record and complies with the ethics rules and you may continue and vote.

John Leamy, Troutdale Kiwanis Club, read the letter submitted by the Troutdale Kiwanis club. A copy of the letter is included in the meeting packet.

John Leamy stated last year we brought in \$300 from our pancake breakfast. Because there are several restaurants in town that are serving breakfast we decided not to compete with them but we are asking them to donate part of their breakfast proceeds. Last year the City reduced the services that they provided. In years past they've provided police services for the road blocks. Last year they provided the barricades and we set them up and handled the traffic flow. The City also provided garbage and recycling bins and we provided the disposal of the garbage and recycling. The reason that we're asking for \$1,500 this year is because it's looking like our sponsorships will be significantly less.

Councilor White asked what was our contribution last year?

John Leamy replied \$1,000.

Councilor Ripma asked when is the Buick event?

John Leamy replied it's the weekend before ours. It will be at Portland International Raceway for the big Cruise In that takes place there.

MOTION: Councilor Thomas moved that the City become a sponsor with the Kiwanis Club of Troutdale in the Presenting Sponsor role at \$1,500 for this year, 2014. Seconded by Councilor Wilson.

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

Motion Passed 7 – 0.

6.2 REQUEST: A presentation regarding Bicycle Tourism in Troutdale, the Gorge Hub Project, and Travel Oregon's Bike Friendly Business Program.

Claude Cruz, President of the West Columbia Gorge Chamber of Commerce (WCGCC), stated this is in part a report on work that has been going on for quite a while and our Chamber has been pushing as part of our Charter to drive tourism promotion in the area. It is also going to end with some tasks. If we are to be successful in our role during this tourism promotion, we need a tight partnership between what we're trying to do as a Chamber and what we need to do as a City as well. You'll find that this arrangement is exactly what's playing out down The Gorge in several other Cities.

Claude gave a presentation to the Council titled "Local Bicycle Tourism Planning" (a copy is attached as Exhibit A to the minutes).

Councilor Wilson asked is there a list of the 25 different items that the businesses can choose from to participate in the Bike-Friendly Biz Program?

Claude Cruz replied I didn't include it but I will drop a copy by City Hall.

Karen Schaaf, Past President of the WCGCC, stated examples are water, food, or a place to recharge your iPhone.

Councilor Wilson asked would these be free services or can they charge for them?

Claude Cruz replied maybe for water but a place that offers food wouldn't be free just that they offer it.

Councilor Allen stated in the Spring of 2013 I was talking with the Governor's Office regarding locations along The Gorge for something very similar. Would you be willing to do some follow-up to see if what we're planning to do is compatible with what they want to do.

Mayor Daoust stated I don't understand what the Governor has in mind compared to what they're asking for which are some pretty discreet things that the City can do and what you're asking for I'm not clear.

Councilor Allen stated I was talking about having stations along The Gorge. But also along The Gorge we plan on having sites for camping and so forth. I'm thinking that there should be some coordination.

Karen Schaaf replied we're doing that. We're working with the Oregon Department of Transportation and Parks and Recreation, all of the agencies are working on this together.

Claude Cruz stated one of the aspects of serving as a Hub is what sort of trail system is in the proximity to that Hub. That is intended to be an integrated offering.

Councilor Allen stated that's exactly what I want to hear.

Mayor Daoust stated this is something that we need to step up and capture. If you're downtown and watch the stream of bicycles go by then there's no doubt that this is a growing tourism business. Gresham has their bicycle initiative, Metro has their active transportation plan where they're talking about bicycle infrastructure and pedestrian trail infrastructure, there's a lot of people talking about this. We have that connecting niche of the Columbia River Gorge. I think we need to take advantage of that. If we could do what Hood River and The Dalles are doing where they're starting to look at what they can provide the bicyclists when they come through town. Whether it be facilities, kiosks, or information. We need to start talking about that.

Claude Cruz replied this is potentially the tip of the iceberg on our becoming more attractive to tourism. I was in Hood River this past weekend watching droves of cyclists coming into Full Sail for some food. When we're entertaining the Discovery Block maybe we can help figure out how to bring in the right sorts of tenants to where we'll start to implement that vision that we did awhile back and make it real. To me I see this as a brass ring going by. There's some urgency to it. In terms of our role versus others, like the Gresham Chamber who has a very active biking program, we've been coordinating with although autonomous from that program. I see that as 1 piece of the puzzle that should dovetail with what Gresham is doing.

Karen Schaaf stated Wood Village City Council, Cascade Locks City Council, Port of Cascade Locks, Cascade Locks Business Association, and Cascade Locks Tourism Committee have all signed the Partnership Proclamation. Hood River was presented the Proclamation last week and I haven't heard the results from that. The Dalles is being presented this next Monday.

Councilor Wilson asked is part of the money that Gresham got as a grant for this available to re-grant to our cities for bike racks or any other items that may be needed?

Karen Schaaf replied I'd hope so. We are partners in that Visitor Development Fund and I would expect that we could use that money. I've also gone to our regional manager with Travel Oregon which has a grant program and she's vetted that it would be reasonable for every city with a project to request from Travel Oregon a \$20,000 matching grant and they also have another \$20,000 overlying grant for the whole program so matching it means they would grant us \$20,000 and \$10,000 we would match with in-kind and another \$10,000 put in by the City, Chamber or we have other grant programs that we'd be working on that maybe could be used as matching grant. We have quite a network trying to collect money. Then the next process would be once everyone agrees to the program would be to decide what it would look like, what are the needs of each city, how much is it going to cost and we'd go into asking for the grants.

Claude Cruz stated my understanding is that the agreement at the regional level was that they would be administrators and join with us as equal partners but that's not the way that it's played out and that it's important for our activities that we have control over our own destiny including funding. I would not like to emulate the model that has held thus far.

Councilor Thomas asked have you talked with the Columbia Corridor Association or East Metro Economic Alliance (EMEA)?

Karen Schaaf replied I don't know that we have. The Historic Columbia River Highway is what connects us all and that is the focus group of this project.

Councilor Thomas asked is the only thing that you are asking us to vote on the Partnership Proclamation?

Claude Cruz replied yes for tonight it's really the Proclamation that indeed this is a good idea, you buy into the vision, and that we're willing to appoint someone to play through the process and report back here so as things develop you'll have some concrete decisions to entertain.

Mayor Daoust stated I'd like the Council to consider signing the Partnership Proclamation so we can have a specific thing that we're working on.

Councilor Ripma stated I read the Proclamation and I would support it. If the Cities up and down the Gorge are signing it, I have no problem with us as well. I think it would be good.

Councilor Allen stated I think this is a great idea. I would feel more comfortable knowing our Mayor and EMCTC (East Multnomah County Transportation Committee) is monitoring things.

Mayor Daoust stated at the last EMCTC meeting we talked about active transportation plan which is part of what the Portland Metro area has as far as bicycle infrastructure so this fits nicely with that. This is something specific that we can hang our hat on and say we're part of the Hub Program. Troutdale is a logical Hub location.

Councilor Anderson stated Claude and Karen this is exactly what we should be working on. This is great. It's tourist related, it ties the region together and it focuses on the Gorge. I agree that we should get behind this and now.

MOTION: Councilor Wilson moved that the Mayor signs the Partnership Proclamation. Seconded by Councilor Anderson. The motion passed unanimously.

Mayor Daoust stated the next phase will be working together on what it means to be Bicycle Friendly.

Claude Cruz replied I will deliver the list of 25 options which is complimentary to the packet that you've already received.

Mayor Daoust stated if there ever comes an opportunity for grant applications, let us know.

Claude Cruz replied we're working to get some grant writer help if we can identify someone with that skill set that's affordable so we may have some horse power that we could put to the task.

7. PUBLIC HEARING / ORDINANCE (Introduced 3/11/2014): An ordinance adopting the Troutdale Transportation System Plan and amending the Comprehensive Land Use Plan Goal 12 in partial fulfillment of Periodic Review Task 4.

Mayor Daoust read the ordinance title.

Craig Ward stated our consultant from Kittelson & Associates is here to present this item. I have directed him to simply summarize the amendments that the Council directed be prepared, which have been incorporated into the packet tonight, and to answer any questions.

Matt Hughart, Project Manager, stated as Craig pointed out, per the Council's request we incorporated a trail that wasn't shown on the maps before, and we removed one of the street connections. Those corrections were made on Figures 1-1, 1-4, 4-1 and 4-5. If you look at Figures 1-1 and 4-1 the trail system adjacent to Sturges Lane has been modified to connect the trail over to Wood Village.

Craig Ward stated this is a small amendment. You will see this trail segment just north of the label that says NE 242nd Avenue. You will see a brown line that connects from Safeway down to a trail that follows the south side of Edgefield. The only component that was added was that leg that goes just south of the longer trail that goes to Edgefield. That was simply an oversight in the previous version.

Mayor Daoust stated so basically we are adding in the trail that connects to Wood Village going down the hill east of 238th.

Craig Ward replied that is correct.

Matt Hughart stated the change in Figures 1-4 and 4-5 is the removal of one arrow that was adding a new street connection to Cherry Park Road.

Mayor Daoust stated that was the connection that Ryan McNaughton brought up. So that has been removed from the Plan.

Councilor White stated I have a question about changing the definition of East Historic Columbia River Highway east of the Troutdale Bridge from a city street to an arterial. It currently has a lower level designation, and now they are talking about converting that to an arterial. The way I understand it, the main problem that represents is if someone is trying to gain access on that road. Is there anything else that complicates that road for people who live or own property along that road?

Matt Hughart replied I think the previous TSP had shown it as a local street in error. The actual classification, from ODOT's perspective, is that it's an arterial. The change we are attempting to make in this draft is to make all of the plans consistent with one another. As far as the impact to the streets themselves, access spacing is certainly one of the impacts.

Councilor White stated there really isn't another way for access. When we looked at doing a sewer system to service that road, a rough calculation was that there could be up to 35 additional homes. I am just concerned that having the designation of an arterial will create a conflict for those property owners. It is really a high pedestrian area; there is a lot of congestion. I am worried that we will have less control of the speed limit and the pedestrian and bicycle friendly amenities that occur in that section of the road. In the summertime it is heavily lined with cars, pedestrians and bicyclists. There is also a lot of distraction in that area. I would like to see that stay as a lighter designation if at all possible.

Craig Ward stated I believe that may have come up in the Planning Commission (PC) meetings. What we show in our current TSP is not the correct classification. My understanding is that it is a state highway and we are bound to classify it in the manner that ODOT classifies it. Regardless of what our preference would be for the state highway classification, we really have no choice otherwise our plan would be inconsistent with the state plan, at least in that regard.

Travis Hultin, Chief Engineer, stated the highway is an ODOT highway and they determine the classification, the access rules, and all of the rules for how it operates. We can show it however we want on our map but that doesn't change anything in terms of how the road would actually be administered and managed by ODOT. What this map is trying to do is reflect what it actually is, which is an arterial. The previous version of our TSP erroneously showed it as a local road, but we don't determine the classification for that road. We are reflecting the classification that is determined by someone else who has jurisdictional authority over that road.

Councilor White stated my other question has to do with some of the costs. I am not sure if I was reading this one-hundred percent correctly. Do you have an actual dollar amount that Troutdale is looking to spend for improvements on County roads within Troutdale?

Matt Hughart stated the amount that Troutdale is going to be contributing towards these projects is reflected in the individual tables. The dollar amounts that are shown in the grey are the dollar amounts that Troutdale has agreed to commit to those individual projects. As far as a tally of just that amount, I don't believe that is shown.

Mayor Daoust stated most of the projects are cost-shared, right?

Travis Hultin replied I don't know if I would say most. A number of them have a City contribution.

Mayor Daoust stated to make sure that the project gets done we might put in some money even if it is a county road.

Travis Hultin stated there could be different reasons. Those contributions are seen in previous capital improvement plans that have been adopted by the Council, or are in other agreements with the County.

Craig Ward stated we had quite a bit of discussion on this point in particular with the PC. I believe that their recommendation addressed this. If you go to Table 4-12 on page 4-31, the Motor Vehicle Master Plan, Project M11, Historic Columbia River Highway/Buxton Avenue. This project in particular was troubling to the PC. It is a project to signalize the intersection of Historic Columbia River Highway and Buxton Avenue and the City would contribute \$200,000 towards it in coordination with a broader project that we anticipate that the County would manage.

Travis Hultin stated that has been in the Transportation Capital Improvement Plan for many years, as long as I have been here. It is an arrangement that was worked out long ago. Since Troutdale residents would obviously contribute a lot of the impact on that intersection the City would pitch in some of the money for that project. It is a relatively small fraction of what the overall project would cost and the County would be making up the difference.

Councilor Allen stated I was talking with Rip Caswell and one of the things that they are looking at is a trail that goes between Beaver Creek and Columbia River Highway. I walked that area and it sounds like what they want to do is a good idea. It could be a showcase provided we take care of the erosion problems on the lower Beaver Creek. (Councilor Allen passed around a photo, copy included in the packet). You can see that we already have a pedestrian bridge that ends at the street, and I have added a dashed line on the map in the direction of the trail. To me this seems like a good idea for us to support. My understanding is that we need it in our TSP in order to get potential funding.

Mayor Daoust stated I guess that is the question. Do we need to show every possible trail in our plan if it is a good idea for the City to do?

Travis Hultin replied I don't think it is absolutely necessary. This is a Plan but as time goes by the City Council can add other projects to the capital improvement program if they want to fund it. I think having it in the TSP often makes a big difference if you are going for grant funding. It doesn't have to be in the TSP for the Council to identify it as an additional desired project down the road.

Councilor Allen asked only if we want funding?

Travis Hultin replied a lot of the transportation related grants have a prerequisite that it be in your TSP, based on what I have seen.

Matt Hughart replied that is correct.

Councilor Allen asked are we saying it is too much of a change to add it tonight?

Mayor Daoust stated I would like to be able to approve the TSP tonight if we can add this trail some other way without holding up the approval of the TSP.

Travis Hultin stated I would think that the Council could adopt it with an amendment.

Mayor Daoust asked just amend the TSP and say we want to add it?

Travis Hultin stated yes, then staff would go in and add that amendment to the Plan as adopted.

Councilor Thomas stated the challenge I have with trying to add it tonight is you are going across private property. I know the property owner and I spoke to them on Sunday and he would not be a happy camper unless he had plenty of advance notice. I would not be in favor of adding anything to the TSP with regards to that piece of property.

Councilor Allen stated the thought would be is that we would connect Glenn Otto Park with the 40-Mile Loop and Troutdale and the Gorge. It just seems like a natural thing to do.

Mayor Daoust stated we don't have to solve this tonight. With many of these projects we have to work through the details. We can approve the TSP tonight and amend it to maybe add that trail in. We can add it in without taking action as to actually doing the project until we get all of the green lights we need, I am assuming.

Councilor Thomas stated I would be real uncomfortable with that knowing the property owner.

Craig Ward stated you can amend the TSP subsequently. We will have to notify the affected parties and we will have to conduct a public hearing. That is really not a huge burden but it is a procedure. This being the first time I have seen this trail, I am wondering where the rest of the trail goes as it goes through this property. As far as I know there is

no northern connection to that trail. There may be a footpath and it may be conventionally used, but that doesn't rise to the level of being an official city adopted trail. My recommendation would be if we are going to consider this down the road, we need to consider it in totality; where that trail will go and how it affects not just that property but other property owners. Obviously the trail is intended to connect along the left side of Beaver Creek, which would affect quite a few property owners if we do that. I think the process needs to be more deliberate than simply adding a small trail segment that really doesn't fit in to the overall trail plan that has been considered by the City to my knowledge.

Councilor White stated I am familiar with that property. The City owns quite a wide strip along the west side of Beaver Creek. There currently is a trail but it diverts onto the street which is less than ideal to have folks walking along Historic Columbia River Highway when that is just a beautiful area behind there along Beaver Creek. Where it comes up would be ideal because you are in perfect alignment with the footbridge in Glenn Otto Park and you have a much better connection for all of those trails. I think it is something worth looking at. We don't have to do it tonight.

Councilor Allen stated it would need to be studied. If we had it in there tonight at least it has the potential of being funded.

Councilor Thomas stated if you look at it from the perspective that we have always sat here and talked about the value of property rights, and what you are doing in this particular case is you are stepping on somebody's property rights and I can't do that.

Councilor Allen stated if I thought they were concerned I would be worried...

Councilor Thomas interrupted and stated they are concerned. When I talked to them on Sunday, it had nothing to do with this, but it was not very favorable towards the City. Let's leave it at that and move on.

Councilor Allen stated your understanding is different than mine.

Councilor White stated and mine.

Mayor Daoust stated all I am concerned about is the ability to approve the TSP tonight and make sure we have the vehicle to add this later if we so choose.

Councilor Thomas stated I am fine as long it goes through the normal process.

Mayor Daoust asked if we approve the TSP tonight, when we get more green lights on this trail that Councilor Allen is talking about, can we amend the TSP a year from now or whenever, to include that one trail? I assume that is a possibility.

Ed Trompke, City Attorney, stated a TSP is required to be amended from time to time by state regulations and statutes, but it can be amended at the option of the City at any time. There is no prohibition.

Matt Hughart stated for a trail, particularly one of this length, it wouldn't be necessary to modify the TSP. The only time I have seen a TSP being updated is when there is a new street connection or a street vacation; something that is going to disrupt the traffic flow through the city. Pedestrian, bicycle and trail connections typically don't have that much of an impact and therefore don't necessitate a full update to the TSP.

Mayor Daoust stated so we can go ahead and do this trail later without updating our TSP is what you are saying.

Councilor Allen asked is still available for outside funding?

Matt Hughart replied I don't know.

Councilor Allen stated we'd have to it on our own.

Matt Hughart stated there are trail master plans. I believe that the City has had a variety of trail plans and other planning related documents that were incorporated into this document. If this plays out the way that you envision it to play out, it could be a pretty significant connection. Looking at both the older maps and the newer maps, and Metro's interpretation of the maps, it looks like this particular connection was envisioned. Both the older and newer version of the map show the trail coming up from Beaver Creek, terminating at Columbia River Hwy. and continuing along Columbia River Hwy. and picking up again. This would essentially shift that trail further to the east.

Councilor Allen stated it would make a more pleasant experience.

Mayor Daoust opened the Public Hearing at 8:28pm, and asked is there anyone here that would like to speak to us about the TSP?

Claude Cruz asked based on the fact that the Eastwind situation is heating up, is there some sort of a provision or proposal in the TSP for connecting the development down below the downtown area with the downtown area?

Mayor Daoust replied yes I think there is. Craig, what is the connection between the urban renewal area and downtown in the TSP?

Craig Ward replied in the Pedestrian Master Plan, Figure 4-1, it shows a pedestrian pathway along the east side of the urban renewal area.

Claude Cruz stated yes for pedestrians, but nothing for vehicular traffic.

Councilor White stated I remember seeing something about an access road off of 257th.

Craig Ward stated on Figure 4-9 it shows a blue line that is essentially the existing access to the urban renewal area. We have had an ongoing series of steps that has transferred the ownership of one leg of that from ODOT to the City; we are still working through some issues on that. It is certainly not the ideal connection to the urban renewal area. Eastwind

is well aware of that and is trying to work with the Simon Property Group who owns the Outlet Mall to provide better access. Also the Council is well aware that the preliminary concept plan for the urban renewal area that Eastwind has proposed has an alternative access, which would be the extension of Kibling Street with a bridge across the railroad into the urban renewal area. That is a very expensive solution. Having better access through the Outlet Mall is clearly preferable, but that requires the cooperation of Simon Property Group.

Mayor Daoust stated the TSP shows access; it may not show the exact preferred access.

Claude Cruz stated to show an access path that basically is in some way routed through the existing mall serves the needs of the urban renewal area, but it could well result in starvation of the current downtown area with traffic stagnating down in the Mall and the urban renewal area.

Councilor Thomas stated there is a master plan for the urban renewal area and if you look at that it incorporates some pedestrian bridges and other things.

Claude Cruz stated I will just leave you with the concern that whatever solution we have in the TSP that it address the need to make sure that there is good ready flow between the downtown area and the urban renewal area, or downtown could really suffer.

Craig Ward stated we will undoubtedly have to come back to the Urban Renewal Agency as well as the City Council for amendments to the Urban Renewal Plan. Eastwind is working diligently on those amendments. That may require an amendment to the TSP. Right now it would be premature for us to start putting lines on the map that Simon Property Group does not concur with, and Eastwind Development isn't committed to.

Mayor Daoust stated we can amend it later if we find \$20 million to build that bridge from downtown over the railroad tracks to the urban renewal area.

Ryan McNaughton, resident, stated I have looked at the TSP and the arrow is gone. I just want to clarify that by just removing the arrow that removed the plan.

Mayor Daoust stated but that carries a lot of weight; the fact that it is not in there. It is gone; you don't have to worry.

Mayor Daoust closed the Public Hearing at 8:34pm

Councilor White stated I am not going to be able to support this TSP tonight. By not requiring 238th to be four lanes I feel it is a significant safety concern for our citizens. Our first responders respond on that road. I feel it is an unnecessary bottleneck and it should have been addressed in this plan. This is about people's safety and it is also an economic limiter. It is about fairness; each area taking on its fair share of the truck traffic and commerce traffic.

Mayor Daoust stated 238th is not part of our TSP; it is outside of our planning boundaries.

Councilor White stated yes, but vacating that corridor tonight is our last shot at ever having any influence on that road.

MOTION: Councilor Thomas moved to adopt an ordinance adopting the Troutdale Transportation System Plan and amending the Comprehensive Land Use Plan Goal 12 in partial fulfillment of Periodic Review Task 4. Seconded by Councilor Wilson.

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

Motion Passed 5-2.

Mayor Daoust called for a break at 8:36pm and reconvened at 8:49pm.

8. PUBLIC HEARING / ORDINANCE (Introduction): An ordinance of the City Council of the City of Troutdale, Oregon, relating to medical marijuana facilities; establishing new code of ordinances Chapter 5.12 and declaring an emergency.

Mayor Daoust read the ordinance title.

Ed Trompke, City Attorney, stated this is a medical marijuana dispensary moratorium ordinance which has an emergency clause attached to it. The need for this arose beginning in the 2013 Legislative Assembly. They legalized marijuana dispensaries for the first time effective at the beginning of March of this year. Many cities have responded either with questions or moratoria or other actions to delay the rush towards a number of dispensaries locating within their cities. The law requires dispensaries to be 1,000 feet from schools and each other, and they are only allowed in three particular zones: industrial, commercial and agricultural zones. There has been a big question since that bill was adopted whether further regulation by cities is allowed or whether it is preempted by the statute. As a result the legislature considered SB1531 in their 2014 Legislative Session. That bill went through a number of iterations. Many of the changes would have allowed preemption or prohibitive preemption by cities meaning cities could or couldn't regulate further. The final version doesn't say anything about preemption, but it does allow cities some reasonable regulation. As you might expect with a committee writing a bill, the reasonable regulation is defined to include reasonable hours, reasonable places within a zone, and reasonable manner or regulation of the dispensing of marijuana. The way courts read statutes is that they look at those three things and say, what is the thread that binds them together to apply to other reasonable regulations; *expressio unius* – the expression of one precludes others. So they have to be similar kinds of regulation. Nobody knows what ties those together. It would be really hard to predict. As a result most of the cities that my firm represents are adopting this ordinance that you have in front of you, or something very similar to it. It is not clear what kind of regulation is and isn't allowed. The current business license ordinance that the City has says that a business has to be in compliance with federal and state law or else it is not allowed to

operate. It is really not clear whether that broad of an ordinance is allowed or whether it is preempted. Every city that has similar language is putting the moratorium in place in order to figure out what to do. SB1531 does allow the cities to adopt a moratorium but they have to be enacted prior to May 1 of this year. That is why there is an emergency clause in the ordinance. I am told that you don't adopt very many ordinances by emergency, but your charter does allow it.

The ordinance, written by my firm, is a new city code section, Title 5. Your Chief has reviewed this ordinance. He has looked at an ordinance that was written by the Police Chief's Association and the League of Oregon Cities and this one is smoother and easier to use than the others. The Chief agreed that this would be a proper ordinance to adopt. Section 1 describes that the City needs time to consider property regulations for medical marijuana dispensaries. Section 2 defines the term. Section 3 prohibits a medical marijuana facility in the City through April 30, 2015, which is the date that the statute says the moratorium must end. Section 4, says that no City employee may authorize a medical marijuana facility. The reason that this is in the ordinance is because there are people in some cities who come in and say we are going to sell herbal products and they want a business license to sell herbal products and then they claim that would allow marijuana dispensing. This doesn't allow the city employees to make that interpretation of the code. The license would be valid for herbal products but the prohibition of medical marijuana sales would be in place, so we just simply eliminate that argument this way. Section 5, makes it a violation with a fine for the operator. Each day is a separate violation so the fines can stack fairly substantially. Section 6, severability. It says if any piece of this ordinance is not constitutional or is preempted than the remainder of it stays in place. Section 7 sets the expiration time as 11:59pm on April 30, 2015. Section 8 is the emergency clause saying that it is effective upon adoption. There is no good reason to wait to make it effective later. It would be problematic if you did. The problem being that somebody could come in and get a medical marijuana dispensary business license and then the city would be in the position of having to rebate the fees charged and somebody could make the claim of atrocious interference, saying the city is taking a bad act by allowing the business to start and then stop. Somebody who enters into a lease might complain that they are being made to pay a lease that they can no longer operate. This way before a business starts everybody is on notice that they can't get a license in the City to operate a medical marijuana facility. It just puts everybody on notice. It is real clear, real direct and it gives the City roughly a year to figure out what kind of regulations you want to put in place and what kind of regulations will be upheld. By that time we should have some clarification from the state, either the legislature or someone in the courts. There are unlucky cities who will be ligating this.

Mayor Daoust asked has there been any signs of litigation against cities so far?

Ed Trompke replied there have been people coming in and asking about getting the licenses. Somebody is going to challenge it and it doesn't need to be this city.

Mayor Daoust stated that is a discussion that a lot of the mayors have gotten into in the Portland Metro area. We meet every month and we have discussed this at length. We tried to talk to our state legislators about SB 1531 to give cities the authority to regulate

medical marijuana dispensaries a little more clearly than what the currently bill's language is. Chris Gorsek was going to go along with us and agree to that, but the democratic leadership saw differently. Let it be known that we have had our share of inquiries. Back in October of 2013 we had an inquiry to open a dispensary in Troutdale and they threatened litigation if our response was no. Luckily they didn't do that; it was an empty threat. This really doesn't have to do with those people that hold medical marijuana cards; that is a completely different situation. We know that there are people in Troutdale that have medical marijuana cards and that are growing in their homes or apartments to meet their needs for medical marijuana. From what I understand we have about 19 of those medical marijuana card growers in Troutdale already. But this is different.

Ed Trompke stated this would not affect them.

Mayor Daoust stated it would not. So this would be setting up an actual business to distribute medical marijuana. It is a pretty complex and divisive topic, but I think we need this moratorium just to give us time to figure out what we need to do. It gives us a year.

Councilor Allen stated I think I would prefer time just to see how the data goes out and what the decisions are. What I don't know is if there are any statistics on increased or decreased traffic accidents, increased or decreased crime, or increased or decreased social problems in areas that are doing this. I don't know what the future legislation is going to be. I would prefer time as well.

Mayor Daoust opened the Public Hearing at 9:02pm.

Kari Hachmann, Gresham Outlook, stated this moratorium you said puts everybody on notice that they cannot operate a medical marijuana dispensary in the City.

Ed Trompke replied the technical statutory term is a medical marijuana facility, but everyone calls them a dispensaries. That is the kind of business that would be disallowed by this. A person who has a medical marijuana card can possess up to the limits of the card. A person who has the ability to grow pursuant to a medical marijuana card, or an agreement with a person with a card, still can do that. It is simply the aggregation into a larger scale business for a dispensary that is prohibited.

Mayor Daoust stated if we decide to adopt this it would put a 1-year moratorium in place. It gives us time within that year to decide if and how we want to restrict the dispensaries either by zoning or any other way.

Mayor Daoust closed the Public Hearing at 9:04pm. We will have a second hearing on this ordinance at our next meeting.

9. STAFF COMMUNICATIONS

Craig Ward stated we have confirmed the availability of the Sheriff on May 6th at 6:30pm for a second work session regarding the Sheriff's proposal. Does this date work for the Council? ***Council agreed to the proposed date and time for a work session.***

Craig Ward stated we get requests from time to time by outside agencies, non-profits and others who ask to have articles included in the Troutdale Champion for their fundraising events. Keep in mind that we use the copy space that we have. If we were to amend our procedure and begin allowing advertising in the Champion for these events, which are events that are done for good purposes, I am not sure where we will ever end with that. We had a solid presentation tonight where the Council directed that we contribute \$1,500 towards, so we are clearly a co-sponsor of their event. Where this most recently came up was with the Bite of East County. They are asking us to put an article in the Champion for their event, which I am loosely calling an advertisement or announcement of an event. It is a fundraiser, and they are great fundraisers. Our procedure has been to decline those requests and I am planning on doing so again in the case of whatever groups come to me, but most importantly at the moment it is the Bite of East County. Absent direction to the contrary to prepare a new proposal to deal with this, than that is the position that I recommend, and that we have taken in the past.

Councilor White stated I support that position.

Councilor Allen stated it is hard to know where to draw the line. I don't want to compete with the commercial papers.

10. COUNCIL COMMUNICATIONS

Councilor Thomas stated I would like the City to entertain moving the municipal court to the City Conference Building (CCB). I think it has a serious impact, especially during the summer, on the economic viability of downtown Troutdale. I would also like to keep the chronic nuisance ordinance on the forefront. I am still receiving a fair amount of pressure on that.

Councilor Allen asked do we have any conflicts with using the CCB during that time?

Mayor Daoust replied what we can do, if the Council agrees, is have staff look into that option.

Councilor Allen stated I would like to support what Councilor Thomas is saying as long as we are not competing with some other function in the CCB.

Mayor Daoust stated if the Council agrees we can have staff look into the option of moving the municipal court to the CCB. Currently court is being held in this room and there have been a few desires to not have it held here.

Councilor Wilson stated I am in support of that.

Craig Ward asked if there are no conflicts, is our direction to move court to the CCB?

Councilor Thomas replied please do.

Mayor Daoust stated yes.

Councilor Allen stated I believe that last time what it was is that we had an intermixture of activities going on in the building and that is what we want to avoid. If we can avoid where we have kids walking by during a trial, and that sort of thing, then yes lets move it.

Mayor Daoust stated it is only one day a week.

Craig Ward stated I am not aware of any conflicts on Mondays. There could be something in the afternoon. I will let you know if there is, otherwise I will take our direction that absent a conflict we will move municipal court to the CCB.

Councilor Ripma stated if it is feasible. You are going to look into whether it is feasible to do?

Craig Ward stated the feasibility is my primary concern, and whether or not there is a scheduling conflict. A recreation class would be the most likely conflict. If there are other conflicts I will inform you of them.

Councilor White stated we had a successful smelt run on the Sandy River on March 22nd. I think everyone in town knew the smelt were in the river based on the crowd of people that it generated. It was a lot of fun and I am glad that we were able to allow people to harvest some smelt. The run lasted until Tuesday. It was one of the biggest runs I have ever seen on the Sandy River.

Councilor Allen stated one thing I noticed when I was looking at Beaver Creek was the effort that is going on by various groups such as SOLV and the Steelheaders to help future fish populations within our river. I appreciate that.

I had made a comment that Lt. Wendland had some good ideas which helped me understand our last public meeting better. I did not go into the details of what those were; I am just bringing that up in case the rest of the Council might be interested in also hearing those ideas at a future date. That is why I didn't share the details because it could be a future council meeting. There are some things that I believe our police weren't happy about that I did not know prior. I have not shared those details with anybody as well because of future council meeting. You may want to look into that a little bit more. We need to make sure that we take care of our people.

Councilor Thomas stated I am wondering if you should share those with the City Manager since the police are under his direct control.

Mayor Daoust stated there is a lot of due diligence that will be done between now and our next work session regarding the Multnomah County Sheriff's Office proposal.

Councilor Allen stated it would be related to that; you can check into whether or not that should be scheduled and on the agenda in the future or not.

Mayor Daoust stated if there is anything that any councilor wants looked at before the work session, feel free to bring it up to staff. If it is homework, an assignment, or questions

that can be done prior to the work session than go ahead and do that. That is an efficient use of staff's time rather than raising the question at the work session and hitting everybody cold.

Councilor Allen stated I am purely just working on making informed decisions and not violating the public meeting laws by saying anything.

Councilor Wilson stated as you go into downtown Troutdale there are really no bike racks there. I am just wondering if we could have the City investigate putting in a bike rack in Mayors Square. Maybe just look into what one would cost out of the box, or having Rip Caswell look into making a real nice one to put in there. Then maybe after that we could look into seeing if there was grant money available to help pay for Rip's.

Craig Ward replied of course.

Councilor Ripma stated I noticed in an email from Zach Hudson that the Citizens Advisory Committee (CAC) had met and they have kind of wrapped up their agenda and were looking for other ways they could be helpful. I was thinking that they could be a public advisory to the Council on the city hall replacement or refurbishment issue. I think that would provide public input and I think they would be good. I am not certain just how they would contribute, but perhaps after we receive the needs analysis we could ask them to look at the possibilities and make a recommendation to us.

Mayor Daoust stated that is one of the questions built into the timeline; deciding whether we want a committee or not. We had, in the past, designated a committee that was not the CAC and we held them at bay saying that they didn't need to meet now, and that we will call on them later if we need them. We will have to decide what to do with that committee that is on hold right now verses the CAC being the committee. We can discuss that at the work session coming up.

Councilor Ripma stated I just thought since they were already constituted it would work; I don't know if that city hall committee is really still alive. We didn't talk about it when we interviewed for committees. I am just throwing that out as an idea to discuss.

Councilor Wilson stated there was a decision to have that committee. We didn't do the interviewing at Doug's request because we knew most of the people on it; we bypassed that part of it. There was an official committee made, it just wasn't activated.

Mayor Daoust stated Councilor Ripma makes a good point about the CAC. We probably need to invigorate that committee, or give them assignments that they could be working on to help us out. They can do a lot of research. They can deliberate topics and bring back a recommendation to the Council, which is really what we should be using the CAC to do. Right now their cup is empty.

Councilor White stated I think this bike hub idea would be right up their alley. I would like to see a bike shop come to Troutdale. Maybe look into some incentives to get a bike shop here.

Councilor Allen stated I have also been mentioning that we did a lot of work to ratchet down during the downturn of the economy and we reduced services. I would be interested in knowing if the public is perceiving a need out there that some services come back sooner than others. Are we meeting the needs of our people is basically my question. The CAC could answer that.

Councilor Anderson stated I agree with the Council consensus of moving municipal court up to the CCB if feasible. Secondly, with the budget coming out next week I want to remind the Council of the State of the City Address where Mayor Daoust made a suggestion that we fund public art in the City of Troutdale, I thought that was a great idea when he made it. In the budget meetings coming up next week the Budget Committee can have a discussion on that and hopefully make that vision a reality in the upcoming fiscal year.

Mayor Daoust stated I did bring that up in my State of the City Message and the intent was to have a multi-prong approach to elevate the City as more of an arts destination. Part of that was to talk about and decide how much we wanted to incorporate art into the city. In addition to that there was the formation of an Art Committee, or whatever kind of committee would be involved in that decision. Councilor Anderson is just watering the seed that I planted. If we are going to spend any money on public art, be it Rip Caswell's or whoever, it may have to be in the budget. We can leave it at that and discuss it at the budget meetings.

Mayor Daoust stated as a Council we need to decide who is going to be appointed to the Mt. Hood Cable Regulatory Commission (MHCRC). Councilor Thomas has agreed to continue to sever on the MHCRC. It is a 3-year term.

MOTION: Councilor White nominated Councilor Thomas to continue serving as Troutdale's representative on the MHCRC. Seconded by Councilor Wilson. Motion Passed Unanimously.

Mayor Daoust reminded the Council about the following:

- The Oregon Government Ethics Commission requires us to mail in our SEI by April 15th.
- Sunday, April 20th there is an Easter Sunrise Service at Mayors Square at 7am.
- Budget Committee meetings are next week.

Mayor Daoust updated the Council on the following:

- We wrote a letter of support for the Troutdale Historical Society (THS) that they can submit with their grant applications. The Council agreed to donate \$10,000 to the THS for their King of the Byways Exhibit celebrating the 100th Anniversary of the Historic Columbia River Hwy. Those funds can be used as the required matching funds for grants.
- Rip Caswell is working on his property where the Historic Columbia River Hwy. meets Jackson Park Road. His statue that he is proposing of Sam Hill and Samuel Lancaster on that property is in the Multnomah County right-of-way. Multnomah County Commissioner Diane McKeel and her staff assistant come out to the

property and they are going to look at options on how they can work with us to have that statue, the stonework and the gardens that surround the statue right there on the roadway with them pointing towards Broughton Bluff. Rip wants to make it bike friendly with bike racks and a drinking fountain.

11. ADJOURNMENT

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

Meeting adjourned at 9:27pm.

Doug Daoust, Mayor

DRAFT

Dated: _____

ATTEST:

DRAFT

Sarah Skroch, Deputy City Recorder

Troutdale City Council Discussion

Local Bicycle Tourism Planning

April 8, 2014

Claude A. Cruz- President, WCGCC
Karen Schaaf- Past President, WCGCC

Exhibit A
April 8, 2014 Council Mtg. Minutes

Goals for Today:

- Update Council on WCGCC plans and activities for bicycle tourism
 - Overall context
 - Gorge Hub Program
 - Bicycle-Friendly Business Program
- Enlist City support & collaboration:
 1. Gorge Hub City endorsement
 2. Appoint City Gorge-Hub representative
 3. City/Chamber co-sponsorship of Bike-Friendly Business roll-out
 4. Engage w/WCGCC in Bike-Friendly Program roll-out
 5. Consider TO Tourism grant application w/Chamber help

Local Bicycle Tourism

- Financial big deal for OR: \$400M/yr
- Desirable visitors- well-educated, affluent
- Low-impact, repeat visitors
- High value to tourist areas, e.g. Troutdale!
- Several different cycling segments
 - Require different support services
 - Different businesses can participate

VISION: Make Troutdale an overnight starting/ending point for trips thru “Gateway to the Gorge” --- access-point to/from PDX, Gresham



Gorge Hub Program

- A Gorge initiative- centered on HCRH
 - Driven by Cities and Chambers
 - Complementary to, but independent of, GACC-sponsored bike-tourism efforts- *not just cycling*
- Collection of participating Gorge Cities
 - Troutdale to The Dalles
 - Cycling-focused, but also for hikers/walkers/autos
 - Troutdale has key role: gateway to the Gorge, from both Portland and East County/Gresham
- Our challenges:
 - Local embracing of bike tourism
 - Equal contribution from W. Gorge (not just central & Eastern Gorge- current focus)
 - Fiscal administration by MCEDD (geo scope?)

Bike-Friendly Biz Program

- Sponsored by Travel Oregon
 - We (City & Chamber) can enlist our local businesses
 - Possible access to TO tourism grant \$\$ (again, thru City application with Chamber support)
- WCGCC intends to promote this
 - Fits Chamber's tourism charter
 - Very low cost of entry to our businesses
 - City can stimulate more robust investment by businesses, e.g. thru matching grants
 - We (Troutdale and WCGCC) need to support our local biz (esp. downtown, on HCRH)

Next Steps:

1. City endorsement of Proclamation
(Partnership, no up-front \$\$ commitment)
2. Appoint City Bike-Hub representative
(Plan Hub in Mayors Square, bike racks?)
3. City/Chamber co-sponsorship of Bike-Friendly Business roll-out
4. Engage w/WCGCC in Bike-Friendly Program roll-out (Hub, biz support)
5. Consider TO Tourism grant application
(Hub and/or BFB) w/Chamber help

DRAFT

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

Tuesday, April 22, 2014

1. ROLL CALL, AGENDA UPDATE

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

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

ABSENT: None.

STAFF: Craig Ward, City Manager; Debbie Stickney, City Recorder; Ed Trompke, City Attorney; and Travis Hultin, Chief Engineer.

GUESTS: See Attached.

2. CONSENT AGENDA:

2.1 RESOLUTION: A resolution approving a transparent process plan for evaluating the needs and options for a potential new City Hall.

MOTION: Councilor Thomas moved to adopt the consent agenda. Seconded by Councilor Wilson. Motion Passed Unanimously.

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

Stayce Blume, resident in Corbett, stated we are here representing the Troutdale Business Association on behalf of the Bite of East County. We had submitted some information to be included in the Troutdale Champion, which created some discussion. I wanted to thank you for taking the time to discuss it and consider the event as a community event and to have it placed in the calendar, and hopefully we will be able to have our full press release in the paper.

Dean Hurford, resident in Portland, stated the reason I am here is because we have been working on the Bite of East County for over two years. When we first started this I begged the business groups not to do it. I am in the restaurant business and this is hard to do and it is too hard to make money for a charitable event. People look at me as a business person and think how much money I must make at these beer gardens, etc. At the end of

the day you make a nickel on the dollar; you are doing this for a community event. This is hands down a community event. I am here out of a little bit of frustration, or wanting an interpretation of what is considered a community event. We have worked tirelessly for two years on this event and we are trying to get the Outlook and others to recognize it. Zarephath Kitchen provides 180,000 meals a year. Everything we are doing is to benefit that group, that local charity. I am just asking what is a community event? I am frustrated that as hard as we work on the outside to try to do something good for the community that it is not received with open hands on behalf of the city saying that we will do whatever we can do.

Mayor Daoust stated we will discuss this under Council Communications tonight.

Dean Hurford stated we assumed it would be a community event because you have already allowed us the use of the park and waived the fees.

Councilor Thomas asked are you a non-profit?

Dean Hurford replied Zarephath is a non-profit. I am not a non-profit.

Councilor Thomas stated so the organization that is putting this together is not a non-profit.

Dean Hurford replied the organization that is putting this together is Zarephath Kitchen. We are all just the vendors helping to make it possible.

Claude Cruz, West Columbia Gorge Chamber of Commerce, stated I have a quick update for you on SummerFest. We are on track. Sponsorships are coming along nicely and we have a nice roster of entertainment. This time, unlike prior years, my goal is to make the event as self-supporting as possible by targeting high enough revenue from sponsorships and perhaps having some money-making events. We will request some help from the City in the form of the porta-potties. In the unlikely event that there is a shortfall, when the smoke clears, I will come to the Council and inform you of that and work with you to hopefully get some backfill support that the Chamber may have to buffer initially. I think that is a remote possibility at this point.

4. RESOLUTION: A resolution approving an agreement between the City of Troutdale and McMenamins Inc. for the Summer Concert Series as an Event of Citywide Interest.

Craig Ward, City Manager, stated this agreement has evolved over the course of several years. It is really no different except for one provision. Annually when we meet with McMenamins they have requested that we try to find an easier way to get this agreement approved. This document reflects my proposal to do that, which they concur with. We did have an issue a couple of years ago when they brought in a concert that created some issues for us. It was a 3-day concert that was not consistent with this agreement. McMenamins came back to us last year and requested to be able to do that again and my suggestion was if you they were going to go outside of the bounds of the existing

contract they would definitely need to come to the Council. We had a thorough discussion about what the issues were with that concert, and they chose to not go forward with it.

This proposed agreement reflects the same agreement that we have had for several years with the exception that this proposal, in Section 6, delegates to the City Manager or designee, the authority to amend or terminate this agreement without action by the City Council. There is also some additional language dealing with terminating the agreement. It is my intention with this proposal to essentially have a document that they can rely upon. They are busy scheduling concerts. It is a fairly complicated process that they have to go through. Annually they come back to us at about this time of year and ask for us to approve the agreement. It would be a significant hardship on them if we decided at this point to amend the agreement and change those terms. My sense is if we want to be business friendly, they are an important business, and we should remove the impediment of making them go through this annual renewal process. As long as they stay within the existing bounds of the agreement, which we have come to rely upon and be familiar with, then my recommendation is that you approve the agreement in the form shown.

Mayor Daoust asked has McMenamins seen this agreement?

Craig Ward replied yes.

MOTION: Councilor Anderson moved to adopt a resolution approving an agreement between the City of Troutdale and McMenamins Inc. for the Summer Concert Series as an Event of Citywide Interest. Seconded by Councilor Thomas.

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

Motion Passed 7-0.

5. PUBLIC HEARING / ORDINANCE (Introduced 4/8/2014): An ordinance of the City Council of the City of Troutdale, Oregon, relating to medical marijuana facilities; establishing new code of ordinances Chapter 5.12 and declaring an emergency.

Mayor Daoust read the ordinance title.

Ed Trompke, City Attorney, stated this ordinance was introduced at the last meeting. The terms of the ordinance are pretty straight forward. The ordinance does have an emergency clause attached to it because it needs to go into effect before May 1, 2014 in order to comply with the state law for a moratorium on medical marijuana dispensaries. It does affect some areas in the city so it will in fact have a practical effect.

Mayor Daoust stated other cities are taking this up; we are not the only city that is addressing this.

Ed Trompke stated several other cities have adopted this identical language, and others are adopting something very similar.

Mayor Daoust stated I was driving around Portland this weekend and I did notice that there are medical marijuana facilities in Portland. That is not too far from here, so it isn't like people don't have options if they need it. This will give us a year to figure out what we want to do with these facilities, which is what we need to properly work on this.

Mayor Daoust opened the Public Hearing at 7:16pm.

Paul Wilcox, resident, stated at the last Council meeting Mayor Daoust stated that he believes that there are about 19 medical marijuana card holders who are currently growing their own in Troutdale. There are probably many more cardholders that don't have the means or desire to grow their own. However, there may also be cardholders who have been considering starting a home-grow operation that have been waiting to see if the dispensary option becomes available. Since medical marijuana is a medically acknowledged benefit in the treatment of numerous conditions, these patients should not be denied easy and convenient access the same as those who obtain prescription drugs from their neighborhood pharmacy. A local outlet would probably also eliminate the need for so many home growers. Also missing from the discussion are any pro-business voices. These facilities would generate fees and cash flow within the community. It seems far preferable to have a dispensary in an approved location to serve card holders rather than large and dispersed grow operations. Would the Mayor or any of the Councilors be comfortable knowing that their next door neighbor was legally growing pot in his back yard? Such an operation could become a target for theft or home invasion, which creates added workload for local law enforcement. I understand that indoor operations also require large amounts of heat and electricity. If the necessary accessory equipment is not properly installed and used the operation could become a fire hazard. It is only a matter of time before Oregon follows the lead of Washington and Colorado and legalizes recreational use of marijuana. The way in which medical marijuana is introduced will be an indication of how smoothly that future transition will occur. I realize that the moratorium in an absolute prohibition for a limited time only, but it could lead to a permanent prohibition. My major concern is that this delay will result in more home grow operations which will most definitely not benefit the wider community. I fully expect the Troutdale moratorium to pass since a tsunami of consensus has swept over east county cities in favor of one. If Troutdale does not have a moratorium all of the business people thwarted by surrounding communities would descend on Troutdale. In any case, I wanted to bring to the Council's attention the possible unintended consequence of an increased number of local growers.

Mayor Daoust stated it is interesting to note that one of our City Councilors does have a grower next door.

Mayor Daoust closed the Public Hearing at 7:20pm.

Councilor Allen stated just a clarification, dispensaries still rely on growers. Isn't that correct?

Mayor Daoust replied yes.

MOTION: Councilor Thomas moved to adopt an ordinance of the City Council of the City of Troutdale, Oregon, relating to medical marijuana facilities; establishing new code of ordinances Chapter 5.12 and declaring an emergency. Seconded by Councilor Wilson.

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

Motion Passed 7-0.

Mayor Daoust stated the ordinance will go into effect before May 1, 2014.

6. PUBLIC HEARING / ORDINANCE (Introduction): An ordinance adopting a new Public Facilities Plan as an implementing element of Comprehensive Land Use Plan Goal 11 Public Facilities and Services in partial fulfillment of Periodic Review Task 3.

Mayor Daoust read the ordinance title.

Craig Ward, City Manager, stated this plan has received considerable review. We have been working on it for quite a long period of time. It recaps the public facility components of the master plans that the City has already adopted. There was a discussion about the Sewer Master Plan and some of the provisions in that plan. This proposed Public Facility Plan (PFP) is consistent with the adopted Master Plan that removed the item that the Council and the Planning Commission were most concerned about. We have our consultant here, Matt Hastie of Angelo Planning, who will present a report on this ordinance and the Plan that it implements/adopts.

Matt Hastie, Angelo Planning, stated this is part of your Periodic Review Work Program. All cities in Oregon are required to adopt a PFP. The PFP combines information from your specific facility master plans. They focus on water, sanitary sewer, and stormwater facilities as well as transportation. In this case since you just adopted an updated Transportation System Plan, this document just references that plan; it doesn't try to repeat all of the information. This document also includes some very brief information about other public facilities and services that the City provides.

The type of information in the PFP is an updated set of goals and policies essentially from your previous PFP, which was adopted in 1990. There are policies based on the individual master plans, and there are some additional policies that just reflect how you provide and build public facilities for water, sewer, and stormwater management. There is also information in the document about existing facilities and services as well as future facilities

and services based on what you are expecting to need to do in the future. It is very brief compared to the more detailed information in the specific master plans. This Plan is more of a reference and summary of the information contained in the master plans. There is also essentially a Capital Improvement Plan (CIP), again based on what is in the master plans. It is a list of projects and a set of costs. We took those costs and updated them to current dollars where that needed to be done depending on when those facility master plans were adopted. There is also information about financing and funding; how you are going to pay for these things both in terms of capital improvements as well as ongoing service provision and maintenance of facilities. There is information about the other public facility providers within the City of Troutdale; how you coordinate with them and any agreements you have with them.

There was a fair amount of attention from both the Citizen Advisory Committee (CAC) as well as the Planning Commission (PC). There were a couple of changes that were made based on the discussion and review with the PC. One was the removal of a couple of sanitary sewer extension projects. They also caught a typo on one of our maps which has been corrected. There is some language in the Plan that says, just because we list a bunch of specific projects within the Plan that does not obligate the City to go out and build every one of those projects during the timeframe identified in the Plan. That is going to depend on annual updates to your CIPs, resources available, etc. The PC said that language should be upfront in the document so we moved that to the front of the document. Those were the changes made based on the discussion and review with the PC, which subsequently recommended that the Council adopt this Plan.

Councilor White asked on those proposed sewer lines that were pulled out, is there a chance that those might be brought up again in the future or is this it?

Matt Hastie replied there is nothing to prevent the City from identifying the need for those projects in the future. As I understand it they did get removed from your Sanitary Sewer Master Plan. Even though this was an update from a 1990 document, you should probably be updating this plan more often than that. There is nothing to stop you from updating these documents more frequently and from updating your CIP which gets done on a regular basis. Just because it is not in this plan doesn't mean you won't ever do that project. It means at this time the City is not including that project in the PFP and Master Plan.

Councilor White stated on page 4 under Policies it says, "The City shall be the sole public water service provider to all users within the City limits." How does that work if someone is on well water now? Are they allowed to continue that use or are they going to be required to hook up to city water?

Matt Hastie replied generally that means that there isn't another water district or another city providing water service within the City of Troutdale. The City is the sole provider for water; I don't think it prevents someone from getting water from a well.

Travis Hultin, Chief Engineer, replied the key word is public, meaning that we will be the only municipality, service district or any public body that would provide water to our citizens. There is nothing to prevent people from maintaining wells that they already have.

Mayor Daoust opened the Public Hearing at 7:32pm and asked, is there anyone here that would like to speak to the Council on this issue?

No testimony received.

Mayor Daoust closed the Public Hearing at 7:32 and stated that there will be a second hearing at our next meeting.

7. PUBLIC HEARING / ORDINANCE (Introduction): An ordinance adopting text amendments to Comprehensive Land Use Plan Goal 11 Public Facilities and Services in partial fulfillment of Periodic Review Task 3.

Mayor Daoust read the ordinance title.

Matt Hastie, Angelo Planning, stated in addition to being required to adopt a PFP as part of the Periodic Review Work Program, cities are also required to amend their Comprehensive Plans to include certain information from the PFP into the Comprehensive Plan. This ordinance deletes the current text on Public Facilities, Goal 11 within your Comp Plan and essentially replaces it with the document that you have in front of you. The State of Oregon Administrative Rules are pretty specific on what type of information needs to be included in your Comprehensive Plan. We have included some introductory text, which is not one of the items that absolutely has to be included but we think it is helpful. The required information that must be included in the Comprehensive Plan according to the Administrative Rules are:

- A list of projects that are coming from the CIP, which are included in the PFP;
- A set of maps that show the locations of those projects;
- A summary of other public facility providers with an emphasis on water, sanitary sewer, stormwater and transportation, and it can include other information; and
- Any agreements that the City of Troutdale has with those other providers.

That is essentially what is in the proposed set of amendments to your Comprehensive Plan. In discussions with the PC, the same issues were brought up about the sewer extension projects. Those projects were included in an earlier version but they have been removed from the version before you. The PC also wanted to make sure that we listed all of the school districts that provide school facilities within the City of Troutdale. I think we added one. We made a few changes based on input from the PC.

Councilor Allen stated it would seem to me that the whole purpose here is basically to push forward with these projects and if for some reason we are not able to do them financially then we have to update on an annual basis.

Matt Hastie replied no. You don't have to update the PFP or the Comprehensive Plan on an annual basis. This is intended to basically consolidate information from those various

facility master plans into a single public facilities plan document, as well as your comprehensive plan in terms of the list of projects. It is intended to give you a sense of what projects you expect will be needed to meet your approximately 20 year needs for these types of facilities. The City has a separate process of updating your CIP annually in terms of what you are expecting to build and pay for in the next several years. That is really your opportunity to update the list of projects in the shorter term. Because this PFP and the Comp Plan have to look out 20 years there is a recognition that you are not tied to building every one of these projects listed in exactly the timeframe that is listed. You have to look at what resources are available, is growth proceeding as predicted in the master plans, etc. Typically cities adjust that through their annual capital improvement planning process.

Craig Ward stated in my opinion the real purpose of this is transparency. If somebody wants to build here and if they want to understand how the City intends to grow and where investments are going to be made they will have a document that they can review that anticipates that. We have to make periodic decisions in our capital improvement program as to where we actually spend the money based on what real problems occur and are obvious to us. This is a snapshot in time of where we see the City growing and where we see investments to be likely in the next 20 years.

Councilor Allen stated that takes care of my primary concern of trying to predict what the economy is going to do and our public's willingness to pay for the projects which will vary over time. I take it that we still prioritize projects as to which ones are most important to us?

Matt Hastie replied in the PFP priority is essentially based on timing. What do you expect to need to build in the next 5 years, 5 to 10 year period and the 10 to 20 year period. Beyond that, in these documents, things are not ranked in priority order. I am not sure how that works in your capital improvement planning process, which is adjusted more frequently.

Mayor Daoust opened the Public Hearing at 7:40pm and asked, is there anyone here that would like to speak to the Council on this issue?

No testimony received.

Mayor Daoust closed the public hearing at 7:40pm. We will have a second hearing at our next meeting.

8. STAFF COMMUNICATIONS

Craig Ward, City Manager, provided a handout to the Council (copy included in the packet) showing several options for our City Entrance Signs. Our entrance signs are getting pretty dilapidated. I had emailed the Council with a proposal but I got some feedback, so I would like some direction from the Council tonight. The sign company prepared several images (shown in the handout). There are two sets of options: the old sign with the old logo, or the new sign with the fish logo. We haven't made a formal

decision as far as I can tell to change our logo, but it appears to have changed over time and this is just another reflection of that. Rather than having a new sign created Public Works is proposing that we have a metal sign fabricated with new imagery and it will just be attached to the existing wooden signs that are in place. It will be relatively inexpensive.

Council discussed the nine variations of the entrance sign. The consensus of the Council was to go with: New Logo - Option 1, Ribbon - enlarging the inside border of the oval to include "Gateway to the Gorge". (If possible remove the white space behind the tail of the fish right above the 1907 ribbon.)

Craig Ward stated this fish design is actually a Rip Caswell contribution to the City with the requirement that before we use it or amend it that we run it by him and make sure that he is okay with his artwork being used in this manner.

Craig Ward stated so let's talk about advertising special events in the Champion. We discussed this at the last meeting. I realize there is some discomfort with it. We do have a standard operating procedure regarding this. We can amend that. I just want some direction. I think listing fundraising events in the calendar is a pretty efficient way of getting it done if you choose to go down that path. It really does become potentially problematic. If that is the direction you want to pursue that is fine. At some point, if you want to have a more thorough discussion we need to bring more facts to you in a work session to talk about how to deal with these events.

Councilor Thomas stated in the past when the Lions Club has had their Christmas events, etc. for the community we have allowed that in the calendar in the Champion. I don't know of any time when we allowed for any kind of ads in the Champion. Since it is a non-profit organization that is making this request I am more amenable to putting it on the calendar so people can see it. The real advertisement to draw people in is going to be something glossier and bigger. Having it on the calendar is nice.

Councilor Anderson stated how much does it cost to mail one issue of the champion?

Craig Ward replied it is probably \$1,000 for the mailing costs per issue.

Councilor Anderson stated my thought is that we have annual events that happen every year and so does Fairview and Wood Village. Why couldn't we partner with the other two cities and perhaps even Gresham and mail out a big calendar of events that is separate that folks can hang on to that will show all of the events?

Councilor Wilson stated every year the Outlook puts out a Summer Fun Guide that lists all of the events from Gresham, Troutdale, Fairview, Wood Village that get submitted to them. That is due out at the end of May. That is already being done.

Councilor Anderson asked are we past the deadline?

Councilor Wilson replied no.

Councilor Anderson asked can we get extra copies?

Councilor Wilson replied that would be up to them; they would probably have to buy them.

Councilor Anderson stated we are getting into this area with the Champion where the lines are really getting blurred. We have a lot of events and we should be promoting our events. We should be promoting everything - the Lions Club, Kiwanis Club, The Bite of East County, SummerFest, Tree Lighting, Fall Foliage Studio Tour, and everything that the Chamber is involved in. We should be promoting it. That is a good business for us to be in. The vehicle perhaps is not the Champion. It puts us in an unfortunate position where we have to say yes to you, no to you and that is just unfair to us and the event organizers.

Cari Hachmann, Outlook, stated it is not past the deadline. I am actually working on that right now. I am not sure about providing extra copies.

Mayor Daoust stated the Champion is going to print this week. If we are going to put the Bite of East County on the calendar of events we need to decide tonight so they can squeeze it in.

Councilor Ripma asked and the policy now is to allow non-profits like the Lions Club to list their event on the calendar?

Craig Ward stated calling it a policy overstates its weight.

Debbie Stickney replied groups like the Lions Club and the Boy Scouts, and some of the events that have been in existence before I started here, have always been included in the Champion. The policy that we created was done to curb the former Mayor Jim Kight from including articles promoting/publicizing private businesses. We recently created a policy to help formalize what had been done in the past and to address the business related articles that were being submitted for inclusion in the Champion. In the past there were no written guidelines. The Council adopted a resolution identifying some groups that that are allowed to use the Cox Building for no fee or a reduced fee. I really consider those groups to be sponsored by the City. The group putting together The Bite of East County didn't fall into that category. Their event is a special event under the definition in the Development Code in the sign chapter because it is a fund raising event. That allows them to have vendors in the park and have a banner sign on the corner of 257th.

Mayor Daoust stated so it is a special event. We have not discussed whether it is a community event. I think that would take a council action.

Debbie Stickney stated I believe that the definition for a community event includes that the group or event is somehow sponsored by the city.

Mayor Daoust stated we don't have to do that tonight. I think what I am asking tonight is whether we want to list it in the calendar of events.

Councilor Wilson stated I think by waiving the fees for the use of the park we are kind of sponsoring this event.

Debbie Stickney stated from staff's discussion this morning there were no fees waived. There is no fee to use Columbia Park, therefore there were no fees waived. I don't recall the Council having a discussion about this.

Councilor Anderson asked so you just want clarity on this one event tonight?

Mayor Daoust replied yes. I would like to list it in the calendar of events.

Councilor Anderson replied I am completely for it.

Councilor Wilson replied I am for it.

Councilor Allen asked what were the concerns last time?

Mayor Daoust asked last time being when?

Councilor Allen replied the last time we discussed this kind of thing with the Champion?

Councilor Ripma stated the issue is what will staff do when someone else asks to have their event included. We are in affect saying okay for this group. Staff gets no direction. Right now there are a couple of grandfathered groups that are listed and if we don't change that staff would deny inclusion of this Bite of East County in the Champion like they would anyone else who had a fundraiser going on in the City.

Craig Ward stated if you want to create a thorough policy we will need a work session. There is a lot of complexity that is not apparent. What does it mean to sponsor?

Councilor Ripma stated by waiving the rule this one time, which I think we all want to do, it opens a can of worms.

Councilor Allen stated this is the type of thing we want to support, we just don't know what the parameters would be; that would need to be done in a work session.

Councilor Ripma stated I wouldn't want staff to not have authority to say no to anybody. It is hard to define a rule that gives them guidance. This is a public paper paid for by the taxpayers. I worry about picking and choosing groups. Staff has to be worried about that.

Councilor Allen asked to list the event, it is a one-liner?

Mayor Daoust replied yes. I would think that the public would want to know about it. This goes to every household in Troutdale, unlike the Outlook which does not. We will need to

address the policy later. For now I am proposing that we list this in the calendar of events, the date and location, so people know about it.

Councilor Allen stated I think this is the type of thing that we would want the policy to support.

Councilor Thomas stated it is a good idea to put it in there. If you actually poll people at the event as to where they heard about the event, they would have found it from other advertising. The Champion is paid for by the city to communicate things that go on in the city.

Mayor Daoust replied exactly.

Councilor Thomas stated your argument makes a valid point. If we say you have to come to the Council, having been on the Council a long time I have never seen the Council not cave (inaudible due to passing train). The reason I am supportive of it is because it is being organized by a non-profit that has an established record. That also has a slippery side.

Councilor Ripma stated so if a restaurant in town wants to give 50% of their take to some cause that is a non-profit and they ask staff to put that in the Champion staff would have no basis to say no.

Councilor Anderson stated that is a great subject for the policy discussion.

Mayor Daoust asked for a show of hands of all those in favor of listing the Bite of East County event in the calendar of events in the Champion. 6 members of the Council were in favor.

9. COUNCIL COMMUNICATIONS

Councilor White thanked the Troutdale Lions Club for the Easter Egg Hunt. It was well attended and very successful. The Scouts had a pancake breakfast.

Councilor Allen stated I would like permission to talk with our police department about this upcoming proposal from the Sheriff's office.

Craig Ward replied please do.

Councilor Allen stated I try not to interfere with what they are doing.

Craig Ward stated the Chief welcomes any questions from any of the council members.

Mayor Daoust stated I have seven items to discuss.

Town Hall Meeting for downtown businesses:

Mayor Daoust stated I was talking with Claude Cruz about a Chamber/City sponsored Town Hall for the businesses downtown to follow-up on the Gorge Hubs program that was presented at our last meeting, and the Bike Friendly Business Program. There are other subjects that could also be covered like the parking challenges downtown, pros and cons of moving Saturday Market to Mayors Square and what type of Saturday Market we want. Does it take someone from the City to arrange to use the Police Community Room, or can Claude do that?

Craig Ward stated anyone can reach out to the Chief and request to reserve the room. I would recommend that it come from you.

Councilor Thomas stated I would support it if you had a Town Hall for the rest of the businesses, otherwise it needs to be combined.

Councilor Wilson stated if we include the discussion on what we are looking for in a Farmers Market, I think we need to look at other cities that have a successful Farmers Market and either meet with them or invite them to attend and explain what they do and why it is successful.

Councilor Allen stated what about other business areas that we still have vacancy problems with. Is that something that would fit this venue?

Mayor Daoust replied it could.

Moving Municipal Court to the CCB:

Mayor Daoust stated we got some feedback from Paula Goldie and the folks who work with the court and there seems to be some minor challenges. I am wondering how to proceed with that. I talked with Judge Young and he asked why we don't move the municipal court to the police community room. Something that I have brought it up before is why don't we move the council chambers to the police community room. We may need a work session on what to do with municipal court and the council chambers, but I am not satisfied with this council chambers. Quite frankly I think it is embarrassing to have a city council chambers like this when we have a police community room that is available to us. Looking at the timeframe for a new city hall where a council chambers would logically go, it is stretched out over so many years that it is going to take awhile. Meanwhile we are sitting here where we could release this space and not pay rent on it and utilize a building and a room that we already have.

Councilor Anderson stated all of these years I thought it was in the bond language that we couldn't occupy that room for city functions; it had to be police or community. If we can move there we need to move there and we need to do it quickly. This is substandard. We should be there; our court should be there. I fully support engaging staff and having the discussion and see what we can come up with.

Councilor Ripma stated lets not decide this under council concerns. Reading the email from Craig identifying some of the issues with the CCB, there are a lot of considerations

here and this isn't the time. We could direct staff to schedule a work session. I think it is worth discussing.

Mayor Daoust stated I am not asking for a decision. A work session would be fine. Judge Young had concerns about holding court in this room. The security is not here like it is in the police building.

Metro Enhancement Fee:

Mayor Daoust stated some of you have received emails from Councilor Shirley Craddick to discuss this topic. I assume this is a Metro fee that would show up on the Waste Management bill that all of East County would pay. The money would come directly back to Troutdale. I think the bottom line premise of this is that Metro wants to compensate those cities with transfer sites. Troutdale has a transfer site. There are six transfer sites in the Portland Metro area. Four of the cities that have those transfer sites already have this enhancement fee; Troutdale does not. We do not get compensated for the transfer site we have, but four other cities do. This is scheduled for our May 13th meeting.

Metro Nature in Neighborhood Capital Program Grant

Mayor Daoust stated there is \$17 million available for grants from the 2006 bond measure. The grants can be used for trail construction and building things. We have been talking about a couple of trails lately – one along Beaver Creek and the trail connecting to Wood Village by Safeway going down the hill. Wood Village is applying for a Nature in Neighborhood Grant for their trails. I think it would be a good idea for us to tag on to their application to connect our trail with theirs behind Safeway. Maybe we could also get a grant for the trail along Beaver Creek to Depot Museum that Rip Caswell is proposing to connect some of our trails. This has a requirement for matching funds from the city.

Councilor Allen asked is there money available for restoration of the lower Beaver Creek?

Mayor Daoust replied I think that is part of the grant. I would ask staff to check into the criteria for grant.

Arbor Day

Mayor Daoust stated today is Arbor Day. We are a Tree City USA. How many years have we been a Tree City USA? Several Councilors guessed.

Mayor Daoust stated we all know the benefit of trees. We all know that they increase the livability in our city. They are one of the infrastructures that actually increase in value over time. Trees are very important to the city.

Debbie Stickney stated the plaque on the wall behind us indicates the first year was 1997.

City Attorney

Mayor Daoust stated on May 27th we are going to discuss the contract city attorney position recruitment, which is what we asked staff to bring back to us. I was thinking that one thing staff should bring to that meeting is an option for sharing attorneys with

Gresham. They have two assistant attorneys, one of them is Marnie Allen who worked here before. This is no reflection on you Ed. We need to discuss options for what we are going to do for a city attorney. One option could be sharing attorneys with Gresham. We still need to discuss having a contract attorney versus an in-house attorney. We did direct staff to bring back a report and resolution for a contract attorney, but we still need to hash out this in-house versus contract to make sure we are all still on the same playing field with wanting to go with a contract attorney.

Councilor Ripma stated I thought we decided to do that.

Mayor Daoust asked does everyone understand that we decided to go with a contract attorney?

No objections voiced.

Mayor Daoust stated if the Council agrees that is what we already decided, okay. I guess I didn't pick up on that concrete decision. Sharing city attorneys with Gresham, would that be outside of our decision?

Councilor Ripma replied yes.

Councilor Thomas stated the only thing I would want, if you want to discuss that option, is some numbers/costs. Otherwise the decision has already been made.

Former Caswell Gallery Building as Possible City Hall Location

Mayor Daoust stated rather than going out on my own or working with staff to check into a possible city hall location at the former Caswell Gallery building, I would like Council's permission to check into that. I don't want to go into these town hall meetings and have people suggest that building as an option for a city hall without having more information and knowing whether it is up for sale now or will be in the future, and whether it is even an option to consider.

Councilor Ripma asked would this involve spending money?

Mayor Daoust replied no.

Councilor Ripma stated I support it. The more options the better.

Craig Ward stated I support the Mayor looking into this. Some of what the Mayor will find is that the parking is seriously inadequate. It is more inadequate than it appears because the parking that is apparent does not conform to our site requirements. There are structural issues with the building as well.

Councilor Allen stated I would suggest that you talk to Rip about it. He may be able to give you some history on it.

Councilor White stated we need to look at everything. I am still think that a citizen committee would be a good way to look at those different options rather than us just throwing them out piecemeal style. We are going to have to answer to the citizens on this subject.

10. ADJOURNMENT:

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

Meeting adjourned at 8:29pm.

Doug Daoust, Mayor

Dated: _____

DRAFT

ATTEST:

Debbie Stickney, City Recorder

PROCLAMATION

NATIONAL PUBLIC WORKS WEEK MAY 18 – 24, 2014

WHEREAS: Public works services provided in our community are an integral part of our citizens' everyday lives; and

WHEREAS: The support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sanitary sewers, streets, and storm drainage systems; and

WHEREAS: The health, safety and comfort of the citizens of Troutdale greatly depend on these facilities and services; and

WHEREAS: The quality and effectiveness of these facilities, as well as their planning, design, and construction, is vitally dependent upon the efforts and skill of public works officials; and

WHEREAS: The efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform.

NOW, THEREFORE, I, Doug Daoust Mayor of the City of Troutdale, do hereby proclaim the week of May 18-24, 2014 as

National Public Works Week "Building for Today, Planning for Tomorrow"

This year's theme "Building for Today, Planning for Tomorrow" represents the classic idea of stewardship embodied by the profession of public works and the professionals that practice it. Focusing on the communities; "building" points out the day to day aspect of public works that is quality of life, while "planning" references the sustainable practices that ensure that quality of life for future generations. The City of Troutdale and I call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life. Dated this 13th day of May 2014



Doug Daoust, Mayor

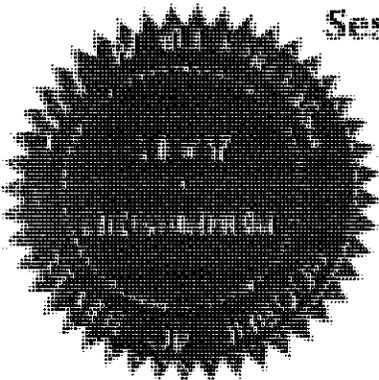


CITY OF TROUTDALE PROCLAMATION

- WHEREAS,** Troutdale Library is a significant part of the Multnomah County Library System, and this library system began on February 15, 1864, and is celebrating its 150th birthday.
- WHEREAS,** The Troutdale Reading Room formally opened as a free and public institution on April 7, 1908.
- WHEREAS,** Troutdale Library has recently achieved permanent and stable funding through the formation of the Multnomah County Library District, approved by the voters on November 6, 2012.
- WHEREAS,** In Fiscal Year 2013, the Troutdale Library circulated 212,754 items, filled 47,490 holds, held 550 programs, and answered 18,643 reference questions.
- WHEREAS,** Troutdale Library supports early learning, education, workforce and economic development, livability and a healthy democratic society.
- WHEREAS,** Troutdale Library offers myriad services and programs in the library and at offsite locations to patrons of all ages, free and open to all.
- WHEREAS,** Troutdale Library is Troutdale's neighborhood meeting place and community asset.

NOW THEREFORE, I, Doug Daoust, Mayor of Troutdale, do hereby proclaim the month of May 2014, as

Multnomah County Library Sesquicentennial Month in Troutdale



Dated this 13th day of May, 2014

Doug Daoust, Mayor



CITY OF TROUTDALE



STAFF REPORT

SUBJECT / ISSUE: An ordinance adopting a new Public Facilities Plan as an implementing element of Comprehensive Land Use Plan Goal 11 Public Facilities and Services in partial fulfillment of Periodic Review Task 3.

MEETING TYPE:
City Council Regular Mtg.

MEETING DATE: May 13, 2014

STAFF MEMBER: Craig Ward
DEPARTMENT: Community Development

ACTION REQUIRED
Ordinance - Adoption

ADVISORY COMMITTEE/COMMISSION RECOMMENDATION:
Approval

PUBLIC HEARING
Yes

Comments: Both the Citizen Advisory Committee and the Troutdale Planning Commission recommend adoption.

STAFF RECOMMENDATION: Adoption.

EXHIBITS:

- A. Planning Commission Findings of Fact and Recommendation of March 19, 2014
- B. City of Troutdale 1990 Public Facilities Plan Ordinance No. 543-O adopted April 10, 1990 and the PFP Table of Contents and Section 1 Policies *only*.

Subject / Issue Relates To:

- Council Goals
 Legislative
 Other (describe)

Issue / Council Decision & Discussion Points:

- ◆ The tasks that the City must complete as part of periodic review are governed by its approved periodic review work program. DLCDC approved the City's work program on April 15, 2010. The approved work program includes tasks related to statewide planning Goal 11, Public Facilities and Services.

Reviewed and Approved by City Manager:

- ◆ Per Oregon Administrative Rules, a public facility plan is required to address facilities associated with a municipality's water, wastewater, stormwater and transportation systems.

BACKGROUND:

The City has been in periodic review since the initial notification from the Oregon Department of Land Conservation and Development (DLCD) on May 20, 2008. The tasks that the City must complete as part of periodic review are governed by its approved periodic review work program. DLCD approved the City's work program on April 15, 2010. The approved work program includes tasks related to statewide planning Goal 11, Public Facilities and Services. Specifically identified as Task 3 of the work program, the City is required to prepare and adopt a Public Facilities Plan in accordance with Statewide Land Use Planning Goal 11 and Oregon Administrative Rule 660-011-0010-45.

With funding from a DLCD periodic review assistance grant, the City hired a consultant to perform several remaining tasks of our work program, including Task 3. Since June 2012, the consultant, Angelo Planning Group, has been researching and gathering information, preparing technical memoranda, and preparing drafts of the document. The consultant presented their major findings and recommendations to the Citizens Advisory Committee for review and recommendation at the CAC's October 2012 and February 2013 meetings and to the Planning Commission on May 29, 2013 and March 19, 2014.

At its last periodic review in 1990 the City also prepared a Public Facilities Plan (that Ordinance, the Table of Contents and Policy Chapter are Exhibit B), but that document went unnoticed and unused in the years since then and was only recently discovered. The 1990 plan is seriously outdated and deficient in meeting present statutory requirements, so the proposed new plan is an entire rewrite with the exception of carrying over some of the goals and policies from the previous document.

Explanation of proposed plan

The Public Facilities Plan helps assure that urban development within a municipality's boundaries is guided and supported by types and levels of urban facilities and services commensurate with the community's needs, and that facilities and services are provided in a timely, orderly and efficient manner.

Per Oregon Administrative Rules, a public facility plan is required to address facilities associated with a municipality's water, wastewater, stormwater and transportation systems. Additional public facilities and services provided to the community's residents and businesses (e.g., libraries, police, fire and administrative services) may also be addressed in the plan, but do not carry the level of importance or the details required of the aforementioned utility services.

The information in the Public Facilities Plan is primarily based on the City's most recently updated, and in some cases adopted, Master Plans for Water, Sanitary Sewer and Stormwater, along with more up-to-date information about the status and cost of needed future facilities, where available. Information related to transportation facilities is contained in the City's Transportation System Plan, which is being updated under a different periodic review task.

The various master plans that provided the basis for the Public Facilities Plan are:

- City of Troutdale Water Master Plan (2012)
- City of Troutdale Water Management and Conservation Plan (2004)
- North Troutdale Storm Drainage Master Plan (2007)
- South Troutdale Storm Drainage Master Plan (2012)
- City of Troutdale Sanitary Sewer Master Plan (2014)

Because this plan is a composite of these individual master plans, substantive changes to the document would likely create conflicts with the base plans.

Summary of the plan elements

Goals and Policies (pp. 2-5)

This section of the document is a compilation of goals and policies taken from the 1990 Public Facilities Plan (some without change; others with modifications), from the various master plans listed above, and the addition of new ones. The goals and policies offer guidance in providing efficient and effective urban services and to protect natural resources.

Facility Descriptions and Future Needs (pp. 6-12)

This section is derived from information in the water, sanitary sewer and stormwater master plans. It provides a broad overview and description of these utility systems and highlights the future planning and facility needs discussed in those various documents.

Capital Improvement Plan (CIP) and Project Maps (pp. 13-17)

This section identifies water, sanitary sewer and stormwater infrastructure investments to accommodate expected growth and development over the next 20 years. Table 4-1 of the plan summarizes the costs of planned infrastructure improvements according to short, medium and long term timeframes. A detailed list of all planned public facility projects associated with the three utility systems is shown in Appendix A to the Plan. It includes the location, estimated cost, source of funding, and anticipated timeframe for each capital improvement project. The projects are shown visually in the three CIP maps. The Planning Commission's recommendation to the Council was that sewer line extensions within SE Jackson Park Road (private portion) and East Historic Columbia River Highway not be included in the PFP, and so those were removed from the draft it recommends be adopted.

Financing and Implementation Plan (pp. 18-19)

This section briefly discusses the financial resources Troutdale utilizes to pay for infrastructure development and ongoing maintenance needs. It also discusses increases to certain fees and charge that will be needed in order to fully fund all of the identified improvement projects.

Additional Public Facilities and Services (pp. 20-22)

This section gives a short explanation of the other public facilities and services that the City provides or coordinates with other public agencies and private entities. These include those related to parks and recreation, police, fire, education, libraries, power and telecommunication utilities, administration and other activities.

Appendix A - Capital Improvement Plan Projects (pp.25-27)

The appendix to the plan contains the complete list of planned water, sanitary sewer and stormwater projects as identified in the adopted master plans for these systems. Including this list of projects within the Public Facilities Plan does not obligate the City to build the projects or to meet the timeframe listed for the projects, although it would be the City's intent to do so. The list is included here to show anticipated infrastructure needs based on known regulatory requirements and current assumptions about growth and the direction of future development.

Special note on the draft Public Facilities Plan (PFP)

As stated previously, the contents of the PFP are primarily derived from the City's Master Plans for Water, Sanitary Sewer and Stormwater.

Relevant criteria

Adoption of a Public Facilities Plan as an implementing element of the Troutdale Comprehensive Plan is equivalent to amending the text of the Comprehensive Plan. Section 15.050 of the Troutdale Development Code establishes the following approval criteria for evaluating comprehensive plan amendments.

1. For Comprehensive Plan text amendments, compliance with the Statewide Land Use Goals and related Administrative Rules.

Adoption of a Public Facilities Plan is a required task of the City's periodic review work program. The document has been prepared in accordance with Statewide Land Use Planning Goal 11 and its related administrative rule; therefore, it logically and necessarily satisfies this approval criterion.

2. Public need is best satisfied by this particular change.

The public need that is addressed by adoption of this Plan is providing a composite of the various master plans and related documents pertaining to the City's water, sanitary sewer and stormwater systems. This plan supplements the more detailed facility plans that will guide the City's actions to accommodate expected growth for the next twenty years. It also addresses and fulfills the statutory requirements of State Planning Goal 11, Public Facilities and Services.

3. The change will not adversely affect the health, safety and welfare of the community.

Adoption of this plan provides further guidance for the City to accommodate future growth and will not adversely affect the health, safety and welfare of the community. The Public Facilities Plan addresses current conditions and future needs in order to foster positive benefits for the community.

4. In the case of Development Code amendments, the particular change does not conflict with applicable Comprehensive Plan goals or policies.

The proposed Public Facilities Plan pertains only to the Comprehensive Plan and not to the Troutdale Development Code; therefore, this criterion does not apply.

PROS & CONS:

Pros:

- Adoption fulfills part of Periodic Review Task 3.

Cons

- None.

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

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

As the Public Facilities Plan is implemented there will be costs to the City that will be addressed within annual Capital Improvement plans.

City Attorney Approved N/A Yes

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

All meetings before the Citizens Advisory Committee and the Planning Commission were open to the public. No comments from the public at those meetings were received.

**PLANNING COMMISSION
FINDINGS of FACT AND RECOMMENDATION
March 19, 2014**

**Periodic Review Legislative Amendments to the Troutdale Comprehensive Land Use Plan,
Goal 11 Public Facilities and Services**

Proposed Public Facilities Plan

The Troutdale Planning Commission held public hearings on May 29, 2013 and March 19, 2014 to take public testimony and to make a recommendation to the City Council concerning adoption of a proposed Public Facilities Plan as an implementing element of the Troutdale Comprehensive Land Use Plan and to satisfy requirements of the City's periodic review work program. At its March 19, 2014 meeting, a motion was made and seconded that the Planning Commission reopen its hearing in this matter to reconsider its Findings Of Fact and Recommendation to the Council based upon new information considered at a special meeting on October 16, 2013 in which they discussed the Sanitary Sewer Master Plan. The Planning Commission recommended approval of the Sanitary Sewer Master Plan to the City Council with removal of the Jackson Park Road Project and the East Historic Columbia River Highway Plan Project to be consistent with removal of those projects from the PFP. Having provided the opportunity for the public to express their views on the proposal, the Planning Commission now makes and enters the following findings of fact together with its recommendation to the Council for action.

FINDINGS OF FACT

1. The City has been in periodic review since the initial notification from the Oregon Department of Land Conservation and Development (DLCD) on May 20, 2008. The tasks that the City must complete as part of periodic review are governed by its approved periodic review work program. DLCD approved the City's work program on April 15, 2010.
2. The City's approved work program includes tasks related to statewide planning Goal 11, Public Facilities and Services. Specifically identified as Task 3 of the work program, the City is required to prepare and adopt a Public Facilities Plan in accordance with Statewide Land Use Planning Goal 11 and Oregon Administrative Rule 660-011- 0010-45.
3. The City hired a consultant to prepare the Public Facilities Plan which is primarily based on the City's most recently updated and adopted Master Plans for Water and Stormwater, and the Sanitary Sewer Master Plan. Where available, more up-to-date information about the status and cost of needed future facilities has been used.

4. The Citizens Advisory Committee reviewed and discussed the major elements of this Plan in October 2012 and February 2013. The CAC supported the Plan and has referred it to the Planning Commission for approval.
5. Adoption of a Public Facilities Plan is a required task of the City's periodic review work program. The last Public Facilities Plan (Ordinance No. 543-O) was adopted April 10, 1990, during the last periodic review. The document has been prepared in accordance with Statewide Land Use Planning Goal 11 and its related administrative rule; therefore, it logically and necessarily complies with this State Planning Goal.
6. The public need is satisfied by adoption of this Plan because it provides a composite of the various master plans and related documents pertaining to the City's water, sanitary sewer and stormwater systems. This plan supplements the more detailed facility plans that will guide the City's actions to accommodate expected growth for the next twenty years.
7. Adoption of this Plan provides further guidance for the City to accommodate future growth and will not adversely affect the health, safety and welfare of the community. The Plan addresses current conditions and future needs in order to foster positive benefits for the community.
8. Notice of the public hearing has been provided in accordance with applicable law.
9. At its May 29, 2013 hearing the Planning Commission had substantial concerns regarding the population forecast model input and subsequent results.
10. At its May 29, 2013 hearing, the Planning Commission requested that sanitary sewer line extensions 3 and 4 as listed on page 26 of the May 20, 2013 draft of the PFP be excluded from the project list.
11. The Planning Commission closed the May 29, 2013 hearing in the matter and a motion to recommend the Public Facilities Plan with amendments was made. The first motion failed with a tie of 3 yes and 3 no. The motion was reconsidered and the vote was 4 yes and 2 no. At its March 19, 2014 meeting, a motion was made and seconded that the Planning Commission reopen its hearing in this matter to reconsider its Findings Of Fact and Recommendation to the Council based upon new information considered at a special meeting on October 16, 2013 in which they considered the Sanitary Sewer Master Plan. The Planning Commission recommended approval of the Sanitary Sewer Master Plan with removal of the Jackson Park Road Project and the East Historic Columbia River Highway Plan Project to be consistent with its request that those projects be removed from the PFP. The amendments requested to the PFP at its May 29, 2013 hearing included the following:

- a. At the Planning Commission's motion of May 29, 2013 hearing to amend the findings to move an amended paragraph from page 13 of the draft PFP into the Purpose Statement as the second-to-last paragraph on page 1 was made and seconded. The motion passed 5 to 1. The amended paragraph is to read:

It should be noted that there is no obligation on the part of the City to build the projects as described in the PFP or to meet the timeframe listed for the projects. The project list may be included as part of the Comprehensive Plan to show anticipated infrastructure needs based on known regulatory requirements and current assumptions about growth and the direction of future development. The list is intended only to provide a general indications of the facilities needed to support future growth. If growth trends change, or if new regulations re imposed on the City, or if technologies emerge that satisfy needs using different methods than those assumed in master plans, the City may revise its public facilities investment strategy without amending the Comprehensive Plan or PFP.

The Planning Commission finds that the PFP document has been amended to match the motion.

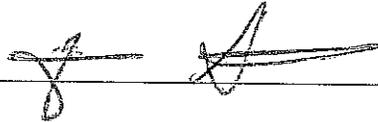
- b. At the Planning Commission hearing of May 29, 2013, a motion to amend item 7.6 Schools was made and seconded and passed 5 to 1. The amendment changes the text to read: *The Reynolds School District, the Gresham-Barlow School District, and Mt. Hood Community College....*

The Planning Commission finds that the PFP document has been amended to match the motion.

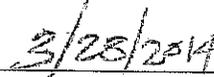
12. The Planning Commission recognizes and affirms that the contents of the PFP are primarily derived from the City's Master Plans for Water, Sanitary Sewer and Stormwater already adopted by the City Council.
13. The Planning Commission further acknowledges that there may be need to modify the Plan to correct spelling errors, for improved consistency throughout the document, and for clarity of meaning. Consequently, the document that is forwarded to the City Council may include a number of nonsubstantive changes that the Planning Commission has not reviewed but directs to staff. The Plan that ultimately goes to the City Council for adoption, shall be in substantial form with the one approved by the Planning Commission.

RECOMMENDATION

In view of the above findings of fact, the Planning Commission recommends that the Troutdale City Council adopt the proposed Public Facilities Plan dated February 5, 2014 (Exhibit A) that reflects the revision requested by the Planning Commission on May 29, 2013 and reaffirmed on March 19, 2014, as an implementing element of the Comprehensive Land Use Plan in partial fulfillment of Periodic Review Task 3.



Tamney Staffenson, Chair
Troutdale Planning Commission



Date

EXHIBIT A

**DRAFT PUBLIC FACILITIES PLAN
DATED FEBRUARY 5, 2014**

This document is Attachment A of the Ordinance

EXHIBIT B

CITY OF
TROUTDALE
PUBLIC FACILITIES
PLAN

Ordinance No. 543-O
Adopted April 10, 1990

ORDINANCE NO. 543-0

AN ORDINANCE ACCEPTING THE CITY'S PUBLIC FACILITIES PLAN AND AUTHORIZING ITS TRANSMITTAL TO THE STATE OF OREGON FOR REVIEW AND APPROVAL.

WHEREAS, cities in the State of Oregon are required, as part of their Periodic Review Process, to prepare "Public Facilities Plans" in accordance with State House Bill #2295 (1983) and OAR 6660-11-00 (October 1984); and

WHEREAS, the purpose of a Public Facilities Plan is to ensure that the requirements of the Oregon Department of Land and Conservation Division (DLCD) Goal 11 (water, storm, sanitary sewer and transportation facilities) are adequately addressed and implemented in urban areas; and

WHEREAS, the Troutdale Citizens Advisory Committee held public meetings and discussed the Public Facilities Draft Plan and recommended its approval to the Planning Commission; and

WHEREAS, the Troutdale Planning Commission held a public hearing on February 21, 1990, and recommended its adoption to the Troutdale City Council;

WHEREAS, the Troutdale City Council held a public hearing on March 13th, 1989; and

WHEREAS, it is in the best interest of the City of Troutdale to adopt the Draft Plan and forward it to the State of Oregon for review and concurrence accordingly.

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

1. The Public Facilities Plan be transmitted to the State of Oregon as required by statute for review and approval.
2. Staff continue to update this plan with historical, inventory and factual data.
3. Staff be allowed to modify the plan element sections with full hearing and concurrence of the Troutdale Planning Commission and City Council.

PASSED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THIS
10TH DAY OF APRIL, 1990.

YEAS 6

NAYS 0

ABSTAINED 0

Sam K Cox

Sam K. Cox, Mayor

Date Signed April 11, 1990

ATTEST:

Valerie J. Raglione
Valerie J. Raglione
City Recorder

PW85:3

CITY OF TROUTDALE
DRAFT
PUBLIC FACILITIES PLAN

PROJECT STAFF

GREG WILDER, DIRECTOR OF PUBLIC WORKS
GERARDO ORTEGA, ENGINEERING TECHNICIAN
MARION BERG, DEPARTMENT SECRETARY

FEBRUARY 13, 1990

CITY COUNCIL 1990

SAM K. COX, MAYOR

MARJORIE SCHMUNK
PAUL THALHOFER
RON BURGIN

GENE BUI
SHARLYN JACOBS
HARRY FOWLER

PLANNING COMMISSION

WALTER POSTLEWAIT, PRESIDENT
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COMMUNITY DEVELOPMENT STAFF

SCOTT CLINE, COMMUNITY DEVELOPMENT DIRECTOR
SUZANNE BARKER, DEVELOPMENT TECHNICIAN
KATHY CROWDER, CLERK

BRENT COLLIER, CHIEF OF POLICE

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SECTION 1

P O L I C I E S

PUBLIC FACILITIES PLAN

- 1.000 POLICY(S)
- .100 GENERAL
- .110 FINDINGS SUMMARY

The City of Troutdale experienced rapid growth in the mid through late 1970's. See chart "Population Analysis & Projections." Since that time, growth has been moderate averaging some 30 to 40 dwelling units a year. However, recent commercial and industrial activity has created demands for new facilities.

The City's pro-active posture towards development and expansion has required the construction and installation of the facilities and infrastructure necessary to provide service to all those properties west of the Sandy River within our jurisdictional boundaries. Recent annexation activity has resulted in an expanded land base not yet provided adequate services. Current development pressures on this recently annexed property call for a planned and systematic extension of service(s).

The City's existing infrastructure is relatively new and very little short term consideration is needed for replacement projects. The City has, however, replaced some of its existing facilities that were technically substandard. Additional wastewater treatment plant capacity and associated facilities will be required prior to 1994.

The ability of the City to provide adequate levels of water, sewer, drainage and transportation services to the community is a tool that encourages development. Inadequate services and planning serve the opposite. Troutdale, via its pro-active policies for development and expansion, provides a superior level of service in all its public facilities. Current wastewater treatment and drainage planning efforts will insure this posture both in the short and long term growth of the City.

.120 POLICY STATEMENT

It is the policy of the City of Troutdale to provide advance construction of major public facilities including water, sewerage services, surface water drainage, and access. It is also the City's policy that the cost of providing these services shall be provided in the most cost effective manner and equitably distributed through the recipients of such services via system development charges, direct construction requirements of local benefit, easement and rights-of-way dedication, etc.

.130 IMPLEMENTATION STRATEGIES

.131 The City will be the primary planner and provider of facilities and services to the general population, homes, developments and businesses as follows:

- A. Water supply, storage and distribution.
- B. Sanitary sewer collection.
- C. Transportation (roads, mass transit, bicycle paths).¹
- D. Drainage (both point and non-point sources of surface and ground water).²

.132 The City will monitor, coordinate and regulate, where appropriate, the following as they affect the residents, homes, developments and businesses in the community:

- A. Utilities (electrical, telephone, natural gas, cable television, etc.).
- B. Transportation facilities (mass transit, rail and air).³
- C. Solid waste collection.
- D. Other necessary public facilities located within the City.

.133 The City's Development Standards document will require that adequate facilities exist or can be provided as part of any development proposal prior

to issuing development permits. The "phased" issuance of permits pending the proposed construction or extension of facilities will be allowed. No final certificate of occupancy, however, will be issued until all required facilities and services have been constructed and placed in service.

.134 A development may be required to extend, modify, improve or otherwise construct additional facilities necessary to serve their needs. The City will actively work with an approved development proposal to expedite the construction of these facilities and will, as long as existing bonding capacity allows, work with potential developers and developments for funding mechanisms such as local improvement districts, capital monies set aside through the collection of system development charges, revenue bonds, general obligation bonds, etc.

Foot-
notes

1) For local facilities and in cooperation and coordination with the State, Metro and County for regional facilities.

2) For local facilities and in cooperation and coordination with other affected jurisdiction, and the Sandy Drainage District.

3) For local facilities and in cooperation and coordination with Metro, the Port of Portland and heavy rail service providers.

.140 CAPITAL IMPROVEMENT PROGRAM

A. PURPOSE

The City shall develop, maintain, review and adhere to a Capital Improvement Program designed to:

- Protect the Health, Safety, and Welfare of its citizens, business owners, and properties.
- Further the policies of its Comprehensive Development Plan.
- Support the established levels of service and improve the service levels as is economically viable.

- Provide methods and procedures for the equitable distribution of costs in accordance with the benefits received.

B. CONTENTS

The City's Capital Improvement Plan shall include the following major elements:

- A Facilities Plan containing the master plan(s) for: water supply, storage and distribution; drainage systems and facilities; wastewater collection, treatment and sludge disposal; transportation facilities including road systems, mass transit, bike paths, hiking trails, etc.; park and greenway facilities; all other capital systems or facilities the City anticipates it will need by the year 2005. This plan shall also prescribe the timing of the construction for those elements set forth for the duration of the planning period.
- The Capital Investment Program shall describe the methods and procedures used to implement the Facilities Plan. These methods shall include any regulatory issues and requirements, organizational and financial techniques, etc. The Plan shall also include methods and procedures for a Periodic Review and update of the Plan and any of its components.

C. EXCEPTIONS

Public Facilities and Capital Investment plans and programs are designed to serve the will of the people, the policies of the Council and to encourage input and participation. There are, however, day to day exceptions and modifications required for the successful staff level administration of these plans and programs, and these exceptions will be allowed generally as follows:

- Administrative changes or modifications to a project which are minor in nature and do not significantly impact the integrity of the project or its general description, location, sizing, capacity or other general characteristics established.

- Technical or environmental modifications brought about by federal, state, county or city regulatory changes that have a direct impact on any proposed project.

D. REVIEW AND ACCEPTANCE

The City Administrator or designated officer shall review designs, approve plans, inspect construction and recommend the acceptance of public improvements to the City Council. The City Administrator may establish administrative guidelines, policies and procedures to protect the health, welfare and safety of its employees and citizens.

ORDINANCE NO.

AN ORDINANCE ADOPTING A NEW PUBLIC FACILITIES PLAN AS AN IMPLEMENTING ELEMENT OF COMPREHENSIVE LAND USE PLAN GOAL 11 PUBLIC FACILITIES AND SERVICES IN PARTIAL FULFILLMENT OF PERIODIC REVIEW TASK 3.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. The City has been in periodic review since the initial notification from the Oregon Department of Land Conservation and Development (DLCD) on May 20, 2008. The tasks that the City must complete as part of periodic review are governed by its approved periodic review work program. DLCD approved the City's work program on April 15, 2010.
2. The City's approved work program includes tasks related to Statewide Planning Goal 11, Public Facilities and Services. The last Public Facilities Plan (Ordinance No. 543-O) was adopted April 10, 1990, during the last periodic review. As such, specifically identified as Task 3 of the work program, the City is required to prepare and adopt a Public Facilities Plan in accordance with Statewide Land Use Planning Goal 11 and Oregon Administrative Rule 660-011- 0010-45.
3. The City hired a consultant to prepare the Public Facilities Plan which is primarily based on the City's most recently updated and adopted Master Plans for Water and Stormwater, and the Sanitary Sewer Master Plan. Where available, more up-to-date information about the status and cost of needed future facilities has been used.
4. The Citizens Advisory Committee reviewed and discussed the major elements of this Plan in October 2012 and February 2013. The CAC supported the Plan and referred it to the Planning Commission for approval.
5. The Troutdale Planning Commission held public hearings on May 29, 2013 and afforded the opportunity for public testimony. No citizens spoke or provided written comments at that hearing. The Planning Commission identified some concerns with the draft Plan but passed a recommendation for approval with changes to the draft it had considered.
6. Subsequent to the May 29, 2013 action of the Planning Commission, a special meeting of the Planning Commission was held on October 16, 2013, to consider the proposed updated Sanitary Sewer Master Plan. Verbal and written testimony from citizens was taken at that meeting. Objections to plans to extend sanitary sewer down the private part of SE Jackson Park Road and on East Historic Columbia River Highway east of the Sandy River were raised. Following that meeting, the Planning Commission recommended approval of the Sanitary

Sewer Master Plan to the City Council with removal of the Jackson Park Road and the East Historic Columbia River Highway projects and that they also be removed from the Public Facilities Plan.

7. Following the outcome of the special meeting of October 16, 2013, the Troutdale Planning Commission re-opened its hearing in the matter of the Public Facilities Plan on March 19, 2014 to update its findings in light revisions to the Public Facilities Plan draft identified on May 29, 2013 and October 16, 2013. The hearing was posted in the legal notices of the *Gresham Outlook* and citizens were provided an opportunity to comment: no citizens spoke or provided written comments prior to the close of the March 19, 2014 hearing. On March 19, 2014, the Planning Commission approved Findings of Fact recommending adoption of the proposed Public Facilities Plan as an implementing element of the Troutdale Comprehensive Land Use Plan and to satisfy requirements of the City's periodic review work program.
8. Adoption of the Public Facilities Plan satisfies the Comprehensive Land Use Plan text amendment criterion that Statewide Land Use Planning Goals are met. Adoption of a Public Facilities Plan is a required task of the City's periodic review work program which is part of Statewide Land Use Planning Goals. The Public Facilities Plan has been prepared in accordance with Statewide Land Use Planning Goal 11 and its related administrative rule; therefore it logically and necessarily complies with this Statewide Planning Goal.
9. Adoption of the Public Facilities Plan satisfies the Comprehensive Land Use Plan text amendment criterion that the public need is best satisfied by this particular change. The public need is satisfied by adoption of the Public Facilities Plan because it provides a composite of the various master plans and related documents pertaining to the City's water, sanitary sewer and stormwater systems. This Public Facilities Plan supplements the more detailed facility plans that will guide the City's actions to accommodate expected growth for the next twenty years. It also addresses and fulfills the statutory requirements of State Planning Goal 11, Public Facilities and Services.
10. Adoption of the Public Facilities Plan satisfies the Comprehensive Land Use Plan text amendment criterion that adoption of the Public Facilities Plan provides further guidance for the City to accommodate future growth and will not adversely affect the health, safety and welfare of the community. The Plan addresses current conditions and future needs in order to foster positive benefits for the community.

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

Section 1. A new Public Facilities Plan is hereby adopted as shown in Attachment A.

**YEAS:
NAYS:
ABSTAINED:**

Doug Daoust, Mayor

Date _____

Debbie Stickney, City Recorder

Adopted:

CITY OF TROUTDALE
PUBLIC FACILITIES PLAN



REVISED DRAFT February 5, 2014
*With Revisions to the May 20, 2013 Draft Considered by
the Planning Commission on May 29, 2013*

Prepared by

Angelo
planning group

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1. Purpose Statement

Oregon Administrative Rules (OAR) 660-011-0010 through OAR 660-011-0045, relating to Statewide Planning Goal 11, require cities and counties in Oregon to develop and maintain Public Facilities Plans to help assure that urban development within their boundaries is guided and supported by types and levels of urban facilities and services appropriate for the needs and requirements of the community, and that facilities and services are provided in a timely, orderly and efficient arrangement. Public Facilities Plans also are intended to serve as a framework for development within a city's urban growth boundary (UGB).

The Troutdale Public Facilities Plan (PFP) is intended to further the purposes of Statewide Planning Goal 11. The PFP includes the following information:

- ➔ Goals and policies as part of the City's Comprehensive Plan to guide planning, constructing and financing public facilities.
- ➔ Narrative descriptions of existing and planned water, wastewater and storm drainage facilities.
- ➔ Capital improvement plan for future construction of facilities. The plan contains information about all facility costs, schedule and funding sources.
- ➔ General financing plan indicating how the City plans to finance current and planned facilities and services.

Per Oregon Administrative Rules, public facility plans are required to address facilities associated with water, wastewater, stormwater and transportation and that is the primary focus of this document. Additional public facilities and services provided to Troutdale residents (e.g., libraries, police, fire and administrative services) also are briefly described in Section 6 of this Plan, but in less detail.

The information in this plan is based on the most recently updated City Master Plans for Water, Wastewater and Stormwater, along with more up-to-date information about the status and cost of needed future facilities, where available. Information related to transportation facilities is found in the City of Troutdale's Transportation System Plan (2014) and hereby incorporated by reference in this Plan.

It should be noted that there is no obligation on the part of the City to build the projects as described in the PFP or to meet the timeframe listed for the projects. The project list may be included as part of the Comprehensive Plan to show anticipated infrastructure needs based on known regulatory requirements and current assumptions about growth and the direction of future development. The list is intended only to provide a general indication of the facilities needed to support future growth. If growth trends change, or if new regulations are imposed on the City, or if technologies emerge that satisfy needs using

different methods than those assumed in master plans, the City may revise its public facilities investment strategy without amending the Comprehensive Plan or PFP.

It is expected that this Plan will be revised in the future to reflect updates to specific master plans, significant proposals for new development within or outside the city that prompt the need for review of public facilities plans, or other similar factors or events.

2. Goals and Policies

The following are goals and policies and implementation measures as part of the City's Comprehensive Plan under the *Public Facilities and Services Element*. They are organized by general topic. These goals and policies are consistent with state law, existing City policies and practices, and facility master plan recommendations, and are intended to promote efficient and effective provision of urban services and to protect natural resources.

General Goal and Policies

Goal: Ensure the cost-effective provision of water, wastewater, and surface water management facilities for property owners, residents and businesses within the urban growth boundary of Troutdale.

Policies

1. Ensure that urban development is provided with adequate public services.
2. Promote efficient use of urban and urbanizable land through effective provision of adequate public facilities and services.
3. Adopt, periodically review and update long range master plans for the City's water, sewer, and storm drainage systems.
4. Adopt and periodically update the Public Facilities Plan, an implementing element of the Comprehensive Plan, for development of public services and facilities in conformance with the policies of the Comprehensive Plan.
5. Comply with state and federal regulations for utility systems.
6. Finance the provision of public facility improvements and expansions in an equitable manner through the use of system development charges, developer funded/constructed improvements, easement and rights-of-way dedication, and other appropriate funding tools.

Water Supply and Distribution

Goal: The City of Troutdale shall provide reliable and efficient potable water supply, treatment and distribution services to meet the current and future needs of Troutdale residents, businesses and other system users in an orderly and sustainable manner.

Policies

1. The City shall be the sole public water service provider to all users within the City limits.
2. The City will encourage development and annexation that makes orderly and efficient use of its water system capacity.
3. The City will provide for the advanced construction of facilities to allow for growth and development commensurate with the City's Comprehensive Land Use Plan as budget allows and only where private development is not reasonably expected to directly provide such facilities.
4. The City will base decisions to construct additional water facilities on the capital improvement project list included in this plan, consistent with the Water Master Plan, and as updated by the City Public Works Department through its annual capital improvement and work planning efforts.
5. The City will comply with all local, state and federal water quality and quantity standards and regulations.
6. The City will recover degraded operational source capacity in its existing wells to the extent feasible.
7. The City will protect the physical performance of the existing wells to maintain capacity and improve reliability.
8. The City will develop and protect its existing water rights.
9. The City will develop new source capacity, as needed, to meet future water demands consistent with the City's Water Master Plan.
10. The City will conduct system upgrades needed to improve flow distribution and pressure throughout the water system.
11. The City will continue to improve the resiliency of the water system in order to survive emergency incidents and natural disasters – particularly earthquakes.
12. The City will encourage programs and incentives to reduce unnecessary water consumption by customers of the City's water system.

Sanitary Sewer Collection and Treatment

Goal: The City of Troutdale shall provide reliable and efficient sanitary sewer collection and treatment services to meet the current and future needs of Troutdale residents, businesses and other system users, and to protect the land and water resources of the City and State, in an orderly and sustainable manner.

Policies

1. The City of Troutdale shall be the sole provider of public sanitary sewer collection and treatment services to all properties within the City limits.
2. The City will encourage development and annexation that makes orderly and efficient use of its wastewater collection and treatment system capacity.
3. The City will base decisions to construct additional wastewater treatment facilities on the capital improvement project list included in this plan, consistent with the Sanitary Sewer Master Plan and as updated by the City Public Works Department through its annual capital improvement and work planning efforts.
4. The City will continue its efforts to reduce inflow and infiltration into the wastewater collection system to the extent such reductions are documented to be cost-effective and/or required by State or Federal regulation.
5. The City will periodically update its Sanitary Sewer Master Plan to maintain current and relevant planning for provision of sanitary sewer facilities and services.
6. The City will monitor the flows to pump stations identified in the Sanitary Sewer Master Plan as having the potential need for future improvements and periodically assess the need to provide increased pumping capacity.

Storm Drainage Collection and Disposal

Goal: The City of Troutdale shall provide a reliable and efficient storm drainage management system that reasonably limits risks to people, property and the environment from both the quantity and quality of the City's urban storm water runoff, in an orderly and sustainable manner.

Policies

1. The City, in conjunction with Multnomah County, ODOT and the Sandy Drainage Improvement Company, will cooperatively provide storm water collection, treatment and discharge services to properties within the city limits.
2. The City will prepare and apply development methods and standards consistent with those established in the City's Storm Drainage Master Plans and other subsequent storm drainage planning efforts.
3. The City will work cooperatively with Multnomah County and the Sandy Drainage Improvement Company to establish and implement drainage plans for South Troutdale Basin (Beaver Creek and Sandy River) and North Troutdale Basin (Arata Creek, Salmon Creek and Columbia River).
4. Drainage plans for specific developments will favor onsite retention and infiltration over offsite discharge; provide treatment for water quality; provide for management of existing and projected on and off-site flows; emphasize the use of natural drainageways and systems; minimize the use of impervious surfaces; provide

drainage easements; incorporate on-site detention facilities, where appropriate; and implement other strategies identified in the City's Storm Drainage Master Plans and consistent with standards in the City's Development Code.

5. Drainage facilities and practices will comply with state and federal water quality standards and requirements.
6. The City will use parks, greenways and open spaces to help manage and mitigate the impacts of stormwater runoff and drainage on natural drainageways and storm drainage facilities.
7. The City will regulate development to prevent erosion, control and mitigate stormwater runoff and protect water quality.
8. The City will implement and apply erosion control standards and best practices to minimize discharge of sediments from construction sites.
9. New development will be designed to manage stormwater drainage on-site to the maximum extent feasible and limit storm drainage runoff outside project boundaries.
10. The City will implement community education and outreach to inform developers, property owners and other community members about stormwater management issues and steps they can take to reduce pollution related to stormwater runoff.
11. The City will continue to monitor the stormwater system to detect and eliminate illicit stormwater discharges.
12. The City will continue efforts to minimize stormwater pollution discharges related to municipal operations.

Transportation

Goals and policies associated with transportation facilities are found in the City's Transportation System Plan and are hereby incorporated by reference.

3. Public Facilities System Descriptions

3.1 Water System

Overview

The City of Troutdale owns and operates a State-regulated municipal water system that consists of 64 miles of underground conveyance piping ranging from 2-inch to 12-inch in diameter, seven groundwater wells with approximately 6.3 MGD nominal combined production capability, four reservoirs with a total storage capacity of 6 million gallons, two booster pumping stations, and various other appurtenances. Water from the City's wells is chlorine-treated for taste and odor, but none of the wells require chlorination for disinfection. The City supplies all of its own water needs through its groundwater wells, but also maintains interties with the Cities of Gresham, Wood Village and Fairview for reciprocal emergency supply.

The City operates seven wells (2, 3, 4, 5, 6, 7 and 8). Most of the City's original water supply wells were installed between 1978 and 1981; Well 8 and Well 5 were subsequently added to the system in 1993 and 2007, respectively. Well #1 was taken out of service and disconnected many years ago due to TCE (trichloroethylene) contamination at the wellhead resulting from adjacent industrial activity, and is now maintained only for aquifer monitoring purposes. The City owns four on-line reservoirs, with two booster pump stations that provide additional pressure where needed.

The City's distribution system conveys water from the municipal wells, reservoirs, and pump stations to the customers and is divided into six pressure zones by pressure regulating valves (PRV's). Each pressure zone is interconnected to the next lower pressure zones through PRVs located within the distribution system. The PRVs are adjusted manually by the City operators to provide balanced flow and appropriate working pressures to the distribution network.

In 2012, the system served a population of about 16,000 residents with about 4,745 service connections, including approximately 4,400 residential, 175 commercial, 45 industrial, 15 community service, 70 fire-standby, and 40 irrigation accounts with an average day demand of 1.7 MGD and peak day demand of 3.7 MGD. The City does not currently provide water service east of the Sandy River, though that area does contain properties within the City limits.

Planning and Future Facility Needs

A **Water Management and Conservation Plan** was completed for Troutdale in 2005, pursuant to OAR 690-315 and OAR 690-086, in order to obtain relief from limitations imposed as part of an extension of two of the City's six water rights, which would have caused significant reductions in the City's water supply. The Oregon Water Resources Department (OWRD) declared that two of the City's water right permits have the "potential

for substantial interference with the nearest surface water source, namely Sandy River,” and thus limited water withdrawal under those rights.

The plan includes a description of the existing facilities at the time of the plan, projections of 20-year water needs, identification of resource issues, a 20-year supply strategy, and new or updated conservation and curtailment plans. Water conservation measures proposed in the plan focus on reducing peak demand by three customer classes – residential, commercial, and industrial, with a focus on the outdoor water use of residential customers.

The **2012 Water Master Plan** features in-depth analysis of existing conditions including an inventory and assessment of water supply wells, finished water storage and booster pumping, and the distribution system, as well as an evaluation of water quality and water rights. The City currently holds seven separate water permits for municipal use with a cumulative total permitted capacity of 5,606 gpm (12.49 cfs or 8.07 MGD¹).

The City’s Water Master Plan assumes that future development through 2032 will include in-fill of existing developments, development of three proposed Urban Growth Areas (Northern Urban Plan Area, Southern Urban Plan Area, and Urban Renewal Area), and development of the Troutdale-Reynolds Industrial Park and Strebin Farms. The Water Master Plan was based on a then-projected increase in population between 2012 and 2032 of 3,816 people, with a total average day water demand of 2,130,517 gallons per day (gpd) in 2032.

The 2012 **Water Master Plan** documents the following needs related to water source, distribution system, and finished water storage and booster station facilities.

Source

The City overall has sufficient water right capacity to meet current and projected demands in year 2032. In order to develop and maintain sufficient source capacity as well as develop and protect sufficient water rights capacity, the following measures were recommended.

- Enhance the operational source capacity using existing wells.
- Protect the physical performance of the existing wells to maintain capacity and improve reliability.
- Fully develop and protect existing water rights.
- Develop new source capacity.

¹ Assuming 24 hours of constant water production

Distribution System

To ensure effective operation of the distribution system, the city should confirm the connections to other water systems are functional. Control valves should be operated at least annually to confirm their functionality.

Finished Water Storage and Booster Stations

Potential future strategies and improvements associated with these facilities include the following.

- A structural evaluation for each facility is needed to determine upgrades required to meet current seismic code, especially the stand pipe Reservoir 2.
- Each reservoir needs flexible connections and seismic shut-off valves on all pipe connections to the reservoirs. Steel reservoirs number 2, 3 and 4 need to be anchored to their foundations to prevent “walk-off” failure during an earthquake.
- Currently, each reservoir is monitored by SCADA for recording water levels only. Issues with vandalism at Reservoir 3 and past issues with Reservoir 4 could be addressed by adding surveillance equipment and appropriate signage.
- A portable onsite generator for Booster Pump Station 2 and Reservoir 4 could be installed to maintain pressure within the system and level sensor functioning during power outages.
- Booster Pump Station 1 is under-capacity and should be upsized in case an emergency condition occurs for a prolonged period of time.

3.2 Sanitary Sewer System

Overview

The City provides wastewater collection and treatment services to its residents, commercial establishments, institutional customers, and a number of industries. Sewer service is provided only to customers within the city limits. An area along the privately owned portion of Jackson Park Road includes approximately 20 residences that have their own sanitary septic systems. Several homes located on the east side of the Sandy River are connected via a septic tank effluent pump system to the City sanitary sewer system at the west end of the Historic Columbia River Highway bridge. Approximately 27 other residences on the east side of the Sandy River are on privately-owned sanitary septic systems.

The topography of Troutdale influences how the sanitary sewer system was constructed and will continue to be upgraded in the future. Gravity sewers convey the flow down gradient and toward the Troutdale Water Pollution Control Facility. Pump stations convey flows up hills, across extraordinarily flat plains, and over divides, ultimately discharging into the gravity sewers where physically possible. The City’s system includes a total of 10

pump stations, over 53 miles of sanitary sewer pipes throughout the city and a wastewater treatment plant located in the northern portion of the city near the Sandy River.

Planning and Future Facility Needs

A **Sanitary Sewer Master Plan** was prepared for Troutdale in 2013 in order to identify future sewer planning needs and facilities. The plan includes a description of the existing facilities at the time of the plan, projections of facility needs through the year 2040, and a capital improvement and financing plan.

The Sanitary Sewer Master Plan features in-depth analysis of existing conditions including an inventory and assessment of sanitary sewer system facilities, including sanitary sewer pipe, force mains and pump stations. The Plan incorporates hydraulic modeling of the City's sewer system to identify hydraulic capacity deficiencies in the existing wastewater sewer collection system for both existing and future planning scenarios. This analysis also assesses rainfall derived infiltration/inflow (RDII) conditions to help identify potential system deficiencies. The Plan also incorporates a capacity analysis to determine hydraulic capacity issues associated with current and future development planning scenarios.

The Sanitary Sewer Master Plan documents the following needs related to sanitary sewer facilities.

- Selected sanitary sewer pipes will need to be replaced throughout the city to accommodate future sanitary sewer flows based on the future hydraulic modeling analysis.
- Four pump stations may require upgrading to convey future flows. If and when these stations will need upgrading will depend upon the timing and type of future development.
- New sanitary sewer lines will be needed to accommodate potential future development in the Troutdale Reynolds Industrial Park and other undeveloped lands.

3.3 Storm Drainage System

Overview

The City of Troutdale is divided into two distinct north and south drainage areas. The North Troutdale drainage basin is located generally north of Historic Columbia River Highway and drains into the Columbia River (via the SDIC pump station). The South Troutdale drainage basin is located generally south of Historic Columbia River Highway and drains into the Sandy River, its tributary Beaver Creek and underground injection facilities.

Storm water runoff within the North Troutdale drainage basin is primarily collected and transported in open channel systems. The exceptions to this are culverts for road crossings, local drainage collection systems in the uppermost Arata Creek drainage basin within

Wood Village, the Troutdale Airport, the Frontage Road/I-84 area and the Troutdale Reynolds Industrial Park. Land situated below the floodplain in the North Troutdale drainage basin – largely in the area north of Salmon Creek and in Fairview – provides flood storage during peak storm events. The Sandy Drainage Improvement Company (SDIC) is responsible for maintaining the floodplain water surface levels within the low-elevation areas of the North Troutdale drainage basin. The SDIC maintains the Columbia River levee and operates the storm runoff pumping station, where most runoff generated within this drainage basin is directed.

A significant portion of the South Troutdale drainage basin discharges into underground injection control (UIC) facilities (dry wells). This drainage infiltrates and is not collected by storm system structures or open channels. The bulk of the South Troutdale Basin is served by a storm water collection system consisting of several sub-basins that discharge to Beaver Creek and the Sandy River. The City maintains 16 outfalls in the South Troutdale drainage basin that include 14 outfalls along Beaver Creek and 2 outfalls along the Sandy River.

Planning and Future Facility Needs

The City maintains separate master plan documents for the North Troutdale and South Troutdale drainage basins. The South Troutdale plan incorporates a smaller plan that was developed specifically for the South Troutdale Road area.

The **North Troutdale Storm Drainage Master Plan** (2007) provides an overview of the drainage basin, analyses of existing and projected future basin hydrology conditions, runoff analysis, proposed capital improvement projects, and public involvement. The plan also includes an evaluation of the 2004 Stormwater Management Plan (SWMP) and Best Management Practices (BMPs) that were recommended in the SWMP and that the City proposed to implement to meet National Pollutant Discharge Elimination System (NPDES) Phase II Municipal Separate Storm Sewer System (MS4) requirements. Future conditions assumed for modeling in the plan were defined as full build-out of the basin expected by 2020 within the City's urban growth boundary and based on zoning at the time of plan preparation.

The **South Troutdale Storm Drainage Master Plan** (2012) addresses existing study area characteristics, an evaluation of the storm system capacity (hydrology and hydraulic model development and results), storm system water quality evaluation (including identification of "opportunity areas"), and an "integrated management strategy" that includes proposed capital improvement projects (CIPs) necessary to meet future needs. The City's 2009 Comprehensive Land Use Plan was used in conjunction with an inventory of vacant land to develop future land use assumptions associated to determine future drainage conditions and needs.

The City operates under a Phase II NPDES MS4 permit requiring the City to reduce pollutants discharged from the City's storm drainage system. The City's existing MS4 Storm Water Management Plan includes a range of programmatic, non-structural, and source

control activities managed by the City. The South Troutdale Storm Drainage Master Plan includes structural controls and improvements to address NPDES MS4 requirements.

The **South Troutdale Road Storm Drainage Plan** (2009) addresses a specific part of the South Troutdale drainage basin. The plan was prepared after land in the South Troutdale Road area was annexed to the city and development in the area was anticipated. The plan area is comprised of five parcels totaling approximately 100 acres, is generally bounded by Beaver Creek on the west, SE Stark Street on the north, South Troutdale Road on the east, and SE Strebin Road on the south, and includes provisions for roadway drainage of Troutdale Road. The plan is intended to identify feasible locations for discharge to Beaver Creek, document water quality treatment alternatives and possible locations, develop design criteria and prepare conceptual design of the drainage network, develop a system model for the concept drainage network, and develop a final system map for development of the selected network alternative, along with estimated costs for the drainage system.

Storm drainage system needs identified in the **North Troutdale Storm Drainage Master Plan** are associated with a series of “trouble spots” related to the duration of flooding, depth of flooding, locations of traffic disruptions, potential flooding of businesses or homes, backwater effects from surface streams, and conveyance limitations (e.g., pipe size). Proposed projects to address these existing and projected trouble spots include the Salmon Creek Weir, Arata Creek conveyance in the Dunbar Avenue area, north Arata Creek conveyance from Marine Drive to Salmon Creek, South Arata Creek culvert improvements, Columbia River Highway railroad underpass (bypass conveyance), and improvement of the culvert at the Marine Drive curve south of the Troutdale Airport. Projects and strategies to address these areas include:

- Completion of drainage conveyance improvements, culvert improvements, and roadway bypasses.
- Implementation of a variety of best management practices to reduce the impacts of drainage on drainage systems and water quality.

Storm drainage system needs identified in the **South Troutdale Storm Drainage Master Plan** include:

- Measures needed to address ten pipe segments which are expected to experience flooding under either existing or future conditions.
- Sixteen (16) capital improvement projects (CIPs) intended to address flood control, water quality, and integrated flood control/water quality in this drainage area based on an evaluation of specific opportunity areas and associated regulatory requirements, as well as existing and future drainage conditions.

The **South Troutdale Road Storm Drainage Master Plan** includes management alternatives for six local drainage areas in the study area, where all drainage flows toward Beaver Creek. Specific recommended projects include:

- Use of a continuous swale to treat runoff from South Troutdale Road (Drainage Area 1).

- On-site treatment of runoff from Drainage Area 2 with discharge to Outfall 2.
- On-site treatment of runoff from Drainage Areas 3 and 4, with discharge from Drainage Area 3 via an outfall on the north side of the wetland (Outfall 3) and discharge from Drainage Area 4 to a pipe system with an outfall on the south side of the wetland (Outfall 4).
- Treatment of runoff from South Troutdale Road (Drainage Area 5) in a series of stormwater swales along the western side of South Troutdale Road, with final discharge to the wetland at Outfall 5.

3.4 Transportation System

Information about existing and future transportation facility conditions and needs is found in the City's Transportation System Plan and is hereby incorporated by reference.

4. Capital Improvements Plan (CIP)

Overview

The City of Troutdale's Public Facilities Plan (PFP) calls for significant investment in infrastructure to accommodate expected growth and development over the next 20 years. A summary of planned improvements associated with water, wastewater and stormwater drainage facilities is presented in Table 1 below, with more detail provided in Appendix A. Information about the cost of transportation facility improvements is included in the City's Transportation System Plan and hereby incorporated by reference.

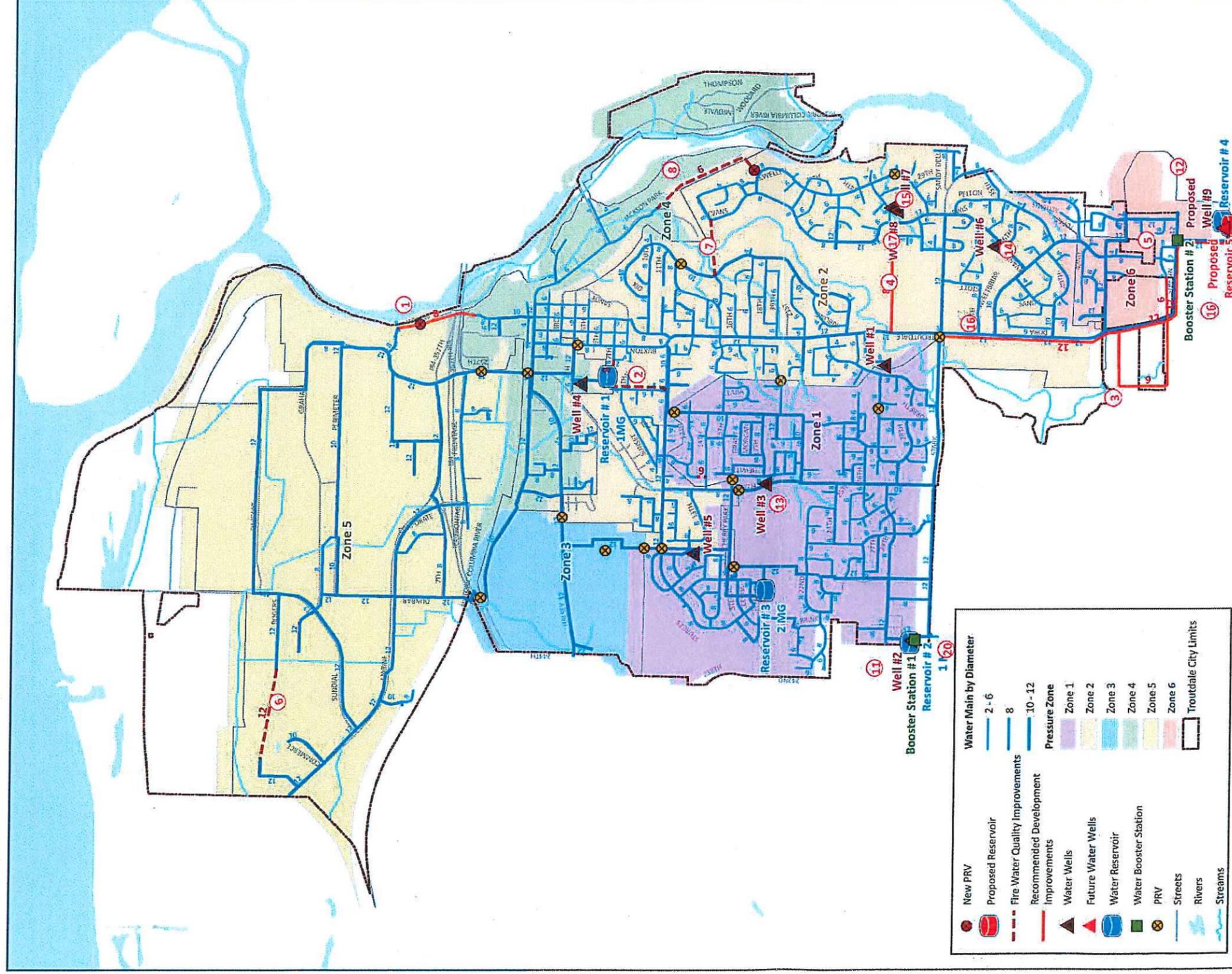
The level of investment for public facilities is based on cost estimates for planned projects in the City's adopted master plans for water, sewer, storm drainage, and transportation. A list of all planned public facility projects associated with water, wastewater and stormwater drainage facilities is included in Appendix A. It indicates the location, estimated cost, source of funding, and estimated timeframe for each capital improvement project. All cost estimates are expressed in year 2012 dollars.

Table 4-1: Summary of Planned Improvements

Public Facility	Short-term (Yr. 1 – 5)	Medium-term (Yr. 6 – 10)	Long-term (Yr. 11 – 20)	Total
Water				
<i>Connectivity</i>	\$896,500	\$760,000	\$470,000	\$2,126,500
<i>Supply</i>	\$953,900	\$2,047,200	\$3,998,900	\$7,000,000
<i>Incident Resiliency</i>	\$75,000	\$0	\$645,000	\$720,000
Total	\$1,925,400	\$2,807,200	\$5,113,900	\$9,846,500
Sanitary Sewer				
<i>Sewer pipe upgrades</i>	\$1,204,000	\$1,204,000	\$2,409,000	\$4,817,000
<i>Pump station, force main upgrades</i>	\$976,250	\$976,250	\$1,952,500	\$3,905,000
<i>Sanitary sewer pipe extensions</i>	\$783,250	\$783,250	\$1,566,500	\$3,133,000
Total	\$2,963,750	\$2,963,750	\$5,927,500	\$11,855,000
Storm Drainage				
<i>North Troutdale Storm Drainage Plan (2007, 2012 updates)</i>	\$2,719,400	\$212,600	\$0	\$2,932,000
<i>South Troutdale Storm Drainage Plan (2012) *</i>	\$462,400	\$455,300	\$1,193,500	\$2,111,200
<i>South Troutdale Road Storm Drainage Plan (2009) – Alternatives 1 and 5</i>	\$0	\$290,400	\$290,400	\$580,800
Total	\$3,181,800	\$958,300	\$1,483,900	\$5,624,000
* Cost estimates include two alternative estimates for one project; total combined costs will be less than indicated, depending on which option is selected.				

Public Facility	Short-term (Yr. 1 – 5)	Medium-term (Yr. 6 – 10)	Long-term (Yr. 11 – 20)	Total
Total Investment	\$8,070,950	\$6,729,250	\$12,525,300	\$27,325,500

Maps indicating the location of specific improvements are shown on the following pages.



Water CIP Projects

Connectivity Improvements

1. Pressure Zone 5 Fire Flow Improvements
2. 7th Street - Kings Byway Water Main Upsizing
3. Serve South Urban Plan Area
4. Serve Sirebin Farm area
5. Rehab Booster Pump Sta. 2
6. Rogers Road Loop
7. Beaver Creek Crossing
8. Jackson Park Road Waterline

Supply Improvements

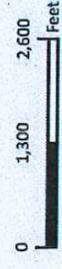
11. Well 2 Perform. Monitoring
12. New Well 9
13. Well 3 Design/Rehab
14. Well 6 Design/Rehab
15. Well 7 Design/Rehab
16. New Reservoir 5 with Line to Zone 1
17. Well 8 Design/Rehab

Resiliency Improvements

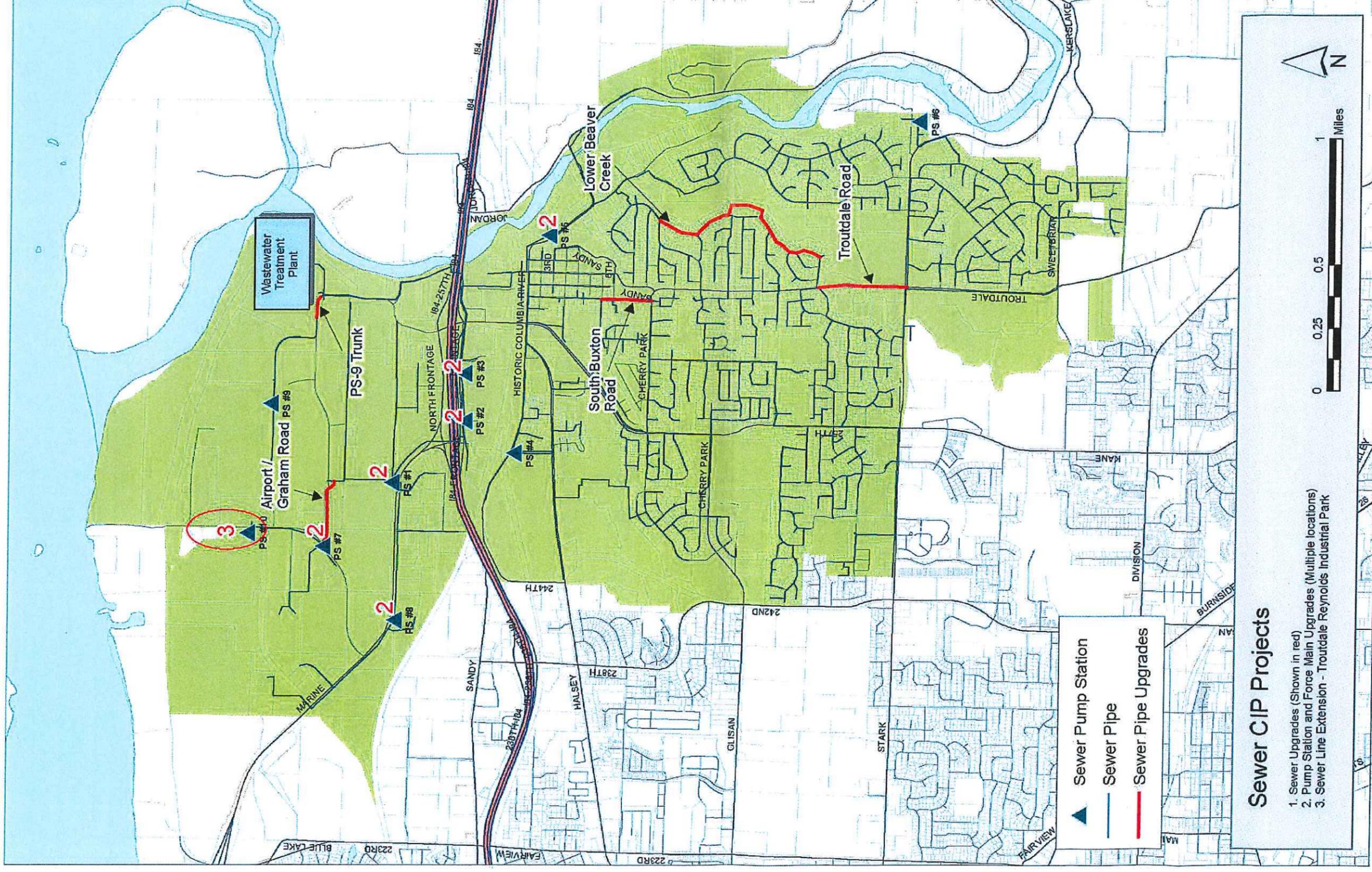
20. Reservoir 2 Seismic Improvements

Other CIP Projects not shown on Map

9. Comprehensive Well Assessment
10. Reccoat Interior of Steel Reservoirs
18. Improving Water Quality
19. Reservoir Seismic Study (all 4 reservoirs)
21. Seismic Improvements for Reservoirs 1, 3 & 4

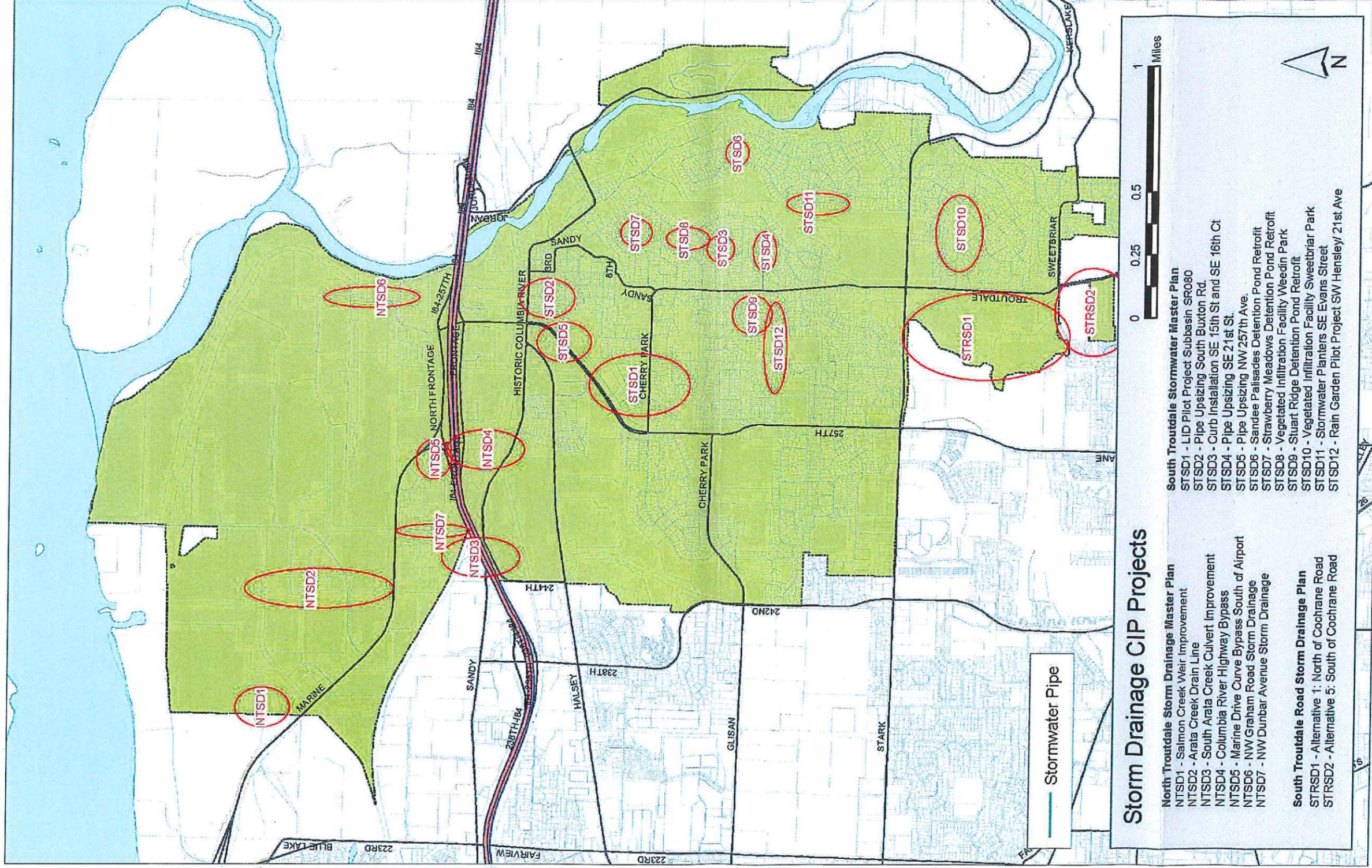


Data source: City of Troutdale, Esri, Black & Veatch



Sewer CIP Projects

- 1. Sewer Upgrades (Shown in red)
- 2. Pump Station and Force Main Upgrades (Multiple locations)
- 3. Sewer Line Extension - Troutdale Reynolds Industrial Park



6. Financing and Implementation Plan

The City of Troutdale uses a combination of strategies to finance the development and maintenance of its public works infrastructure. The following discussion provides an overview of the financial structure in place to support Troutdale's infrastructure and development and ongoing maintenance needs.

6.1 Water System

The City's Water Fund is an "enterprise fund" that pays for the operation, maintenance and repair, and some capital improvements of the City's water system. The primary revenue source for the Water Fund is the monthly user fee paid by the water customers. Other significant revenue sources are installation fees for new services and penalty fees paid on delinquent accounts. The City will rely on a dedicated Water System Development Charge (SDC), other developer funding, and the State Revolving Fund (SRF) to fund projects already in the City's CIP and improvement projects recommended in the 2012 Water Master Plan. Operation and maintenance projects, not eligible for SDC funding, identified in the Water Master Plan will be funded by user fees. To provide full funding of all of the recommended projects, the City's user fee would have to be increased by an average of 9% per year for the next 20 years.

SDCs are authorized by state law (ORS 223.297-.314) and the Troutdale Municipal Code (Chapter 12.02). Chapter 12.02 addresses basic methodology, exemptions, credits, refunds, and appeals. The detailed methodology for calculating SDC's for each set of public services and facilities is provided in separate resolutions and is outlined in a department directive from the Public Works Director and a worksheet for the public. The City's water SDC is based on Hydraulic Equivalents (HEs) per meter and meter size.

To provide full funding for the all of the identified improvement projects, water SDC rates would need to increase by approximately 10.2% to account for the development of the various CIP projects over the next 20 years. Increases should occur at the time that projects are added to the city's adopted CIP. Developer-funded CIP projects are funded entirely by the developer of the property, and in the 2012 Water Master Plan, this includes service in the South Urban Plan Area and the Strebin Farm Area. The CIPs that are expected to be funded partially by the State Revolving Fund include a new well and a new reservoir. The City may need to use the State Revolving Fund in conjunction with SDCs in order to finance these larger CIPs. It is assumed that these state loans are the only debt that the City will take on for water projects.

6.2 Sanitary Sewer System

Similar to the Water Fund, costs to provide sanitary sewer services, including operation and maintenance, staff and other needs are paid for primarily through sewer utility rates. Capital improvement costs are paid through a variety of sources, including utility rates,

SDCs, developer contributions, local improvement districts (LIDs) and outside funding sources (e.g., state grants or revolving loan funds).

As part of the Sanitary Sewer Master Planning process, an economic and financial model was prepared to ensure that revenues will be adequate to pay for the estimated cost to provide sanitary sewer services and build needed capital improvements. This analysis indicates the following:

- System Development Charges will need to be adjusted to reflect updated administrative and capital improvement costs, and to reflect the proportion of costs to be funded through SDCs. The City's sanitary sewer SDC is expected to decrease from a current rate of approximately \$4,500 per equivalent residential unit (ERU) to just over \$3,400 per ERU. These rates also will be indexed to account for the cost of inflation and will be adjusted annually to reflect inflationary factors.
- Sanitary sewer rates are projected to increase by just over five percent annually in each of the next four years (i.e., FY 2015 through FY 2018) to help pay for a combination of debt service on existing general obligation bonds, as well as future capital improvements and other annual costs.

Projected utility and SDC rate changes are based on a variety of assumptions and may need to be adjusted further to the extent that conditions change over time. The City will closely track its costs as they become available and compare them to assumptions used in the Sanitary Sewer Master Plan. If significant changes occur, the City will revisit the analysis and make appropriate changes

6.3 Storm Drainage System

The City's storm drainage system is funded through a combination of user fees (on the monthly utility bill) and SDCs. The City's stormwater SDC is based on impervious surface area. All single-family detached homes are deemed to have the same (2,700 square feet) impervious surface area for the purpose of assessing SDCs.

Drainage in the North Troutdale drainage area is managed in collaboration with the Sandy Drainage Improvement Company (SDIC), ODOT and Multnomah County. The SDIC is responsible for maintaining the floodplain water surface levels within the low-elevation lands of the North Troutdale drainage basin. It maintains the Columbia River levee and operates the storm runoff pumping station to which most runoff generated within this drainage basin is directed. The City and Multnomah County operate local storm water collection systems that feed into SDIC facilities. Multnomah County and SDIC have their own revenue sources, and the City's CIP includes funding support for certain improvements to the SDIC systems that receive discharges from the City's systems.

6.4 Transportation

Information about funding for transportation facilities is found in the City's Transportation System Plan and is hereby incorporated by reference.

7. Additional Public Facilities and Services in Troutdale

In addition to addressing core public facilities associated with water, wastewater, stormwater and transportation, the City of Troutdale provides or coordinates with other public agencies and private entities to provide a variety of other public facilities and services, including those related to parks and recreation, police, fire, education, libraries, utilities, administration and other activities. This chapter very briefly describes those activities and identifies sources of additional information about them.

7.1 Parks and Recreation

The City manages and maintains a variety of parks, recreation facilities, trails and natural areas. Park facilities include mini-parks, neighborhood, community and special use parks. The City's 2006 Parks Master Plan guides future planning for operation, maintenance and improvement of existing facilities, and also identifies additional, future park and recreation facility needs. The Parks Master Plan includes a set of goals and objectives for parks and recreation, a list of proposed park system improvements, estimated costs of parks projects and a proposed strategy for funding future improvements and operations. In addition, school facilities operated by the Reynolds School District and Mt. Hood Community College provide additional recreational facilities and opportunities for Troutdale residents, as do state and regional parks operated by the Oregon Department of Parks and Recreation and Metro. A copy of the Parks Master Plan and other current information about park and recreation facilities and services and programs can be found on the City's website.

7.2 Police

The City provides 24-hour police services using a combination of over 20 sworn officers and professional staff members, along with a group of dedicated volunteers who serve as reserve officers, office assistants and chaplain. The Police Department is comprised of the Patrol Services, Support Services, Investigations, School Resource Unit and Administration Divisions. The Department also assigns police officers to the East Metro Gang Enforcement Team (EMGET) and Tri-Met Transit Police, using independent funding from those programs. In addition, officers work a variety of specialty assignments designed to provide tactical, investigative and operational skills that benefit the City of Troutdale and inter-agency teams throughout the Metropolitan area. Additional information about police services and facilities can be found on the City's website.

7.3 Solid Waste and Recycling

The City's Solid Waste and Recycling Division provides coordination, education, and management services related to residential and commercial solid waste, collection, disposal and recycling.

The City of Troutdale administers a franchise agreement with a private waste hauling company for solid waste and recycling hauling services. Waste Management of Oregon is the current waste hauling contractor under franchise with the City of Troutdale. The Public Works Department manages the franchise agreement with the City's contracted waste hauling company. Regional solid waste and recycling efforts also are coordinated by the Metro regional government. Current information about local solid waste management and recycling services and programs is available on the City's website.

7.4 Other City Services

In addition to the facilities and services described above, the City of Troutdale provides general administration, land use planning and zoning, building plan review and inspections, engineering and record management services. These City functions currently operate out of multiple buildings, including separate facilities for planning and zoning, police, public works, city hall/courts and administration. Given the disparate nature of these locations and the recent closure of the former city hall and administration building due to structural problems, the City is considering development and construction of a new city hall or city services building. Future planning for such a facility will be the subject of a separate planning effort (outside the Public Facility Plan).

7.5 Fire and Emergency Response Services

Fire protection is provided by Gresham Fire and Emergency Services, under contract to the City of Troutdale. More information about current fire and emergency response services and facilities can be found on the City of Gresham's website.

7.6 Schools

The Reynolds School District, the Gresham-Barlow School District, and Mt. Hood Community College provide public education in Troutdale. Reynolds school facilities within Troutdale (as of 2012) include Sweetbriar and Troutdale elementary schools, Walt Morey Middle School and Reynolds High School. Mt. Hood Community College has three primary campuses, all outside of Troutdale. However, the main campus abuts the southern Troutdale boundary and it also provides programs and services at a number of off-campus sites, including at Gorge Winds Aviation and Reynolds High School within Troutdale. More information about these educational facilities and services can be found on the Reynolds School District and Mt. Hood Community College websites.

7.7 Libraries

Multnomah County provides library services to Troutdale residents, including through the Troutdale branch library which opened in 2010, as well as through a variety of online and

other mobile services. More information about these services can be found at the Troutdale library and the Multnomah County website.

7.8 Utilities

Portland General Electric Company (PGE) and Northwest Natural Gas Company provide energy services to local residents. Comcast and Frontier Communications provide local telephone and cable television service options. A variety of other internet, mobile phone network and other entities also provide additional telecommunications and information services to Troutdale residents.

8. Plan Implementation

The City of Troutdale's Public Facilities Plan is implemented through a combination of local plans, infrastructure design and operational standards, and development code provisions. Implementing plans include:

- ➔ Water Master Plan (2012)
- ➔ Water Management and Conservation Plan (2004)
- ➔ North Troutdale Storm Drainage Master Plan (2007)
- ➔ South Troutdale Storm Drainage Master Plan (2012)
- ➔ South Troutdale Road Storm Drainage Master Plan (2009)
- ➔ Transportation System Plan (2013)
- ➔ Sanitary Sewer Master Plan (2013).

Infrastructure design standards include:

- ➔ Troutdale Municipal Code, Title 13. Street Trees, Park and Recreation Areas
- ➔ Troutdale Development Code (various chapters)
- ➔ Public Works Construction Standards – Streets (Parts I and II), Water (Parts III and IV), Storm Sewer (Parts V and VI), and Sanitary Sewer (VII and VIII).

Financing is supported by:

- ➔ City of Troutdale System Development Charges Methodology Resolutions (Water, Sanitary Sewer, Transportation, Storm Water, Parks)
- ➔ City of Troutdale Municipal Code, Title 12. Public Works
 - Chapter 12.02 (System Development Charges)
 - Chapter 12.03 (Water System)
 - Chapter 12.04 (Sanitary Sewer System)
 - Chapter 12.05 (Streets and Sidewalks)
 - Chapter 12.06 (Storm Sewer System)
 - Chapter 12.07 (Pretreatment Program)
 - Chapter 12.08 (Public Improvements)

- Chapter 12.12 (Right-of-Way Management)

- Annual City budget authorization.

Intergovernmental coordination is implemented through the following arrangements:

- **Water Services.** The City of Troutdale is the sole provider of potable water services within the boundaries of the City. It has interties and emergency service agreements with the cities of Gresham, Fairview and Wood Village.
- **Sanitary Sewer Services.** The City of Troutdale is the sole provider of sanitary sewer services within the boundaries of the City.
- **Storm Drainage.** The City is the primary provider of storm drainage services within the City. Multnomah County and the Oregon Department of Transportation provide storm drainage facilities associated with their respective roadways, and in certain cases the City and County systems interconnect. The Sandy Drainage Improvement Company provides storm drainage and flood control facilities and services in the North Troutdale area in conjunction with the City's systems, as described in the Public Facilities Plan and the North Troutdale Storm Drainage Master Plan. The City coordinates storm drainage services with that District pursuant to those plans, as well as with the Oregon Department of Environmental Quality, the Oregon Department of Transportation, Multnomah County, neighboring jurisdictions, and City residents."

Appendix A: Capital Improvements Plan

WATER			Water Plan Listed Cost	Cost 2012 \$\$	Project Schedule			Priority	Year	Funding Source
Item	Type	Project Title Description/ Location			Short-term (0-5 years)	Medium-term (6-10 yrs)	Long-term (10-20 yrs)			
1	WC	Pressure Zone 5 Fire Flow Improvements	285,000	\$285,000	\$285,000			High	2013-2015	
2	WC	7 th Street – Kings Byway Water Main Upsizing	\$370,000	\$370,000		\$370,000		High	2017-2018	User fees
3	WC	Serve South Urban Plan Area	412,000	\$412,000	\$412,000			High	2014-2016	Developer
4	WC	Serve Strebin Farm area	185,000	\$185,000		\$185,000		High	2017-2018	Developer
5	WC	Rehab Booster Pump Sta. #2	199,500	\$199,500	\$199,500			High	2014-2015	User fees
6	WC	Rogers Road Loop	205,000	\$205,000		\$205,000		High	2020-2021	Developer, SDC
7	WC	Beaver Creek Crossing	110,000	\$110,000			\$110,000	High	2022-2023	SDC
8	WC	Jackson Park Road Waterline	360,000	\$360,000			\$360,000	High	2024-2025	Developer
		Total Connectivity	\$2,126,500	\$2,126,500	\$896,500	\$760,000	\$470,000			
9	WS	Comprehensive Well Assessment	55,000	\$55,000	\$55,000			Medium	2013-2014	User fees
10	WS	Recoat Interior of Steel Reservoir	775,000	\$775,000			\$775,000	Medium	2028-2030	User fees
11	WS	Well 2 Perform. Monitoring	5,000	\$5,000	\$5,000			Medium	2013	User fees
12	WS	New Well 9	1,975,000	\$1,975,000	\$438,900	\$1,097,200	\$438,900	Medium	2015-2023	SDC, SRF
13	WS	Well 3 Assessment/Rehab	100,000	\$100,000	\$100,000			Medium	2015-2016	User fees
14	WS	Well 6 Assessment/Rehab	125,000	\$125,000	\$125,000			Medium	2016-2017	User fees
15	WS	Well 7 Assessment/Rehab	100,000	\$100,000			\$100,000	Medium	2026-2027	User fees
16	WC	Reservoir 5 to Zone 1 Line	1,965,000	\$1,965,000			\$840,000	High	2024-2027	User fees
17	WS	Well 8 Assessment/Rehab	1,800,000	\$1,800,000	\$180,000	\$900,000	\$720,000	Medium	2016-2025	User fees
18	WS	Improving Water Quality	100,000	\$100,000		\$100,000		Medium	NA	User fees
		Total Supply	\$7,000,000	\$7,000,000	\$953,900	\$2,047,200	\$3,998,900			
19	WIR	Reservoir Seismic Study	\$75,000	\$75,000	\$75,000			Low	2012-2013	User fees
20	WIR	Reservoir 2 Seismic Improvements	\$295,000	\$295,000			\$295,000	Low	2028-2030	User fees
21	WIR	Reservoirs 1, 3, 4 Seismic Improvements	\$350,000	\$350,000			\$350,000	Low	2029-2032	User fees
		Total Resiliency	\$720,000	\$720,000	\$75,000	\$0	\$645,000			
		Total Water	\$9,846,500	\$9,846,500	\$1,925,400	\$2,807,200	\$5,113,900			

SANITARY SEWER			Sewer Plan Listed Cost	Cost 2013 \$\$	Project Schedule			Priority	Year	Funding Source
Item	Type	Project Title Description/ Location			Short-term	Medium-term	Long-term			
1A	Pipe	Sewer pipe upgrades South Buxton Road	501,000	501,000	\$125,250	\$125,250	\$250,500		NA	User Fees, SDC
1B	Pipe	Sewer pipe upgrades Lower Beaver Creek No. 1	414,000	414,000	\$103,500	\$103,500	\$207,000		NA	User Fees, SDC
1C	Pipe	Sewer pipe upgrades Lower Beaver Creek No. 2	452,000	452,000	\$113,000	\$113,000	\$226,000		NA	User Fees, SDC
1D	Pipe	Sewer pipe upgrades Lower Beaver Creek No. 3	450,000	450,000	\$112,500	\$112,500	\$225,000		NA	User Fees, SDC
1E	Pipe	Sewer pipe upgrades Lower Beaver Creek No. 4	578,000	578,000	\$144,500	\$144,500	\$289,000		NA	User Fees, SDC
1F	Pipe	Sewer pipe upgrades Lower Beaver Creek No. 5	411,000	411,000	\$102,750	\$102,750	\$205,500		NA	User Fees, SDC
1G	Pipe	Sewer pipe upgrades Troutdale Road	1,112,000	1,112,000	\$278,000	\$278,000	\$556,000		NA	User Fees, SDC
1H	Pipe	Sewer pipe upgrades Airport/Graham Road	646,000	646,000	\$161,500	\$161,500	\$323,000		NA	User Fees, SDC
1I	Pipe	Sewer pipe upgrades PS 9 Trunk	253,000	253,000	\$63,250	\$63,250	\$126,500		NA	User Fees, SDC
		Sewer Pipes Total		4,817,000	\$1,204,250	\$1,204,250	\$2,408,500			
2A	PS/FM	Pump Station/Force Main Upgrades PS-1	2,695,000	2,695,000	\$673,750	\$673,750	\$1,347,500		NA	User Fees, SDC
2B	PS	Pump Station Upgrades PS-2	369,000	369,000	369,000				NA	User Fees, SDC
2C	PS	Pump Station Upgrades PS-5	454,000	454,000	\$113,500	\$113,500	\$227,000		NA	User Fees, SDC
2D	PS	Pump Station Upgrades PS-7	145,000	145,000	\$36,250	\$36,250	\$72,500		NA	User Fees, SDC
2E	PS	Pump Station Upgrades PS-9	242,000	242,000	\$60,500	\$60,500	\$121,000		NA	User Fees, SDC
		Pump Station and Force Mains Total		3,905,000	3,905,000	\$976,250	\$976,250			
3	Ext.	Reynolds Industrial Park sewer extension	3,133,000	3,133,000	\$783,250	\$783,250	\$1,566,500		NA	SDC
				3,133,000	\$783,250	\$783,250	\$1,566,500			
		Total Wastewater	11,855,000	11,855,000	\$2,963,750	\$2,963,750	\$5,927,500			

Item	STORM DRAINAGE			Cost 2012 \$s	Project Schedule			Priority	Year	Funding Source
	Type	Project Title Description/ Location	Drainage Plan Listed Cost		Short-term	Medium-term	Long-term			
NTSD1		Salmon Creek Weir Improvement	\$150,000	\$163,100	\$163,100				2012-2015	SDC, user fee
NTSD2		Arata Creek Drain Line – Marine Dr to Salmon Creek	\$202,000	\$219,700	\$219,700				2012-2015	SDC, user fee
NTSD3		South Arata Creek Culvert Improvement	\$568,000	\$617,700	\$617,700				2012-2015	SDC, user fee
NTSD4		Columbia River Highway Bypass	\$391,000	\$425,200	\$212,600	\$212,600			2012-2017	SDC, user fee
NTSD5		Marine Drive Curve Bypass South of Airport	\$532,000	\$578,600	\$578,600				2012-2016	SDC, user fee
NTSD6		NW Graham Road Storm Drainage	\$550,000	\$598,200	\$598,200				2012-2016	SDC, user fee
NTSD7		NW Dunbar Avenue Storm Drainage	\$303,000	\$329,500	\$329,500				2014-2016	SDC, user fee
				\$2,932,000	\$2,719,400	\$212,600	\$0			
STSD1	FC/WQ	Low Impact Development (LID) Pilot Project Subbasin SR080*	\$50,000	\$50,000		\$50,000				SDC, user fee
STSD2	FC	Pipe Upsizing South Buxton Road	\$130,100	\$130,100	\$130,100					SDC, user fee
STSD3	FC	Curb Installation Between SE 15th Street and SE 16th Court	\$2,500	\$2,500	\$2,500					SDC, user fee
STSD4	FC	Pipe Upsizing SE 21st Street	\$106,100	\$106,100		\$106,100				SDC, user fee
STSD5	FC	Pipe Upsizing NW 257th Avenue*	\$522,700	\$522,700			\$522,700			SDC, user fee
STSD6	WQ	Sandee Palisades Detention Pond Retrofit Subbasin SR220	\$153,800	\$153,800		\$153,800				SDC, user fee
STSD7	WQ	Strawberry Meadows Detention Pond Retrofit Subbasin BC210	\$85,100	\$85,100	\$85,100					SDC, user fee
STSD8	WQ	Vegetated Infiltration Facility (Retention Pond) Weedin Park (Subbasin BC300)	\$297,100	\$297,100			\$297,100			SDC, user fee
STSD9	WQ	Stuart Ridge Detention Pond Retrofit Subbasin BC590	\$60,500	\$60,500	\$60,500					SDC, user fee
STSD10	WQ	Vegetated Infiltration Facility (Rain Garden) Sweetbriar Park (Subbasin BC920)	\$145,400	\$145,400		\$145,400				SDC, user fee
STSD11	WQ	Stormwater Planters (Green Streets) SE Evans Street (Subbasins BC510 and BC520)	\$373,700	\$373,700			\$373,700			SDC, user fee
STSD12	WQ	Stormwater Planters (Green Streets) SW 21st Avenue (Subbasin BC200)	\$184,200	\$184,200	\$184,200					SDC, user fee
		Total South Troutdale Drainage		\$2,111,200	\$462,400	\$455,300	\$1,193,500			SDC, user fee
STRSD1		Alternative 1 - North of Cochrane Road	\$308,545	\$335,600		\$167,800	\$167,800		Unknown	Developer
STRSD1		Alternative 5 - South of Cochrane Road	\$225,486	\$245,200		\$122,600	\$122,600		Unknown	Developer
		Total South Troutdale Road Drainage	\$534,031	\$580,800	\$0	\$290,400	\$290,400			
		Total Storm Drainage		\$5,624,000	\$3,181,800	\$958,300	\$1,483,900			

* These two projects represent two different alternatives to meeting the same need; only one project will be completed, reducing the overall cost of the combined CIP projects accordingly.



CITY OF TROUTDALE



STAFF REPORT

SUBJECT / ISSUE: An ordinance adopting text amendments to Comprehensive Land Use Plan Goal 11 Public Facilities and Services in partial fulfillment of Periodic Review Task 3.

MEETING TYPE:
City Council Regular Mtg.

MEETING DATE: May 13, 2014

STAFF MEMBER: Craig Ward
DEPARTMENT: Community Development

ACTION REQUIRED
Ordinance - Adoption

ADVISORY COMMITTEE/COMMISSION RECOMMENDATION:
Approval

PUBLIC HEARING
Yes

Comments: Both the Citizen Advisory Committee and the Troutdale Planning Commission recommend adoption.

STAFF RECOMMENDATION: Adoption.

EXHIBITS:

- A. Planning Commission Findings of Fact and Recommendation of March 19, 2014
- B. City of Troutdale 1990 Goal 11 Text.

Subject / Issue Relates To:

- Council Goals
 Legislative
 Other (describe)

Issue / Council Decision & Discussion Points:

- ◆ The tasks that the City must complete as part of periodic review are governed by its approved periodic review work program. DLCD approved the City's work program on April 15, 2010. The approved work program includes tasks related to statewide planning Goal 11, Public Facilities and Services.
- ◆ As property develops in Troutdale, the policies of Goal 11 and the Public Facility Plan instruct staff and developers as to what is expected of developers and what is expected of the City. There are no Troutdale Development Code text amendments associated with the Goal 11 text amendment.

Reviewed and Approved by City Manager:

BACKGROUND:

The City has been in periodic review since the initial notification from the Oregon Department of Land Conservation and Development (DLCD) on May 20, 2008. The tasks that the City must complete as part of periodic review are governed by its approved periodic review work program. DLCD approved the City's work program on April 15, 2010. The approved work program includes tasks related to statewide planning Goal 11, Public Facilities and Services. Specifically identified as Task 3 of the work program, the City is required to prepare and adopt amendments to its Comprehensive Land Use Plan Goal 11 policies in accordance with Statewide Land Use Planning Goal 11 and Oregon Administrative Rule 660-011- 0010-45. The amendments coordinate with the City's proposed Public Facilities Plan.

With funding from a DLCD periodic review assistance grant, the City hired a consultant to perform several remaining tasks of our work program, including Task 3. Since June 2012, the consultant, Angelo Planning Group, has been researching and gathering information, preparing technical memoranda, and preparing drafts of the document. The consultant presented their major findings and recommendations to the Citizens Advisory Committee for review and recommendation at the CAC's October 2012 and February 2013 meetings and to the Planning Commission on May 29, 2013 and March 19, 2014.

The last time the text of Goal 11 was revised was during the 1990 Periodic Review. The text is seriously outdated and deficient in meeting present statutory requirements, so the proposed new plan is an entire rewrite of Goal 11.

Explanation of proposed plan

State law requires a Comprehensive Plan to include an element on public facilities and services. Pursuant to OAR 660-011-0045 (Adoption and Amendment Procedures for Public Facility Plans), a public facilities element must include:

- List of needed facility projects (descriptions are not required)
- Maps showing the location of proposed facility projects
- Policies or an urban growth management agreement designating the provider of each public facility system.

The proposed amendment to Goal 11 of the Comprehensive Plan (Attachment A of the Ordinance) substitutes all current text (Exhibit B) with the information items listed above. Needed sanitary sewer, water and storm drainage system projects, taken directly from the Public Facilities Plan, are presented both as a table and in maps. Information related to coordination between the City of Troutdale and other water, sewer and storm drainage providers in the area is provided. The amended text references the City's adopted Public Facilities Plan for more detailed information about existing and future public facility needs.

The current Goal 11 text (Exhibit B) does not have goals and policies typical of other Goals in the Comprehensive Land Use Plan. The current Goal 11 text was adopted under the last Periodic Review September 27, 1990 / Ordinance No. 558-O.

The Planning Commission asked at its May 29, 2013 hearing if the project list in the Public Facilities Plan also needed to be in the Goal 11 text. According to the consultant, this information is required in the Goal 11 text under the state requirements.

Relevant criteria

Section 15.050A Planning Commission Recommendation / Approval Criteria of the Troutdale Development Code establishes the following approval criteria for evaluating comprehensive plan amendments.

1. For Comprehensive Plan text amendments, compliance with the Statewide Land Use goals and related Administrative Rules.

This text amendment goes hand in hand with adoption of a PFP, which is a required task of the City's periodic review work program. That Plan was prepared in accordance with Statewide Land Use Planning Goal 11 and its related administrative rule. This text amendment is necessary in order for Goal 11 of the Comprehensive Plan to complement and support the PFP. Therefore, it logically and necessarily satisfies this approval criterion.

2. Public need is best satisfied by this particular change.

The public need addressed by this amendment avoids overlap or redundancies between the Comprehensive Plan and the Public Facilities Plan. Because the latter document serves as an element of the Comprehensive Plan and provides detailed information drawn from the master plans for city water, sanitary sewer and storm sewer services, Goal 11 of the Comp Plan needs only provide basic information about these facilities. This text amendment also satisfies public need by clarifying the relationship of the two documents.

There was no public comment at either Planning Commission hearing (May 29, 2013 and March 19, 2014) nor were written comments submitted.

3. The change will not adversely affect the health, safety and welfare of the community.

Adoption of this text amendment to Goal 11 of the Comprehensive Plan supports other required work under periodic review Task 3, that promotes and positively affects the health, safety and welfare of the community.

4. In the case of Development Code amendments, the particular change does not conflict with applicable comprehensive plan goals or policies.

The proposed text amendment pertains only to the Comprehensive Plan and not to the Troutdale Development Code; therefore, this criterion does not apply.

PROS & CONS:

Pros:

- Adoption fulfills part of Periodic Review Task 3.

Cons

- None.

<p>Current Year Budget Impacts <input type="checkbox"/> Yes (<i>describe</i>) <input checked="" type="checkbox"/> N/A</p> <p>Future Fiscal Impacts: <input type="checkbox"/> Yes (<i>describe</i>) <input checked="" type="checkbox"/> N/A</p> <p>City Attorney Approved N/A <input type="checkbox"/> Yes</p> <p>Community Involvement Process: <input checked="" type="checkbox"/> Yes (<i>describe</i>) <input type="checkbox"/> N/A All meetings before the Citizens Advisory Committee and the Planning Commission were open to the public. No comments from the public at those meetings were received.</p>
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PLANNING COMMISSION
FINDINGS of FACT and RECOMMENDATION
March 19, 2014

Periodic Review Task 3
Amendment to the Troutdale Comprehensive Land Use Plan
Goal 11 Public Facilities and Services

The Troutdale Planning Commission held public hearings on May 29, 2013 and March 19, 2014 to take public testimony, and to make a recommendation to the City Council, concerning adoption of a proposed amendment to the Troutdale Comprehensive Land Use Plan relating to Statewide Land Use Goal 11 (Public Facilities and Services) as part of Task 3 of the City's Periodic Review Work Program. Having provided the opportunity for the public to express their views on the proposal, the Planning Commission now makes and enters the following findings of fact together with its recommendation to the Council for action.

FINDINGS OF FACT

1. The City has been in periodic review since the initial notification from the Oregon Department of Land Conservation and Development (DLCD) on May 20, 2008. The tasks that the City must complete as part of periodic review are governed by its approved periodic review work program. DLCD approved the City's work program on April 15, 2010.
2. The City's approved work program includes tasks related to statewide planning Goal 11, Public Facilities and Services. Specifically identified as Task 3 of the work program, the City is required to prepare and adopt a Public Facilities Plan in accordance with Statewide Land Use Planning Goal 11 and Oregon Administrative Rule 660-011-0010-45.
3. On May 29, 2013, the Planning Commission recommended an updated Public Facilities Plan to the City Council for adoption as part of this text amendment, to be adopted as an implementing element of the Comprehensive Plan. Because it presents detailed information about existing and future public facility needs and contains goals and policies to guide the City in providing efficient and effective urban services, the Public Facilities Plan will be the City's primary policy document for addressing statewide planning Goal 11. For this reason, Goal 11 of the Comprehensive Plan needs to only provide basic information about water, sanitary sewer and storm drainage facility needs.

4. The proposed amendment to Goal 11 of the Comprehensive Plan consists of eliminating all current text and replacing it with only those informational items spelled out by statute or administrative rule.

6. The text amendment satisfies the approval criteria of Troutdale Development Code 15.030 Planning Commission Recommendation:

Criterion A.1: For Comprehensive Land Use Plan text amendments, compliance with the Statewide Land Use Goals and related administrative rules.

This text amendment goes hand in hand with adoption of a new Public Facilities Plan, which is a required task of the City's Periodic Review Work Program. The Public Facilities Plan was prepared in accordance with Statewide Land Use Planning Goal 11 and its related administrative rule. This text amendment is necessary in order for Goal 11 of the Comprehensive Plan to complement and support the Public Facilities Plan.

Criterion A.2: Public need is best satisfied by this particular change.

The public need that is addressed by adoption of this amendment is to avoid overlap and redundancies between the Comprehensive Plan and the Public Facilities Plan. This text change also satisfies public need by clarifying the relationship of the two documents.

Criterion A3: The change will not adversely affect the health, safety, and welfare of the community.

Adoption of this text change to Goal 11 of the Comprehensive Plan supports other required work under periodic review Task 3, which by its very nature is intended to promote and positively affect the health, safety and welfare of the community.

Criterion A4: In the case of Development Code amendments, the particular change does not conflict with applicable Comprehensive Land Use Plan goals or policies.

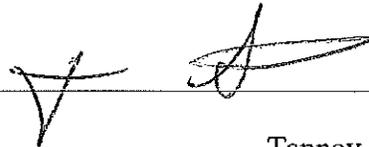
This criterion does not apply as this is not an amendment to the Development Code text.

7. Notice of the public hearing has been provided in accordance with applicable law. A public comment period was opened by the Chair during both hearings before the Planning Commission:
 - No citizens spoke or submitted written comments at the May 29, 2013 hearing in this matter.

- No citizens spoke or submitted written comments at March 19, 2014 hearing in this matter.

RECOMMENDATION

In view of the above Findings of Fact, the Planning Commission recommends that the Troutdale City Council adopt the proposed text amendment to Goal 11 Public Facilities and Services (attached Exhibit A) of the Troutdale Comprehensive Land Use Plan as part of Task 3 of the City's periodic review work program.



Tanney Staffenson, Chair
Troutdale Planning Commission

3/28/2014

Date

EXHIBIT A

EXHIBIT A IS THE PROPOSED AMENDMENT TO THE TEXT OF
TROUTDALE COMPREHENSIVE LAND USE PLAN GOAL 11

This document is Attachment A of the Ordinance

GOAL 11 - PUBLIC FACILITIES AND SERVICES

The City of Troutdale has prepared a Public Facilities Plan (PFP) which contains policy, inventory, and planning sections. This document should be referenced for specific information about the sewer, water, storm sewer, and street systems.

The City provides many public facilities and services which are necessary to accommodate new growth. The location and timing of these services determines when and where development can occur. Troutdale has prepared plans for the essential facilities such as water, sewer, and streets in order to manage growth in an orderly and systematic manner. The City has adopted a Public Facilities Plan which is reviewed and updated annually. The PFP serves as the principal tool to guide the phasing of all public facility improvements.

Since 1976, most neighborhood improvements have been constructed in conjunction with new residential developments. Major capital improvements such as water reservoirs, wells, sewer trunk lines, and sewage treatment plant expansion have been financed generally through the formation of local improvement districts (LIDS) or FmHA loans. The City has also enacted various system development charges (SDC) for sewer, water, and streets that require new development to contribute a fair share for services expended in anticipation of growth. Federal funding such as the Community Development Block Grant (CDBG) Program has provided another source of project funding. The City's recent major public works projects have been largely financed by CDBG funds, matched by local resources.

SEWER AND WATER

Existing and proposed improvements to the City's water system have resulted in adequate capacity to serve anticipated growth. The present wastewater treatment plant capacity has been expanded to 1.6 million gallons per day and present usage is running at approximately 60-70% capacity. The local street network has been vastly improved with the widening of Stark Street and the extension of 257th Avenue. Developers of new developments will be required to construct local streets which will include the installation of storm sewers to help complete the City's system.

POLICE

The City provides 24-hour police services.

FIRE

Fire protection is provided by Gresham Fire Department, under contract.

SCHOOLS

The Reynolds School District and Mt. Hood Community College provide public education in Troutdale.

OTHER SERVICES

The City of Troutdale provides general administration, land use planning and zoning, building plan review and inspections, engineering, record management, and maintenance of City parks, streets, and water and sewer facilities.

Portland General Electric Company (PGE) and Northwest Natural Gas Company provide energy services to local residents. General Telephone Company (GTE) and Paragon Cable provide telecommunication services.

ORDINANCE NO.

AN ORDINANCE ADOPTING TEXT AMENDMENTS TO COMPREHENSIVE LAND USE PLAN GOAL 11 PUBLIC FACILITIES AND SERVICES IN PARTIAL FULFILLMENT OF PERIODIC REVIEW TASK 3.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. The City has been in periodic review since the initial notification from the Oregon Department of Land Conservation and Development (DLCD) on May 20, 2008. The tasks that the City must complete as part of periodic review are governed by its approved periodic review work program. DLCD approved the City's work program on April 15, 2010.
2. The City's approved work program includes tasks related to statewide planning Goal 11, Public Facilities and Services. Specifically identified as Task 3 of the work program, the City is required to prepare and adopt text amendments to Troutdale's Comprehensive Land Use Plan Goal 11 Public Facilities and Services in compliance with Statewide Land Use Planning Goal 11 and Oregon Administrative Rule 660-011- 0010-45. The current text of Goal 11 was adopted September 27, 1990 (Ordinance No. 558-O) during the last periodic review.
3. The City hired a consultant to prepare the Public Facilities Plan which is primarily based on the City's most recently updated and adopted Master Plans for Water and Stormwater, and the Sanitary Sewer Master Plan. Where available, more up-to-date information about the status and cost of needed future facilities has been used.
4. The Citizens Advisory Committee reviewed and discussed the major elements of the amendment in October 2012 and February 2013. The CAC supported the amendment and referred it to the Planning Commission for approval.
5. The Troutdale Planning Commission held public hearings on May 29, 2013 and March 19, 2014 to take public testimony and to make a recommendation to the City Council concerning adoption of the amendments to satisfy requirements of the City's periodic review work program. No public testimony or comments were received prior to the close of the hearing. The Planning Commission unanimously passed its Findings of Fact and Recommendation for adoption of to the Council on March 19, 2014 with the removal of the Jackson Park Road and East Historic Columbia River Highway projects from the Goal that were identified in its decision on the Public Facilities Plan.
6. Adoption of the Goal 11 text amendment satisfies the Comprehensive Land Use Plan text amendment criterion that Statewide Land Use Planning Goals are met. Adoption of the amendment is a required task of the City's periodic review work

program which is part of Statewide Land Use Planning Goals and coordinates with the new Public Facilities Plan.

7. Adoption of the Goal 11 text amendment satisfies the Comprehensive Land Use Plan text amendment criterion that the public need is best satisfied by the particular change.
8. Adoption of the Goal 11 text amendment satisfies the Comprehensive Land Use Plan text amendment criterion in that the adoption will not adversely affect the health, safety and welfare of the community. The policies of Goal 11 address current conditions and future needs in order to foster positive benefits for the community.

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

Section 1. The text of Troutdale Comprehensive Land Use Plan Goal 11 Public Facilities and Services is hereby amended to read as shown in Attachment A.

YEAS:
NAYS:
ABSTAINED:

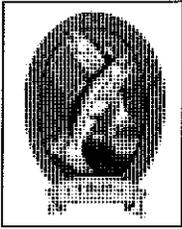
Doug Daoust, Mayor

Date _____

Debbie Stickney, City Recorder

Adopted:

ATTACHMENT A



CITY OF TROUTDALE

**Proposed Amendment to the
Troutdale Comprehensive Land Use Plan**

Amending:

**Troutdale Comprehensive Plan Goal 11
Public Facilities and Services**

Relating to:

Task 3 of the City's Periodic Review Work Program

This project is funded by Oregon general fund dollars through the Department of Land Conservation and Development. The contents of this document do not necessarily reflect the views or policies of the State of Oregon.

Explanation of Amendment. The text of current Goal 11 of the Troutdale Comprehensive Land Use Plan is being eliminated in its entirety and replaced with the following text and maps.

GOAL 11 – PUBLIC FACILITIES AND SERVICES

Public Facilities Plan

The Comprehensive Plan provides basic information about water, sanitary sewer and storm drainage facility needs over the next twenty years, including a list of needed projects, maps showing the locations of those projects and policy language regarding coordination with other providers of these services in Troutdale. More detailed information about existing and future public facility needs is found in the City's Public Facilities Plan adopted by the City as an implementing element of this Comprehensive Plan.

Needed Facility Projects

Per Oregon Administrative Rule requirements, the following public facility project list is incorporated in this Comprehensive Plan, consistent with the City's adopted Public Facilities Plan (PFP) and individual infrastructure Master Plans for water, sanitary sewer and stormwater drainage facilities. However, inclusion of this list in the Comprehensive Plan does not result in an obligation on the part of the City to build the projects listed below as described in the PFP or to meet the timeframe listed for the projects in the PFP. The project list is based on known regulatory requirements and current or previous assumptions about growth and the direction of future development. The list is intended only to provide a general indication of the facilities needed to support future growth. If growth trends change, or if new regulations are imposed on the City, or if technologies emerge that satisfy needs using different methods than those assumed in master plans, the City may revise its public facilities investment strategy without amending the Comprehensive Plan or PFP

Sanitary Sewer System

<i>Sewer Pipe Upgrades</i>
Sewer pipe upgrades South Buxton Road
Sewer pipe upgrades Lower Beaver Creek No. 1
Sewer pipe upgrades Lower Beaver Creek No. 2
Sewer pipe upgrades Lower Beaver Creek No. 3
Sewer pipe upgrades Lower Beaver Creek No. 4
Sewer pipe upgrades Lower Beaver Creek No. 5
Sewer pipe upgrades Troutdale Road
Sewer pipe upgrades Airport/Graham Road

Sewer pipe upgrades PS 9 Trunk
<i>Pump Station and Force Main Improvements</i>
Pump Station/Force Main Upgrades PS-1
Pump Station Upgrades PS-2
Pump Station Upgrades PS-5
Pump Station Upgrades PS-7
Pump Station Upgrades PS-9
<i>Sewer System Extensions</i>
Reynolds Industrial Park sewer extension

Water System

<i>Connectivity Projects</i>
Pressure Zone 5 Fire Flow Improvements
Serve South Urban Plan Area
Serve Strebin Farm area
Rehab Booster Pump Sta. #2
Rogers Road Loop
Beaver Creek Crossing
Jackson Park Road Waterline
Reservoir 5 to Zone 1 Line
<i>Supply Projects</i>
Comprehensive Well Assessment
Well 2 Perform. Monitoring
New Well 9
Well 8 Assessment/Rehab
Well 3 Assessment/Rehab
Well 6 Assessment/Rehab
Well 7 Assessment/Rehab
Improving Water Quality
Recoat Interior of Steel Reservoir
<i>Resiliency Projects</i>
Reservoir Seismic Study
New Above Ground Storage Reservoir
Reservoir 2 Seismic Improvements
Reservoirs 1, 3, 4 Seismic Improvements

Storm Drainage System

<i>North Troutdale Drainage Projects</i>
Salmon Creek Weir Improvement
Arata Creek Drain Line – Marine Dr to Salmon Creek
South Arata Creek Culvert Improvement
Columbia River Highway Bypass
Marine Drive Curve Bypass South of Airport
NW Graham Road Storm Drainage
NW Dunbar Avenue Storm Drainage
<i>South Troutdale Drainage Projects</i>
Low Impact Development (LID) Pilot Project Subbasin SR080*
Pipe Upsizing South Buxton Road
Curb Installation Between SE 15th Street and SE 16th Court
Pipe Upsizing SE 21st Street
Pipe Upsizing NW 257th Avenue*
Sandee Palisades Detention Pond Retrofit Subbasin SR220
Strawberry Meadows Detention Pond Retrofit Subbasin BC210
Vegetated Infiltration Facility (Retention Pond) Weedon Park (Subbasin BC300)
Stuart Ridge Detention Pond Retrofit Subbasin BC590
Vegetated Infiltration Facility (Rain Garden) Sweetbriar Park (Subbasin BC920)
Stormwater Planters (Green Streets) SE Evans Street (Subbasins BC510 and BC520)
Stormwater Planters (Green Streets) SW 21st Avenue (Subbasin BC200)
<i>South Troutdale Road Drainage Projects</i>
Alternative 1 - North of Cochrane Road
Alternative 5 - South of Cochrane Road

Public Facility Provider Policies and/or Agreement

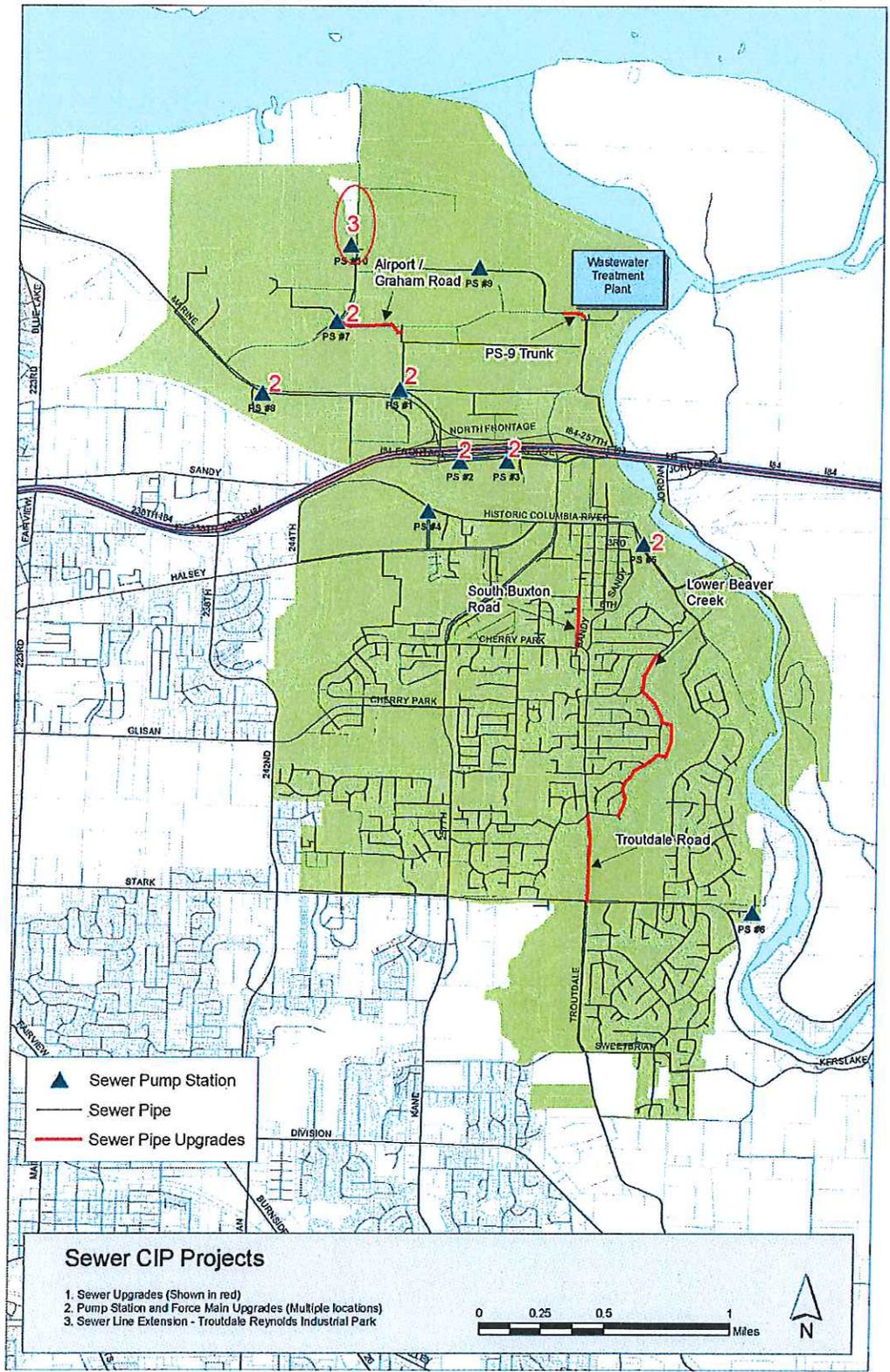
Following is a summary of information related to coordination between the City of Troutdale and other water, sewer and storm drainage providers in the area.

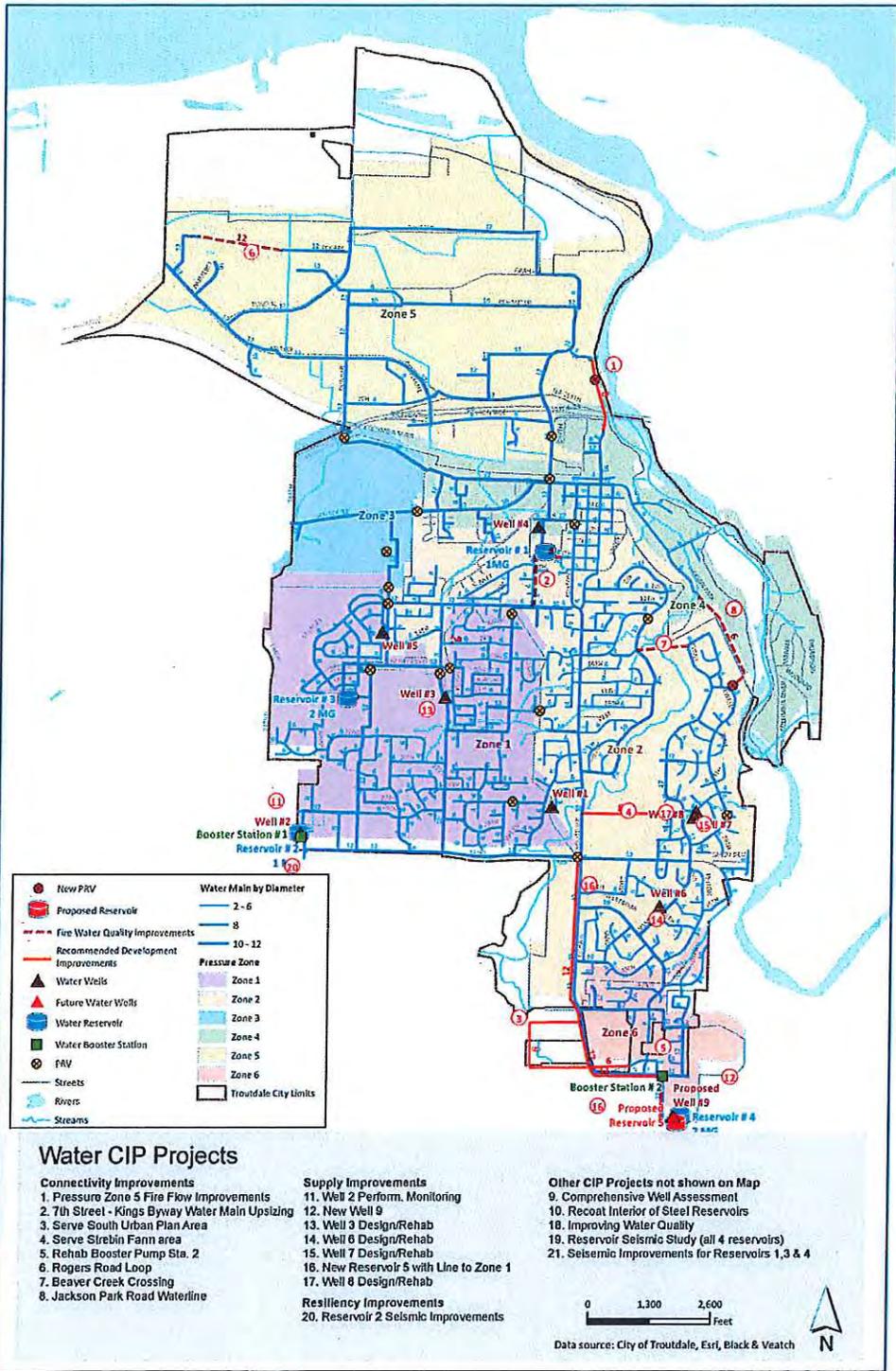
- **Water Services.** The City of Troutdale is the sole provider of potable water services within the boundaries of the City. It has interties and emergency service agreements with the cities of Gresham, Fairview and Wood Village.
- **Sanitary Sewer Services.** The City of Troutdale is the sole provider of sanitary sewer services within the boundaries of the City.

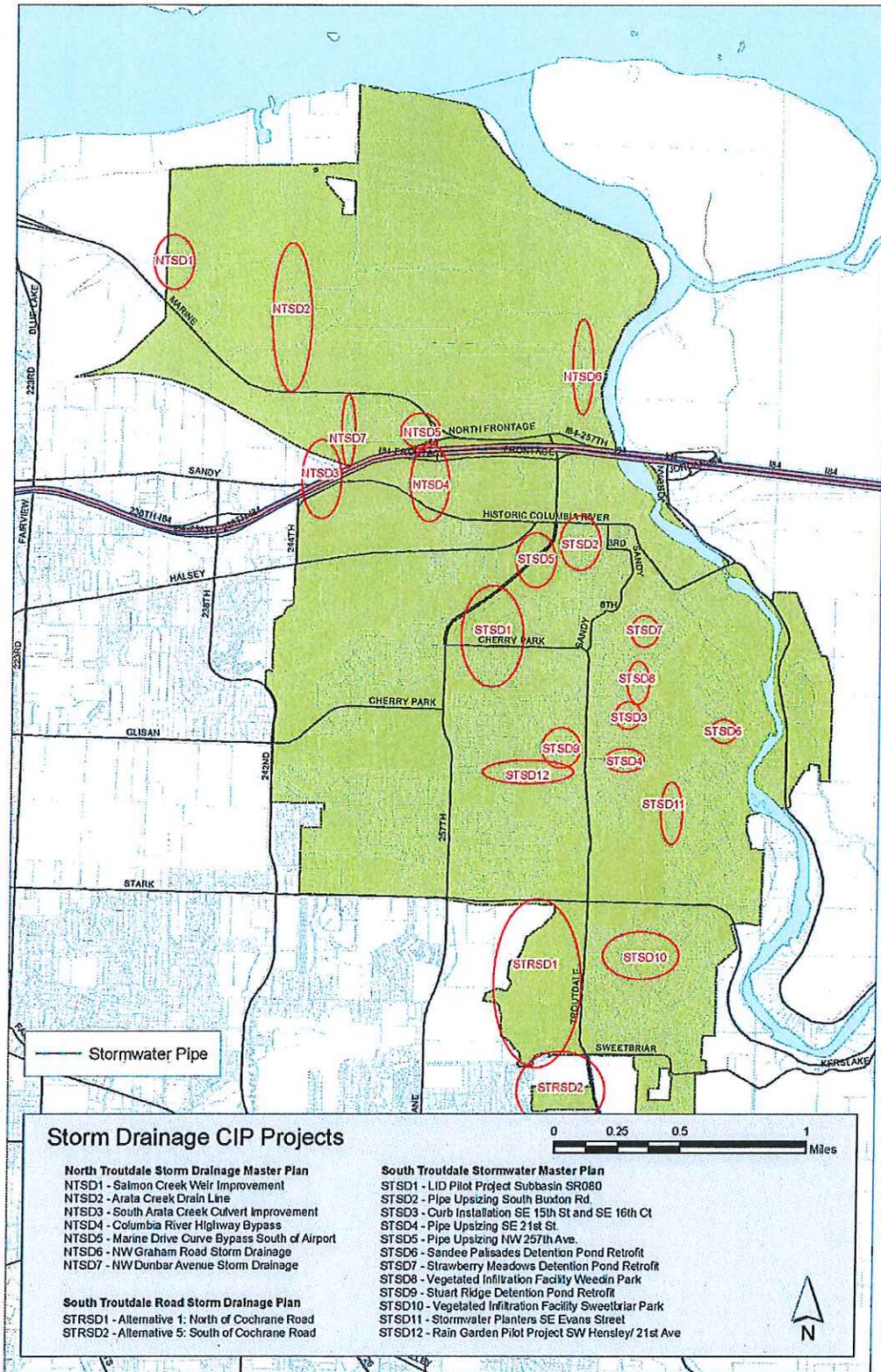
- **Storm Drainage.** The City is the primary provider of storm drainage services within the City. Multnomah County and the Oregon Department of Transportation provide storm drainage facilities associated with their respective roadways, and in certain cases the City and County systems interconnect. The Sandy Drainage Improvement Company provides storm drainage and flood control facilities and services in the North Troutdale area in conjunction with the City's systems, as described in the Public Facilities Plan and the North Troutdale Storm Drainage Master Plan. The City coordinates storm drainage services with that District pursuant to those plans, as well as with the Oregon Department of Environmental Quality, the Oregon Department of Transportation, Multnomah County, neighboring jurisdictions, and City residents.

Maps of Needed Projects

The maps that follow show the location of needed projects for the City's water, sanitary sewer, and storm drainage systems.









CITY OF TROUTDALE



STAFF REPORT

SUBJECT / ISSUE: A discussion about proposed changes to Metro's Community Enhancement program.

MEETING TYPE:
City Council Regular Mtg.

MEETING DATE: May 13, 2014

STAFF MEMBER: Amy Pepper
DEPARTMENT: Public Works

ACTION REQUIRED
Information/Discussion

ADVISORY COMMITTEE/COMMISSION RECOMMENDATION:
Not Applicable

PUBLIC HEARING
No

Comments:

STAFF RECOMMENDATION: None.

EXHIBITS:

A. Metro Council's Final Program Recommendations: Metro's Solid Waste Community Enhancement Program Update

Subject / Issue Relates To:

Council Goals Legislative Other (describe)
Metro Community Enhancement program

Issue / Council Decision & Discussion Points:

- ◆ If Metro implements the Community Enhancement Program at the Troutdale Transfer Station, should the City:
 - a) Administer the grant program in Troutdale locally under an IGA with Metro?; or
 - b) Have Metro administer the grant program through a Metro committee?; or
 - c) Have Metro administer the grant program through a contract with a local non-profit endorsed by the City?

Reviewed and Approved by City Manager:

BACKGROUND:

ORS 459.284 authorizes local governments to collect and spend fees, up to \$1 per ton, collected at certain disposal sites including transfer stations. Funds must be used for rehabilitation and enhancement in the area around the disposal site and the implementing jurisdiction must establish an advisory committee to oversee how money is spent. This program is implemented through Metro. Under current Metro Code Chapter 5.06 – Community Enhancement Program, Metro can collect an enhancement fee of \$0.50 per ton on solid waste delivered to each site and use the monies collected for enhancement of the area around the site from which fees have been collected. This program has not been updated since 1991.

Currently, the program is not uniformly implemented at all eligible facilities within the region. Metro currently collects the fee for four community enhancement grant areas:

- 1) Metro South Transfer Station: City of Oregon City (implemented locally under IGA with Metro)
- 2) St. Johns Landfill: North Portland (implemented by Metro established committee)
- 3) Metro Central Transfer Station: NW Portland (implemented by Metro established committee)
- 4) Forest Grove Transfer Station: City of Forest Grove (implemented locally under IGA with Metro)

In Troutdale, the Troutdale Transfer Station, operated by Waste Management, is eligible for the coverage under the community enhancement program, but is not presently part of the program. In 2002, the City enacted a Solid Waste Tax of \$0.65 per ton of material at the Troutdale Transfer Station. This generates approximately \$65,000 per year for the General Fund. Metro indicated in its IGA's with Oregon City and Forest Grove that a tonnage-based fee or tax collected by a local government at a facility would supersede Metro's collection of a community enhancement fee.

Metro is working on updating its Solid Waste Enhancement Program and amending Metro Code Chapter 5.06 – Community Enhancement Program. A summary of the final program update recommendations that were approved by Metro Council at the Metro Council's April 15, 2014 Work Session is attached in Exhibit A.

Metro proposes to move forward with updating its code in the fall 2014. After the Metro Code is updated, Metro will then begin working with host communities, like Troutdale, to determine how the grant program would be implemented (i.e. locally under an IGA with Metro or by Metro established committee). Fee collection would begin on July 1, 2015. Grants funded by this fee would be available in the spring of 2016 at the earliest.

PROS & CONS:

Pros:

- Provides approximately \$85,000 per year of grant funding to community enhancement projects (less up to 20% administrative costs) in Troutdale.

Cons

- The administrative burden associated with operating a grant program of this nature is unknown.

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

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

If implemented at the Troutdale Transfer Station, approximately \$85,000 would be available annually for a community enhancement grant program.

City Attorney Approved N/A Yes

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

Exhibit A

5/13/14 Council Mtg. – Item #7

Final Program Recommendations Metro's Solid Waste Community Enhancement Program Update

The following is a summary of the key recommendations for updating Metro's Solid Waste Community Enhancement Program (Metro Code Chapter 5.06) that were approved by the Metro Council at the April 15, 2014 Work Session.

Recommendation #1: Continue to base Metro's Community Enhancement Program in state law. Update and improve Metro's existing program (Metro Code Chapter 5.06) based on state law adopted in 1987 (ORS 459.284). Future program will be guided by the state statutory framework.

Recommendation #2: The program will specify which solid waste facilities and *activities* are eligible and ineligible based on state law (ORS 459.280.)

- Eligible facilities under state law include landfills, transfer stations, anaerobic digesters, energy recovery and composting facilities.
- Ineligible facilities under state law include reuse, recycling and material recovery facilities.
- Yard debris-*only* reload and composting facilities are not included pending further evaluation.

Collection of an enhancement fee at *multi-purpose hybrid facilities* will generally not be placed on dry waste recovery and recycling activities at otherwise eligible facilities. However, the program will include an exception process, to allow collection of enhancement fees on dry waste when a facility owner/operator, in cooperation with Metro and the host local government, determines it to be in the public interest.

Discussion: State law considers reuse, recycling and material recovery *facilities* to be ineligible from the community enhancement program as a way to encourage recovery and recycling activities. In 1987, state law did not specifically address modern "hybrid" facilities where multiple activities and waste streams are managed by a single facility. Collection of community enhancement fees at hybrid facilities should continue to be guided by the eligible and ineligible criteria contained in state law. For instance, as a matter of policy waste *activities* (e.g. wet waste transfer vs. dry waste material recovery) should generally be used to determine the fee collection structure. However, a flexible fee structure should be available to account for historical relationships between facilities and host communities, or to anticipate future conditions necessary to operate a new facility within a community.

Recommendation #3: Implement the community enhancement program *uniformly* at all eligible facilities and establish a collaborative process for host local government notification and administration, including host Metro councilor involvement.

Discussion: Based on stakeholder feedback from communities and industry, there was concern about the consequences of collecting a fee at one facility but not at another. While the overall impact of the fee is minimal, it could send unintentional price signals that could create an unlevel playing field among facilities or between host local governments.

Recommendation #4: Provide *three* options for program administration and distribution of funds.

- Metro-administered committee with option for host Metro councilor leadership or involvement.
- IGA between Metro and local government with option for host Metro councilor involvement.
- Metro contract with local government-endorsed non-profit organization.

Discussion: Based on stakeholder feedback, the original recommendation included a fourth possible option that would allow a facility to directly manage its own community enhancement program. However, this approach was not widely supported by stakeholders.

Recommendation #5: Adjust the amount of the enhancement fee from \$0.50 to \$1.00 per ton.

Discussion: Enhancement fees have not been increased since their inception. Inflation alone places the fees close to \$1/ton. Therefore, enhancement fee changes should be included in next year's rate review process.

- Increase fees currently collected from \$0.50 to \$1.00 (maximum allowed under current state law) by July 1, 2015 i.e. Metro South, Metro Central and Forest Grove.
- Begin collecting fees at newly eligible facilities i.e. Pride, Troutdale and WRI, or at new facilities i.e. Recology Suttle Road Recovery, Columbia Biogas on July 1, 2015.
- Establish a process for periodic fee adjustment based on inflation should the state statutory limit ever be increased.

Recommendation #6: Metro's regional policy will state that a tonnage-based fee or tax collected by a local government at a facility will *not supersede* Metro's collection of a community enhancement fee.

Discussion: General tax revenue is used to support general government activities. Community enhancement funds, as envisioned by state law, are intended to be used for the rehabilitation and enhancement of the area around a disposal site from which the fees have been collected. In the past, Metro has signaled that it would not collect community enhancement fees at a solid waste facility *if* a local government also collected a tonnage tax or fee. For instance, Metro indicated such a position in the existing IGAs with Oregon City and Forest Grove. In addition, Troutdale currently collects a \$.65/ton tax at the Troutdale Transfer Station that goes to support general city government. Metro should collect community enhancement fee at all eligible facilities if a fee is not already being collected and used to fund local enhancement activities.

Recommendation #7: Administrative Cost Reimbursement

- ***If* administrative reimbursement is necessary, it should be funded in a uniform manner;**
- **Enhancement funds may be used to reimburse actual administrative costs up to 20% based on the amount of annual enhancement fees collected by any committee (but no more than \$50,000 for any committee); and**
- **Administrative costs in excess of the cap shall be borne by the entity administering the committee, either Metro or the local government.**

Discussion: At various times, the cost to administer enhancement programs e.g. award grants, distribute funds and select/monitor projects, has been paid for by the regional system fee, community enhancement fees or directly by local governments. In 2012, Metro expressed its intent to rely solely on enhancement fees to cover administrative costs for the Metro Central Committee and refined this direction in 2014 by limiting Metro's administrative costs to 20% of funds collected annually. Metro proposes to establish a standard cap for reimbursement of administrative costs for all committees. Additional costs can be covered by local government's general funds and for Metro-administered committees by the regional system fee.



CITY OF TROUTDALE



STAFF REPORT

SUBJECT / ISSUE: A resolution approving the proposed concept for Contracted Law Enforcement Services from the Multnomah County Sheriff, and authorizing negotiation of an Intergovernmental Agreement.

MEETING TYPE:
City Council Regular Mtg.

MEETING DATE: May 13, 2014

STAFF MEMBER: Erich Mueller
DEPARTMENT: Finance

ACTION REQUIRED
Resolution

ADVISORY COMMITTEE/COMMISSION RECOMMENDATION:
Not Applicable

PUBLIC HEARING
No

Comments:

STAFF RECOMMENDATION: Approve the proposed resolution.

EXHIBITS: A: Intergovernmental Agreement (IGA) draft deal points
B: Legal Memo regarding IGA's
C: May 6, 2014 Work Session Staff Report

Subject / Issue Relates To:

Council Goals Legislative Other

Issue / Council Decision & Discussion Points:

- ◆ City choosing to contract for specified services, *not* a takeover by the service provider.
- ◆ Potential for significant cost savings by elimination of duplication and through efficiencies of scale and specialization
- ◆ Improved level of public safety services delivered and broadened scope of capabilities
- ◆ Access to expanded professional law enforcement personnel and wider career opportunities for staff

Reviewed and Approved by City Manager:

- ◆ Progress in supporting Council goals to improve and support livability in Troutdale, to promote fiscal solvency, improve fiscal prioritization, enhance budget accountability, and improve employee morale.

BACKGROUND:

At the April 1, 2014 Council work session the Sheriff and Chief Anderson presented the concept for the City choosing to contract with the MCSO to provide law enforcement services in Troutdale, the concept was presented at a high level outline.

Before presenting the concept to the Council, the Sheriff and Chief Anderson determined that the proposal needed to:

- Provide significant financial benefits
- Enhanced police services
- Be able to achieve community and employee support
- Support City Council and MCSO goals
- Maintain Troutdale identity and significant local control

That it needs to be a Win for the City & taxpayers, a Win for the Officers, and a Win for the Sheriff.

At the May 6, 2014 Council work session additional detail on the staffing configuration and operational aspects of the proposed service consolidation were explained by Chief Deputy Jason Gates and Lieutenant Joel Wendland. Then the estimated costs and savings presented at prior work session were explained in greater detail, followed by a brief overview of the potential IGA for contracting law enforcement services.

The Council and public had several questions and extended discussion.

Overall Cost Assumptions:

- Base line net cost of \$3.9 million cost to the General Fund for existing Police operations.
- Estimated City Cost with MCSO Contract \$3.1 million (contract fee + retained costs)
- Estimated \$800,000 savings in year one net of transition items

The cost of the existing service levels and configuration of the Police department is compared to an enhanced level of services and capabilities proposed under the MCSO. The basis of *"getting more service for less cost"* benefit expectation. As was noted in the work session for a more comparable level of service it would require more than \$600,000 of additional City costs to obtain only some of the proposed MCSO service levels.

OVERVIEW FOLLOW UP QUESTIONS:

How does the proposed MCSO services cost compare to Wood Village?
If the IGA terminates what obligation is there to rehire former employees?
Do we have an obligation to solicit other providers of law enforcement services?
The building lease payments, and possible bond repayment options.

➤ *How does the proposed MCSO services cost compare to Wood Village?*

Wood Village:

- The FY 2014-15 budgeted MCSO Contracted Police Services of \$390,476 over a population of 3,895 results in \$100.25 per capita cost.
- For the 24/7 services of 1 Deputy Sheriff covering the 0.94 square miles of city area.

Troutdale:

- The FY 2014-15 estimated MCSO contract fee of \$2,535,745 over a population of 16,015 results in \$158.34 per capita cost.
- For the services of the Chief, Lieutenant, 4 Sergeants, and 9 Officers (15 total) providing command, supervision and 24/7 coverage in each of the 2 Troutdale patrol districts covering the 6.02 square miles of city area.
- Physical station presence with public window, records, and evidence custody.

The service level and configuration choices of each city make an objective direct comparison problematic, and individual preferences make qualitative judgments difficult to agree upon.

Setting aside the all the other configuration differences between the cities, one measure for consideration could be 1 Deputy 24/7 is \$100.25 per capita in Wood Village, so why isn't 2 Deputies 24/7 twice as much, or \$200.50 per capita, for Troutdale, rather than only \$158.34? Which city is getting a better "deal" may be in the eye of the beholder.

➤ *If the IGA terminates what obligation is there to rehire former employees?*

"*Could*" the City have an obligation to rehire some employees? The answer is maybe, as is frequently the case with labor law questions a single definitive answer is not possible, as it will depend on the specific circumstances **at the time**.

On day one the transferred employees become employees of the MCSO and are then covered by the collective bargaining agreement (CBA) between the MCSO and the Deputy Sheriff's Association (DSA). The State Public Employee Collective Bargaining Act (PECBA) places the provisions of that local CBA with the DSA in the first controlling position regarding seniority, layoffs

and job protections. Then the PECBA would provide a second level of general protections behind the local CBA. Then in a third position the IGA provisions may apply.

So it depends on "when" in the future the IGA terminates. The DAS CBA will be revised over time, and the legislature may change the PECBA, and the specific circumstances of any potentially eligible employees will evolve, as a result all of these factors would affect what rehire obligation, if any, there might be. Practically, the farther in the future the IGA terminates the less likely there would be any potentially eligible employees laid off given the seniority system.

There is a very brief portion of the Transfer statute which indicated there may be a rehire obligation. However, since its adoption in 1963(!) there has been zero case law established by the courts on this provision, nor has there been even a single ruling from the very pro-employee State Employment Relations Board. This is largely due to other agreements and laws mentioned above taking precedent.

➤ *Do we have an obligation to solicit other providers of law enforcement services?*

The ORS provisions regarding intergovernmental agreements indicate "...In the interest of furthering economy and efficiency in local government, intergovernmental cooperation is declared a matter of statewide concern. The provisions of ORS 190.003 to 190.130 shall be liberally construed." And further "...The Public Contracting Code does not apply to: ...*(b) Agreements authorized by ORS chapter 190 or by a statute, charter provision, ordinance or other authority for establishing agreements between or among governmental bodies or agencies or tribal governing bodies or agencies;...*" Also the TMC reaffirms that Contracts made with other public agencies or the federal government are exempt from our purchasing code.

The question was specifically asked about contracting with Gresham, and while technically possible, it is practically unlikely given their current budgetary challenges. Portions of the Fact Sheet: Gresham Police, Fire and Parks Levy states:

- "In a recent staffing analysis by the City, Gresham's police and fire staffing ratios ranked near the bottom of the list when compared to other jurisdictions and service areas. Current service levels cannot be maintained without additional revenue."
- "Revenue generated by the expiring fee represents the equivalent of around 20 police officers, two fire stations, and about a third of the City's park maintenance staff."

➤ *The building lease payments, and possible bond repayment options.*

There were several questions, comments and discussion around the anticipated lease payments for the Police facility and potential use of those funds.

To clarify the lease would be a subsequent agreement not part of the IGA not part of the year one numbers. The potential savings in year one of \$800,000 does **not** include any lease revenue. The saving estimates on the chart beginning in year two **does** include a lease credit for the facility. A conservative assumption of \$1 per square foot per month was used resulting in \$275,000 of additional savings in year two.

A lease agreement allocating costs and recoveries from the evolving building utilization will be developed; how much square footage, the timing, and the rate all need to be determined in the future. This will be an evolving process over the next couple of years as the MCSO addresses relocation of the patrol hub, reconfiguration, consolidation, and relocation of both the evidence custody and the records functions. As the Sheriff has indicated he expects to build a building in East County in the next couple of years to house detectives and other functions, which would provide for cost saving operational efficiencies through being closer to service delivery areas.

The building is necessary for the delivery of law enforcement services to our community. The facility is a long term City asset for which the voters provided long term financing. FY 2014-15 levy for the Police Facility Bonds is an estimated \$0.41 per thousand, which for a house of \$200,000 assessed value, the cost would be \$82 in taxes next fiscal year.

There were questions and statements made regarding use of the anticipated lease revenue pay off the bonds early, dedicating or directing the revenue, and similar comments. The general intent expressed by both citizens and several councilors was clear that lease revenue should go toward the bonds. While the general intent can be achieved, some of the specific comments made, require some clarification on how this could be accomplished.

The GAAP accounting and auditing standards will require the lease revenue to be received into the General Fund. The "use" of any funds are controlled by the Local Budget Law. Spending the lease revenue on the bonds would require the Budget Committee to appropriate the funds for that purpose, rather than through the IGA, lease agreement or other resolutions.

Paying the bonds off early is only partially possible in the distant future. The bonds are not like a mortgage, which can be paid down along the way. The bonds are fixed debt securities with specific maturities and interest payments. As is common for municipal bonds, the series was issued with the second ten years of maturities as callable, (allowing for early repayment), but not until June 2021.

In the interim the lease revenues, (less our landlord building maintenance costs), could be transferred annually through the normal budget process, from the General Fund to the Debt Service Fund, which would result in lowering the required annual bond levy upon the citizens.

The Troutdale Community Police Facility would remain a City owned asset as it houses the City Attorney/Legal Department offices, the main server network and telecommunication data center for the City, and the community room. Should the law enforcement services contract end at some point in the future, the City would still have the facility to again operate its own Police Department.

Multi-year Implementation

There are a number of items which need to be planned, scheduled and implemented, all of which only make sense after the employee transfers are completed as the first phase implementation. The following phase(s) include a variety of items to be addressed, some of which include:

- Patrol center operations transition and consolidation implementation.
- Technology planning and implementation for network access, email, cell phones, radios, and MDT's.
- Records access, transition and consolidation implementation.
- Evidence custody and storage access, transition and consolidation implementation.
- Assignment of existing grants, IGAs and agreements currently involving Police services.

Intergovernmental Agreement

The City would be choosing to contract for specified services from a vendor, as it routinely does for other goods and services. The City would choose to contract for law enforcement services from the MCSO. It would not be a "takeover" by the Sheriff.

As in any customer vendor relationship the terms and conditions must be clearly spelled out for the benefit of all parties. Intergovernmental Agreements are made pursuant to the authority found in ORS 190.010, et seq and ORS 206.345. IGA's are enforceable contracts through arbitration or the courts. **Some** of the potential deal points for the IGA are attached in Exhibit A. Also attached as Exhibit B, is the City Attorney's Legal Memo which the Council voted to make public.

The expected IGA will **be ONLY the first phase**; it would cover only services to be provided, and the transfer of the employees, their individual equipment, and some of the police fleet. The IGA will NOT cover the building lease or other subsequent implementation and transition items mentioned above. These would be addressed in separate agreements and amendments. **We will not be able to answer all questions up front.**

SUMMARY:

The proposed service consolidation would provide Troutdale both significant cost savings as well as a great value for our money by providing the many expanded capabilities of MCSO being directly available to the City. The proposal provides a Win for the City & taxpayers, a Win for the Officers, and a Win for the Sheriff.

- The resolution **is** a decision to move forward toward contracting for law enforcement services.
- The resolution is **not** the final decision and approval, but rather a “commitment” to seek an agreement for approval and implementation.

Neither course of action is risk free. The City can choose to contract and accept some risk that things don't work out as completely hoped. Or the City can decline the opportunity and risk disappointment and accept the continual liability risk of a failure to supervise tort claim, as well and the continuing decline in the city's financial condition.

This is similar to an engagement, which is a “decision” to get married. However the wedding hasn't yet occurred, you're not yet married, and either party may still get cold feet. The resolution is a serious decision point, a similar commitment to go forward, but it is not yet that the final decision point of saying *“I do”!*

PROS & CONS:

- A. Adopt the resolution approving the concept and committing to seek City significant cost savings and service benefits through an acceptable IGA for the implementation of contracting law enforcement services from the MCSO.
- B. Not adopt resolution, rejecting significant cost savings and service benefits and ignoring the opportunity to arrest the continued fiscal deterioration of the General Fund.

<p>Current Year Budget Impacts <input checked="" type="checkbox"/> Yes (<i>describe</i>) <input type="checkbox"/> N/A First Year: estimated \$800,000 cost savings</p> <p>Future Fiscal Impacts: <input checked="" type="checkbox"/> Yes (<i>describe</i>) <input type="checkbox"/> N/A Future Years: estimated more than \$1,000,000 of annual cost savings</p> <p>Community Involvement Process: <input checked="" type="checkbox"/> Yes (<i>describe</i>) <input type="checkbox"/> N/A Two well attended work sessions.</p>
--

City of Troutdale & MCSO

Draft IGA Deal Points

These are only “some” of the deal points which need to be negotiated and clearly defined. These are just points to be discussed, these are **NOT** the actual terms, and they have **NOT** been agreed to by any party, just draft points.

Services Provided:

- Operates under the philosophy of a municipal police department as to appearance.
- The MCSO agrees to provide police service within the corporate limits of the CITY.
- The police services shall include the duties and law enforcement functions customarily rendered by the MCSO under the statutes of the State of Oregon and the CITY.
- These services shall include two assigned armed uniformed deputy sheriffs per shift, one to each of the two CITY patrol districts providing 24/7/365 coverage to perform police patrol functions, plus one sergeant providing round the clock supervision.
- Reactive patrol to enforce state law and CITY adopted municipal, criminal, and traffic codes and to respond to residents' and business' calls for service;
- Proactive patrol to prevent and deter criminal activity;
- Traffic patrol to enforce applicable traffic codes;
- Community service officers and crime prevention personnel;
- Command and support staff.
- Additional police services may include:
 - Investigation services by deputies and detectives investigating such crimes as major crimes, drug offenses, fraud and such reports as missing persons, vice, and major accidents.
 - Special operations services such as canine patrol, hostage negotiations, tactical unit, and bomb disposal; and
 - Communications services, including call receiving, dispatch, and reports.
 - In the event that any Optional Services are recommended by the CITY' s Police Chief or his/her designee, to discuss the scope of the project and costs, to arrive at a separate written agreement for delivery of those services.

City Identity, Accessibility, Reporting and Responsiveness:

- CITY shall have city police uniforms and police vehicles that display the CITY' s identity for personnel assigned full-time to the CITY
- The Chief shall continue to participate in the CITY management team meetings and regular meetings with the CITY Manager
- MCSO shall ensure the Chief shall remain accessible and responsive to the CITY
- MCSO will provide the Chief at City Council meetings upon request to orally inform the Council of service demands and any identified areas of concern.
- CITY will have the flexibility to determine the level and deployment of certain law enforcement services and to identify service priorities, thereby controlling costs;
- MCSO will consult with and obtain the concurrence of the CITY Manager, concurrence which shall not be unreasonably withheld, prior to assigning or reassigning the command staff responsible to perform the services to the CITY.
- Timing and replacement of CITY assigned staff who are promoted to a position outside the CITY will be managed with the concurrence of the CITY Manager or designee.
- The MCSO shall provide to the CITY a monthly report that includes summary reports on criminal occurrences, a synopsis of enforcement and other activities related to community policing. The report may include information such as numbers of incidents to which MCSO responded and the amount of time spent on incidents, neighborhood patrol and investigations.
- MCSO employees will work cooperatively with CITY organizations to solve CITY law enforcement concerns to improve the safety and welfare of CITY residents and visitors;
- MCSO will provide at a reasonable and predictable cost, efficient, high-quality, appropriate law enforcement services supported by technology to meet the law enforcement goals of CITY that allow the COUNTY to recover the cost of providing services;

Available Funds:

- Subject to the CITY maintaining timely contract payments the MCSO and County Finance shall provide assurances for the continued delivery of services to the CITY and that the County or MCSO may not unilaterally terminate or reduce the scope of services to be provided as a result of reduced MCSO budget funding.

Contract Cost escalator to be limited to cost of living increase provided to the Deputy Sheriff's Association membership applied to the total contract base cost from the prior year.

Duration.

- *(Perpetual)* The Agreement shall automatically renew annually on July 1st of each year when the new cost exhibit for the coming fiscal year is signed by both parties, unless a termination process is invoked
- *Or-* A 10 year TERM: The term of this agreement shall be from July 1, 2014 to June 30, 2024, with annual amendment to Section ____ new cost exhibit for the coming fiscal year.

Termination Process.

- The MCSO may, upon 60 days written notice, terminate the agreement if the CITY fails to meet its payment obligation under the Agreement.
- Notice of Intent to Terminate: Except as provided for non-payment, any party wishing to terminate the agreement shall issue a written notice of intent not less than 45 days prior to issuing a (24?)____-month written notice under the Agreement. Following receipt of the written notice of intent, the CITY Manager and the Sheriff will meet to discuss the intention to terminate services and review alternatives and impacts, among other matters.
- Written Notice of Termination: After the 45-day period has run, the terminating party shall provide at least ____ months written notice to the other party.

Amendments.

- The Agreement may be amended at any time by mutual written agreement of the CITY, the Multnomah County Sheriff, and the Board of County Commissioners.

Several exhibits to the IGA

- Cost tables and formulas
- Labor Union Agreement: TPOA & DSA
- Labor Union Agreement: Troutdale AFSCME local 3132 & County AFSCME Local 88
- Transition Implementation schedules

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LEGAL MEMORANDUM

TO: Mayor Daoust and City Council
FROM: Edward Trompke
DATE: May 1, 2014
RE: **Funding authority of Multnomah County under prospective IGA for law enforcement services**
File No. 51513-72826

PRIVILEGED AND CONFIDENTIAL
ATTORNEY-CLIENT COMMUNICATION

QUESTION PRESENTED

We have been asked to comment on the authority—or lack thereof—for Multnomah County to cancel funding for a law enforcement services agreement (“IGA”). The question has two parts:

- (1) “Whether an IGA with the County Sheriff binds the County to its terms, irrespective of whether budget exigencies may drive the County Chair and/or Council to demand unilateral concessions from the City (or the Sheriff).”
- (2) “What language in an IGA with the Sheriff would bind the County to its terms, irrespective of whether budget exigencies may drive the County Chair and/or Council to demand unilateral concessions from the City (or the Sheriff).”

SUMMARY ANSWER

An IGA is binding and enforceable for short periods of time extending for a few years, but must be re-negotiable by subsequent governing bodies (both the city council and county board). To accomplish this, an IGA can be written to make the terms automatically renewing, unless notice of termination is given. This will allow the IGA to continue indefinitely, so long as there is a mechanism to terminate, and each governing board

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does not exercise the termination. The IGA can provide for adequate time to allow the city to provide substitute services, and ordinary contract damages are available for breach of the IGA. Such damages make it unlikely that the county could realize any potential cost savings by terminating the agreement unilaterally. Other terminations can be provided for in the IGA, to allow an orderly and financially fair termination.

DISCUSSION

The question that has been asked raises a fundamental issue about legislative actions by government bodies. The Oregon Supreme Court has held that, in the exercise of a governmental power, no legislative body (such as a city council or county commission) has power to enact an irrevocable law. Upon matters that are purely governmental in nature, such as the levying of future taxes, no legislative act will bind a subsequent legislative body. See *Johnson v. City of Pendleton*, 131 Or 46, 280 P 873 (1929). In the *Johnson* case, the City adopted an ordinance that the City would impose a tax to build and operate a new city building. The court ruled that the action was invalid because the tax would be imposed for all time, or at least for an indefinite time.

Another older case comes closer to the facts Troutdale is facing. In *Miles v City of Baker*, 152 Or 87, 51 P2d 1047 (1935), the court held broadly that an outgoing city council could not bind a subsequently elected council to the terms of an agreement, if the agreement involved providing a "governmental function," (an audit in that case). More recently, that same rule was applied to provision of sheriff's services by a county in *Graves v. Amado*, 307 Or 358, 768 P2d 910 (1989).

As a result, any IGA between a city and a county for provision of sheriff's services (or police services) can run only until the election of the next council and commission.

Since 1929, cities and counties, as well as the courts in Oregon have applied the rule in *Johnson v. City of Pendleton* to allow contracts to extend for a considerable period. However, a governmental body may not bind a subsequent government body past the time when a majority of the elected officials on that body stand for reelection. The subsequent board (even if it is the same people) must have the ability to terminate the agreement. See, *Klamath County Commissioners v. Select County Employees*, 148 Or App 48, 939 P2d 80 (1997).

Most of the more recent cases involve employment issues. As a result, the decisions hold that elected officials, such as sheriffs whose statutory authority allows to them to fire deputies, may not be bound by their predecessor's hiring agreements. *Graves v. Amado*, 307 Or 358, 768 P2d 910 (1989).

It is common practice for contracts to run for longer periods of time than the few years between elections of boards. So, for practical reasons, the judicial rule is frequently

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ignored. But ignoring the rule does not change it, and it is better to draft contracts around the restrictions of the rule.

The most direct solution to this problem is suggested by the 1929 case which started most of the discussion. Agreements that purport to bind county commissions or city councils should not be binding "for all time to come," but instead be binding for shorter periods of time. It is clearly allowed for a contract to run until the next time a majority of the elected body has been subject to reelection, which could, if it desired, terminate the agreement. However, contracts that allow for termination after each election in which a majority of the governing body stands for election, are not easy to schedule, due to vagaries of the election process.

A better way to structure a contract or IGA would provide that the County agrees to provide sheriff's services, if and when paid by the City, at a price that must be agreed upon annually, with a provision that allows the city to reject all or some of the services at the price stated. Thus, the agreement has many of the properties of an annual agreement, that will survive court challenge. The IGA will renew automatically at agreed intervals, that can exceed the election cycle, because of the annual properties of the terms of the IGA. Either party may terminate or cancel the automatic renewal by giving notice as agreed, to allow the city to include an alternate source of police services at the next appropriate budget hearing. Final termination of the IGA can occur when the city is able to provide alternate police services.

Statutes require that sheriffs act in conjunction with the county commission when agreeing to provide law enforcement services. It is reasonable to provide the same bilateral action in the IGA for termination.

By providing for automatic renewal, but allowing either government to terminate the agreement or cancel the automatic renewal, through the annual price negotiation process, the requirements of law can be upheld. Neither government will bind future elected officials to their action to the extent such action is prohibited. However, by giving a significant period of notice before termination of the agreement, sufficient time is given to the people, the body politic, to react and direct their elected officials to act in a manner that the public then desires. This is the political accountability that the legal rule was created to protect, and by protecting it, the courts will be inclined to uphold the contract.

This question has presented a very interesting issue and I hope that this answer is sufficient to satisfy the council.



CITY OF TROUTDALE



STAFF REPORT

SUBJECT / ISSUE: Review of the Proposed Concept for Contracted Law Enforcement Services from the Multnomah County Sheriff's Office

MEETING TYPE:
City Council Work Session

MEETING DATE: May 6, 2014

STAFF MEMBER: Erich Mueller
DEPARTMENT: Finance

ACTION REQUIRED
Information/Discussion

**ADVISORY COMMITTEE/COMMISSION
RECOMMENDATION:**
Not Applicable

PUBLIC HEARING
No

Comments:

STAFF RECOMMENDATION: *Approve the proposed resolution on May 13, 2014.*

EXHIBITS: A: Intergovernmental Agreement (IGA) draft deal points
B: May 13, 2014 Resolution to approve and proceed with contract negotiations

Subject / Issue Relates To:

Council Goals Legislative Other

Issue / Council Decision & Discussion Points:

- ◆ City choosing to contract for specified services, *not* a takeover by the service provider.
- ◆ Potential for significant cost savings by elimination of duplication and through efficiencies of scale and specialization
- ◆ Improved level of public safety services delivered and broadened scope of capabilities
- ◆ Access to expanded professional law enforcement personnel and wider career opportunities for staff

Reviewed and Approved by City Manager:

- ◆ Progress in supporting Council goals to improve and support livability in Troutdale, to promote fiscal solvency, improve fiscal prioritization, enhance budget accountability, and improve employee morale.

BACKGROUND:

At the April 1, 2014 Council work session the Sheriff and Chief Anderson presented the concept for the City choosing to contract with the MCSO to provide law enforcement services in Troutdale. Over the prior few years they had discussed the concept informally, and recent circumstances seem to have improved the viability of the concept. They gathered a staff working group to explore the concept in a more detailed operational and financial manner, to determine if it was a feasible concept for the City Council to evaluate.

Before presenting the concept to the Council, the Sheriff and Chief Anderson determined that the proposal needed to:

- Provide significant financial benefits
- Enhanced police services
- Be able to achieve community and employee support
- Support City Council and MCSO goals
- Maintain Troutdale identity and significant local control

It needs to be a Win for the City & taxpayers, a Win for the Officers, and a Win for the Sheriff.

At the prior work session the concept was presented at a high level outline. The ensuing discussion generated many questions, many of which this report addresses. However, as there is no draft agreement yet, all the information remains projection, estimate and assumptions of the working group.

OVERVIEW FOLLOW UP QUESTIONS:

What is proposed patrol service level?

How does the employee count transfer work out?

What about access, accountability and responsiveness of the Chief?

What are and how are the potential cost savings achieved?

How would the range of services/activities be implemented over time?

What about building?

What will be covered in the Intergovernmental Agreement to contract for the services?

Overall Cost Assumptions:

The working group reviewed the Police Department budgets, (01-70 command and 01-71 operations) for the operational considerations under the consolidated service concept. Most all costs were attributed to MCSO to absorb, many of which were then estimated for the cost to be "charged back" to the City for providing the contract services as "City **Contract Costs**." A few items were also determined to be "City **Retained Costs**."

From our prior work session:

"Budget Big Picture"	
<i>Troutdale Police Costs:</i>	\$3.9M
<i>Estimated Cost with MCSO Contract:</i>	\$3.1M
<i>Estimated Net City Savings:</i>	\$800,000...(year 1)
<i>A multi-year implementation...!!!</i>	
<i>Savings estimates include several large dollar assumptions subject to final negotiations!!!</i>	

The source for these amounts:

Base for comparison, the Approved FY 2014-15 Budget for existing, "no change" operations:

\$3,260,000 for Personnel Services,
\$870,000 of Materials and Services, and
\$151,000 for Capital Outlay,
\$4,281,000 Total Expenditures – *preliminary cost*

-\$414,000 Reduction for cost recoveries from SRO, EMGET, Tri-Met, etc...

\$3,867,000 as the net "City Cost" to the General Fund

(The \$3.9M mentioned above from the prior work session.)

Estimated City Cost with MCSO Contract

\$2,536,000 Contract Fee
\$484,000 "City Retained Costs" (*see next page*)
\$3,020,000 *preliminary cost*

First Year only implementation transition items:

\$493,000 Transferred employee leave bank payout ORS 236
-\$262,000 Training cost credit for 5 fully trained officers filling MCSO vacancies
-\$200,000 Credit for transferred Police fleet vehicles

\$3,051,000 as net City Cost with MCSO Contract

(The \$3.1M mentioned above from the prior work session.)

The estimated amount of the "City Cost **with** MCSO Contract", is where the contract fee would be the largest cost item, but **would not be the only** cost remaining in the Police budget. These other items are captured as City Retained Costs. These are a variety of retained costs for items which the MCSO would not be providing services or otherwise remain the City's responsibility. The largest cost being the BOEC dispatch costs which are charged based on jurisdiction population. The personnel services and materials and services cost associated with our 0.5 FTE Code Enforcement Officer are also retained costs. We have also assumed the City would still fund the AMR Summer beach coverage program.

City Retained Costs:

\$395,000	BOEC dispatch charges
\$36,000	Code Enforcement Officer – personnel and materials
\$12,000	equipment lease & maintenance fees
\$31,000	Arbitrator video system final lease payment & maintenance
\$10,000	AMR Summer beach coverage program
<u>\$484,000</u>	

How does the employee count transfer work out?

	Existing FTE		MCSO Cover		City Contract Cost
POLICE CHIEF	1	====>>	1	====>>	1
POLICE LIEUTENANT	1	====>>	1	====>>	1
POLICE SERGEANT	4	====>>	4	====>>	4
POLICE OFFICER	12	====>>	12	v ====>>	9
POLICE INVESTIGATOR	2	====>>	2		
POLICE SRO	2	====>>	2		
TRANSIT POLICE OFFICER GANG ENFORCEMENT OFFICER	1	====>>	1		
PD ADMINISTRATIVE SPECIALIST	1	====>>	1		
POLICE EVIDENCE TECH	1	====>>	1		
POLICE RECORDS SPECIALIST	2	====>>	2		
	28		28		15
	City Cost		MCSO cost		City contract cost
	3,231,692		3,451,140		2,284,019
			Savings:		(947,673)

There are 28.5 budgeted FTE in the Police Department, the Evidence Tech duties are currently being performed by a patrol officer. Also the model assumes the 0.5 FTE of the Code Enforcement Officer would remain with the City initially.

All 28 positions would be transferred to the MCSO. The City would then pay the MCSO for services of 15 positions. The City would assign the IGA participation for the SRO positions, the Tri-Met Officer and the EMGET Officer to the MCSO. The MCSO would add the detectives to the existing unit, and the records staff and patrol officers would fill other existing budgeted vacancies.

With fewer officers/deputies how do you cover patrol?

Efficiencies from Increased Size and Scale:

Hours coverage for staffing level of 2 Officers and 1 Sergeant 24/7

Shift	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Days 8am-4pm	8	8	8	8	8	8	8
Swing 4pm-midnight	8	8	8	8	8	8	8
Graveyard midnight-8am	8	8	8	8	8	8	8
	24	24	24	24	24	24	24

Total hours to cover per week: 168 (7 * 24)
 standard work week: 40
 # of FTE needed per staffing position: 4.2 (number of staff required to have 1 officer on duty round the clock for 1 week)
 # of Officers/Sergeants on patrol: 3
 Required FTE for one week of coverage: 12.6

****This is BEFORE providing for vacation, sick coverage, and required training time.*

Relief Coverage based on private industry studies of 24/7/365 shift operations, depending on the workforce demographics, runs from 1.4 to 1.7 FTE needed for each full time position, to provide 2 days off per week, vacation, sick leave and training time.

For the 1 Sergeant round the clock position, it would require $4.2 \times 1.4 = 5.88$ to $4.2 \times 1.7 = 7.14$ staff. Or a minimum of 6 Sergeants.

For the 2 Patrol Officers responding to calls round the clock it would require $8.4 \times 1.4 = 11.76$ to $8.4 \times 1.7 = 14.28$ staff. Or a minimum of 12 Officers.

Other Benefits / Efficiencies from Increased Size and Scale:

Expanded Records Window access for the Public. Currently only 40 hours per week, 173 hours per month. Once records consolidation can be implemented there will 7/24 window access representing an additional 557 hours of Public Access per month. This also improves the efficiency and effectiveness for patrol officers by not requiring them to return to the station from an incident scene to look up information in order to clear the call. They would be able to obtain the records information over the radio as they currently are able to do only during the day shift five days per week Monday through Friday.

Absorbing Property and Evidence custody activities which currently divert approximately 0.5 of a Patrol Officer position to maintain minimum basic custody requirements.

And additional service enhancements as the Chief reviewed at the prior work session:

- FULL Supervision (24/7)
- Patrol (FULL staffing)
- Investigations (Full-Service)
- Full-Service Records (24/7) Staffing
- Dedicated Training Unit
- Full-Service Property Control
- Dedicated River Patrol Unit
- SWAT (Enhanced Staffing)
- MCT – Major Crimes Team (Enhanced Staffing)
- VCT – Vehicle Crash Team (Enhanced Staffing)
- HNT – Hostage Negotiation (Enhanced Staffing)
- Reserve Program (Enhanced Staffing)
- Program Management (Enhanced Efficiency)
- Crime Analysis (Full Service)

Additional Secured Services and Benefits as the Sheriff reviewed at the prior work session:

- Traffic Enforcement
- Motor Unit
- Drug Lab/HazMat Mitigation
- River Patrol
 - Dive Team
 - Swift Water Rescue
- SAR – Search & Rescue
- K-9 (Drug and Tracking)
- Investigative Services

- Intercept Unit
- Elder Abuse
- Child Abuse
- DVERT (Domestic Violence)
- Human Trafficking
- Waste Management enforcement
- WST –Warrant Strike Team
- Community Resource Officer
- Forest Service Lands Enforcement
- Citizens Academy
- Citizens Patrol
- Inmate Work Crew
- Special Events Management
- East County Booking Facility

Additional savings that the Sheriff expects MCSO to achieve from the service consolidation through efficiencies from Increased Size and Scale:

- Services
- Training
- Academy Costs
- Overtime
- Equipment
- Fleet
- Fuel
- Maintenance

Savings in these areas results from the MCSO being able to function more efficiently and effectively through the utilization of existing unused capacity while absorbing our staff and operations into the budgeted vacancies.

How would the range of services/activities be implemented over time?

Multi-year Implementation

There are a number of items which need to be planned scheduled and implemented, all of which only make sense after the employee transfers are completed as the first phase implementation. The following phase(s) include a variety of items to be addressed, some of which include:

- Vehicles transfers
- Patrol center operations transition and consolidation implementation.

- Technology planning and implementation for network access, email, cell phones, radios, and MDT's.
- Records access, transition and consolidation implementation.
- Evidence custody and storage access, transition and consolidation implementation.

What about building?

Troutdale Community Police Facility

The building is a necessary for the delivery of law enforcement services to our community. The facility is a long term City asset for which the voters provided long term financing. The facility is an important part of the changed circumstances which makes the potential service consolidation more feasible by enabling the Sheriff to shift his patrol hub into East County which allows for cost saving operational efficiencies by being closer to service delivery areas.

As the above multi-year implementation process gains more definition, the uses and benefits of the Troutdale Community Police Facility for both the City and the MCSO will be quantified. A future agreement allocating costs and recoveries from the evolving building utilization will be developed.

The Troutdale Community Police Facility would remain a City owned asset as it houses the City Attorney/Legal Department offices, the main server network and telecommunication data center for the City, and the community room. Should the law enforcement services contract end at some point in the future, the City would still have the facility to operate its own Police Department again.

What will be covered in the Intergovernmental Agreement to contract for law enforcement services?

Intergovernmental Agreement

The City would be choosing to contract for specified services from a vendor, as it routinely does for other goods and services. The City would choose to contract for law enforcement services from the MCSO. It would not be a "takeover" by the Sheriff.

As in any customer vendor relationship the terms and conditions must be clearly spelled out for the benefit of all parties. Intergovernmental Agreements are made pursuant to the authority found in ORS 190.010, et seq and ORS 206.345. IGA's are enforceable contracts through arbitration or the courts. What terms are included in the IGA defining responsibilities of each party is what makes a good contract.

A clear and acceptable IGA is necessary for all parties. The IGA must address staffing and equipment (both on transfer to MCSO and for continuing operations) as well as command and control, liability allocation, and payment of miscellaneous fees for a variety of police and emergency-related services. **Some** of the potential deal points for the IGA are attached in Exhibit A. Any IGA will need a structure which envisions a number of subsequent amendments as transition and implementation items are determined.

SUMMARY:

The proposed service consolidation would provide Troutdale both significant cost savings as well as a great value for our money by providing the many expanded capabilities of MCSO being directly available to the City. The proposal provides a Win for the City & taxpayers, a Win for the Officers, and a Win for the Sheriff.

- The proposed resolution for consideration next week **is** a decision to move forward toward contracting for law enforcement services.
- The proposed resolution is **not** the final decision and approval, but rather a “commitment” to seek an agreement for approval and implementation.

Just as with a house purchase, signing the purchase contract begins the process with a “commitment”, yet the appraisal, home inspection, title report, mortgage, closing, funding and recording all have to occur before you get the keys! The resolution on May 13th is an important decision point, but only a similar commitment to go forward, but it is not the final decision point.

PROS & CONS:

- A. Approve the proposed resolution next week to seek to obtain for the City significant cost savings and service benefits through an acceptable Intergovernmental Agreement
- B. Not approve the proposed resolution, rejecting significant cost savings and service benefits and ignoring the opportunity to arrest the continued fiscal deterioration of the General Fund

<p>Current Year Budget Impacts <input checked="" type="checkbox"/> Yes (<i>describe</i>) <input type="checkbox"/> N/A First Year: estimated \$800,000 cost savings</p> <p>Future Fiscal Impacts: <input checked="" type="checkbox"/> Yes (<i>describe</i>) <input type="checkbox"/> N/A Future Years: estimated more than \$1,000,000 of annual cost savings</p> <p>Community Involvement Process: <input type="checkbox"/> Yes (<i>describe</i>) <input checked="" type="checkbox"/> N/A</p>
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RESOLUTION NO.

A RESOLUTION APPROVING THE PROPOSED CONCEPT FOR CONTRACTED LAW ENFORCEMENT SERVICES FROM THE MULTNOMAH COUNTY SHERIFF, AND AUTHORIZING NEGOTIATION OF AN INTERGOVERNMENTAL AGREEMENT.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. There exists a long and successful history of cities, both nationwide and in Oregon, of contracting with their County Sheriff to provide law enforcement services.
2. That the Multnomah County Sheriff (MCSO) has proposed to provide contracted law enforcement services to the City at the same or enhanced service levels and at a substantially lower cost to the taxpayers, while maintaining City identity and significant local control.
3. That an analysis of a potential law enforcement service consolidation is in the best interest of the City, and would provide significant cost savings for the City.
4. That the potential law enforcement service consolidation would offer expanded and enhanced career opportunities for current City Police Officers and civilian staff.
5. That a successful and mutually beneficial contract arrangement would require the cooperation and agreement of the City Council, labor unions, County Commission and MCSO, and that each party has expressed support for the potential law enforcement service consolidation.
6. That an appropriate Intergovernmental Agreement pursuant to the authority found in ORS 190.010, et seq and ORS 206.345 addressing all the parties needs and obligations, and transition issues, is needed.
7. Time is of the essence for both MCSO potential budget efficiency opportunities, and for potential substantial cost savings of the City to begin.
8. The potential law enforcement service consolidation would support the City Council goals to improve and support livability in Troutdale, to promote fiscal solvency and improve fiscal prioritization and budget accountability, and to improve employee morale.

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

Section 1. Authorizes and directs City Officials to negotiate terms and conditions of an Intergovernmental Agreement necessary to obtain contracted law enforcement services from the Multnomah County Sheriff consistent with the findings above, and as outlined during the two work session presentations, the staff report, and in Exhibit A of the staff report.

Section 2. The City Manager, Finance Director, or as needed the City Attorney (each a "City Official") are designated to negotiate on behalf of the City, and are directed to present a proposed Intergovernmental Agreement to the Council for final approval.

Section 3. The City Officials are directed and authorized to seek a contract target implementation of July 1, 2014 for the initial phase of the contracted services.

Section 4. This resolution shall take effect upon adoption.

**YEAS:
NAYS:
ABSTAINED:**

Doug Daoust, Mayor

Date

Debbie Stickney, City Recorder
Adopted:



CITY OF TROUTDALE



STAFF REPORT

SUBJECT / ISSUE: A resolution adjusting the storm sewer utility fee and rescinding Resolution No. 2216.

MEETING TYPE:
City Council Regular Mtg.

MEETING DATE: May 13, 2014

STAFF MEMBER: Steve Gaschler
DEPARTMENT: Public Works

ACTION REQUIRED
Resolution

ADVISORY COMMITTEE/COMMISSION RECOMMENDATION:
Not Applicable

PUBLIC HEARING
No

Comments:

STAFF RECOMMENDATION: Approve the proposed rate increase and adopt the respective resolution.

EXHIBITS:

- A. Utility fee comparison with other cities
- B. Storm Sewer Rate and SDC Study, April 2014, FCS Group

Subject / Issue Relates To:

- Council Goals
 Legislative
 Other (describe)
- Maintain stability in Public Works Funds*

Issue / Council Decision & Discussion Points:

- ◆ The protection of the health, safety and property of residents and businesses through the provision of storm drainage systems and services is a critical function of the City.
- ◆ The City requires adequate funding for operation, maintenance and improvements to the City's Storm system.
- ◆ City storm sewer utility fees have not kept pace with increasing costs.
- ◆ Water quality requirements and watershed stewardship programs are increasing the expense of providing storm water management systems and services.
- ◆ The proposed rate increase per residential user is very small and well within a reasonable level for rate payers' means.

Reviewed and Approved by City Manager:

- ◆ Removal of the rate cap re-establishes equity in storm sewer rates.
- ◆ The City of Troutdale has the lowest total utility fees by far for all comparator cities identified. With all proposed rate increases, the City of Troutdale's typical residential utility bill will still be almost \$17/month less than the next closest comparator city.
- ◆ Needed rate increases are planned to phase in incrementally in order to avoid more dramatic increases in future years and to stay within rate payers' means, while maintaining necessary fund balances and operating coverage minimums.

BACKGROUND:

This item is being brought to the City Council after discussion at a March 18, 2014 work session on a draft storm sewer economic and financial analysis. Concurrent with the preparation of the 2014-15 budget, staff hired FCS Group to perform a storm sewer economic and financial analysis. One key finding of that analysis (attached in Exhibit B) is that the current storm sewer rates are immediately inadequate. The current rate structure, specifically capping billable impervious area at 6.2 equivalent residential units, subsidizes large commercial customers at the expense of residential customers and limits the marginal revenue provided by a rate increase. As a placeholder, staff proposed a 4% flat rate increase for consideration by City Budget Committee and inclusion in the 2014-15 budget hearings and the proposed budget. Based on the findings of the financial analysis, staff is proposing a 4% increase in the monthly rate from \$1.52 to \$1.58 per thousand square feet of impervious area and removing the cap.

The Troutdale Municipal Code establishes Storm Sewer utility fees and authorizes the City Council to adjust the amount of the fees by Resolution. Costs of personnel, materials, services, capital projects and reimbursements to other funds continue to increase. Additionally, the City needs to build capital reserves to cover the cost of anticipated future capital costs that will be needed to maintain, upgrade and rehabilitate components of the storm sewer system as they age and degrade, and as needed water quality retrofitting projects become necessary.

Should the Council choose not to approve this requested 4% increase this year, the Storm Sewer Fund's ending balance for FY 14-15 will be drawn down an additional \$10,400 below the ending balance projected in the proposed budget, as a 4% flat rate increase was assumed at the time of budget preparation. Additionally, the financial model indicates that significant increases will be required in the ensuing years to make up the lost revenue.

A monthly Storm Sewer rate increase from \$1.52 to \$1.58 (4%) per thousand square feet of impervious area is proposed to meet increasing annual costs in operations and maintenance, fund proposed capital projects and start to build necessary capital reserves for future system reinvestment. Residential customers are charged based on standardized assumed impervious area of 2,700 square feet. For an average residential customer based on the standardized residential impervious area of 2,700 square feet, this will result in an increase of \$0.17 per month or \$2.02 per year. This will generate a revenue increase of approximately \$9,600 per year. In addition, the cap of \$25.27 per month (maximum monthly bill irrespective of actual impervious area) is proposed to be removed, generating a revenue increase of approximately \$220,000 per year.

PROS & CONS:

Pros:

- This rate increase will maintain existing Storm Sewer services and build reserves that will be necessary to meet increasing future expenses and fund capital projects that will be needed to sustain the system as it ages.
- The rate increases are restrained and relatively modest for the residential customer.
- Removing the rate cap restores equity in the rate structure.
- Without rate increases, the fund risks becoming unstable in future years, resulting in reduced levels of service and inability to fund needed operation, maintenance and/or capital projects.

Cons

- Increased fees to residents and businesses.
- Does not build sustaining reserves that will be necessary to meet increasing future expenses, as well fund capital projects that will be needed to sustain the system as it ages

<p>Current Year Budget Impacts <input type="checkbox"/> Yes (<i>describe</i>) <input checked="" type="checkbox"/> N/A</p> <p>Future Fiscal Impacts: <input checked="" type="checkbox"/> Yes (<i>describe</i>) <input type="checkbox"/> N/A Increases revenue as described above and maintains stability of utility funds.</p> <p>City Attorney Approved N/A <input type="checkbox"/> Yes</p> <p>Community Involvement Process: <input type="checkbox"/> Yes (<i>describe</i>) <input checked="" type="checkbox"/> N/A</p>

UTILITY RATE COMPARISON TO OTHER CITIES 4/2014

Exhibit A

5/13/14 Council Mtg. – Item #9

CITY	POPULATION	WATER	SANITARY SEWER	STORM SEWER	STREET	PARKS	TOTAL
TROUTDALE	16,000	\$20.02	\$33.04	\$4.10	-	-	\$57.16
CORNELIUS	12,107	\$52.38	\$47.44	\$11.40	-	-	\$111.22
GLADSTONE	11,626	\$25.14	\$74.92	-	-	-	\$100.06
HAPPY VALLEY	21,275	\$29.26	\$40.00	\$9.35	-	-	\$78.61
SHERWOOD	18,567	\$54.44	\$41.36	\$13.77	\$2.00	-	\$111.57
FOREST GROVE	21,488	\$38.33	\$44.43	\$7.00	-	-	\$89.76
La GRANDE	13,182	\$31.81	\$38.05	\$4.00	\$8.00	-	\$81.86
CANBY	15,830	\$27.39	\$41.90	Combined w/ sanitary	\$5.00	-	\$74.29
WEST LINN	25,250	\$23.57	\$30.71	\$5.58	\$10.31	\$11.80	\$81.97
Low income		\$14.30					
WOOD VILLAGE	3,885	\$33.30	\$48.82	Combined w/streets	\$9.50	-	\$91.62
GRESHAM	106,000	\$40.60	\$26.30	\$9.84	-	-	\$76.74
Com/Ind		40.22/30.66	\$52.60	\$13.68			
FAIRVIEW	8,920	35.26	\$31.98	\$8.78	-	-	\$75.92
OREGON CITY	32,220	\$36.63	\$38.45	\$8.80	\$11.56	-	\$95.44
HOOD RIVER	7,167	\$32.30	\$41.75	\$8.75	-	-	\$82.80
Com/Ind		\$23.36					
THE DALLES	12,156	\$52.67	\$44.78	\$2.00	-	-	\$99.45
MILWAUKIE	20,400	\$31.67	\$56.76	\$13.05	\$3.35	-	\$104.83
Com/Ind		\$31.67	\$87.41	\$13.05	.35 trip		
Low income		\$25.63	\$28.38	\$6.53			
WILSONVILLE	19,565	\$61.93	\$46.39	\$5.10	\$6.72	-	\$120.14

All cities except Troutdale, Hood River and Forest Grove charge water based on Cubic Feet
 Comparisons are based on assumed equivalent water consumption of 7,000 gal per month

STORM SEWER RATE AND SDC STUDY

This report provides a storm sewer utility financial plan that will allow the City of Troutdale (“City”) to implement the capital improvement programs (CIPs) provided in the North and South Troutdale Storm Drainage Master Plans while meeting its other financial obligations, including policy objectives. The two components of this plan are (1) the computation of system development charges (“SDCs”) and (2) a revenue requirement analysis.

SYSTEM DEVELOPMENT CHARGES

SDCs are one-time fees imposed on new and increased development to recover the cost of system facilities needed to serve that growth. This section provides the rationale and calculations for a proposed storm sewer SDC.

Methodology

An SDC can include two components: (1) a reimbursement fee and (2) an improvement fee.

Reimbursement Fee

The reimbursement fee is based on the cost of available capacity per unit of growth that such available capacity will serve. In order for a reimbursement fee to be calculated, unused capacity must be available to serve future growth. For facility types that do not have available capacity, no reimbursement fee may be charged.

Improvement Fee

The improvement fee is based on the cost of capacity-increasing capital projects per unit of growth that those projects will serve. In reality, the capacity added by many projects serves a dual purpose of both meeting existing demand and serving future growth. To compute a compliant improvement fee, growth-related costs must be isolated, and costs related to current demand must be excluded.

We have used the capacity approach to allocate costs to the improvement fee basis. Under this approach, the cost of a given project is allocated to growth in proportion to the growth-related capacity that projects of a similar type will create.

Growth should be measured in units that most directly reflect the source of demand. For the City’s storm sewer utility, growth is measured in equivalent residential units (ERUs). One ERU represents 2,700 square feet of impervious surface area, which is the average impervious surface area of a single-family residence in Troutdale.

Adjustments

Oregon Revised Statutes (“ORS”) 223.307(5) authorizes the expenditure of SDCs on “the costs of complying with the provisions of ORS 223.297 to 223.314, including the costs of developing system development charge methodologies and providing an annual accounting of system development

charge expenditures.” To avoid spending monies for compliance that might otherwise have been spent on growth-related projects, this report includes an estimate of compliance costs in its SDC rates.

A second adjustment is the deduction of existing SDC fund balance(s) from eligible costs. If this adjustment were not made, the City could collect more SDCs than it could legally spend.

Growth

Based on Resolution No. 2004, we estimate that the City will gain 9.8 million square feet of impervious surface area by the end of fiscal year 2023-24. As shown in **Exhibit 1**, this growth represents 3,635 new ERUs:

Exhibit 1: Growth In Customer Base

Fiscal Year Ending June 30	Additional Impervious Surface Area
2015	980,200
2016	981,550
2017	981,550
2018	981,550
2019	981,550
2020	981,550
2021	981,550
2022	981,550
2023	981,550
2024	981,550
Total	<u>9,814,150</u>
Impervious surface area per ERU	2,700
Total growth in ERUs	3,635
Current ERUs (FY 2013-14)	9,480
Projected ERUs (FY 2023-24)	13,114
Compound annual growth rate	3.30%
Growth share of projection	27.72%

Source: Resolution No. 2004

Eligible Costs

The City has SDC-eligible costs in both its existing storm sewer facilities and its planned capital projects.

Reimbursement Fee

Because the City’s storm sewer infrastructure has excess capacity that is available to serve growth, the City can charge a reimbursement fee as part of its storm sewer SDC. **Exhibit 2** summarizes the SDC-eligible cost of available capacity:

Exhibit 2: Reimbursement Fee Cost Basis

Component		Historical Cost	Available Capacity	Reimbursable Cost
Stormwater improvement fee expenditures in FYE 2007	\$	213,863	74.49%	\$ 159,310
Stormwater improvement fee expenditures in FYE 2008		-	78.50%	-
Stormwater improvement fee expenditures in FYE 2009		33,470	82.38%	27,573
Stormwater improvement fee expenditures in FYE 2010		3,354	86.14%	2,889
Stormwater improvement fee expenditures in FYE 2011		7,886	89.77%	7,079
Stormwater improvement fee expenditures in FYE 2012		110,696	93.29%	103,272
Stormwater improvement fee expenditures in FYE 2013		13,236	96.70%	12,800
Stormwater improvement fee expenditures in FYE 2014			100.00%	-
Total	\$	382,506		\$ 312,923
Growth in ERUs				3,635
Reimbursement fee per ERU				\$ 86

Source: City staff and previous table

When the SDC-eligible cost of \$312,923 is divided by the expected growth of 3,635 ERUs, the resulting reimbursement fee is \$86 per ERU.

Improvement Fee

The City plans to construct storm sewer facilities with an estimated cost of \$6,855,543 over the planning period. Some of these facilities will benefit growth exclusively, but others will benefit existing users either partially or exclusively. Only those facilities (or those portions of facilities) that will benefit growth may be included in the improvement fee cost basis. **Exhibit 3** shows the growth-related portion of the planned storm sewer projects.

Exhibit 3: Improvement Fee Cost Basis

Project	Total Cost	Improvement Fee Eligibility	Improvement Fee Eligible Cost
SDIC Weir Improvements	\$ 100,000	100.00%	\$ 100,000
Arata Creek Drain Line Improvements	716,400	100.00%	716,400
South Arata Creek Culvert Improvements	409,371	100.00%	409,371
Columbia River Highway Bypass	530,536	100.00%	530,536
Marine Drive Culvert South of Airport	791,687	100.00%	791,687
North Graham Storm Sewer Improvements	550,000	85.49%	470,213
Beaver Creek Culvert Improvements	100,000	100.00%	100,000
North Evans Outfall Repair	50,000	0.00%	-
NW Dunbar Ave Storm Line	300,000	100.00%	300,000
3rd and Dora Pipe Upsizing	139,925	0.00%	-
21st Street Pipe Upsizing	114,113	0.00%	-
Sandee Polisade Detention Pond Retrofit	165,415	100.00%	165,415
Strawberry Meadows Detention Pond Retrofit	91,527	100.00%	91,527
Weedin Pork Infiltration Facility	319,537	0.00%	-
Stuart Ridge Detention Pond Retrofit	65,069	0.00%	-
Sweetbriar Park Infiltration Facility	156,381	0.00%	-
SW Hensley/21st Avenue Infiltration Facility	198,111	100.00%	198,111
SE Evans Street Infiltration Facility	401,922	0.00%	-
Historic Columbia River Hwy Infiltration Facility	1,655,549	0.00%	-
Total	\$ 6,855,543		\$ 3,873,260
Growth in ERUs			3,635
Improvement fee per ERU			\$ 1,066

Source: City staff

When the SDC-eligible cost of \$3,873,260 is divided by the expected growth of 3,635 ERUs, the resulting improvement fee is \$1,066 per ERU.

If the City decides to include capacity-increasing storm sewer projects in its capital improvement plan that are not listed in **Exhibit 3**, we recommend that the projects be added to the list and that the eligible portion of those projects be added to the improvement fee cost basis. The revised cost basis should then be used to recalculate the SDC.

Recommended System Development Charge

Together, the reimbursement fee and improvement fee calculated above are \$1,152. To this subtotal, we make the two adjustments described earlier under “Methodology.” First we subtract the current SDC fund balance on a per-ERU basis. Second, we add an estimate for the costs of administering the SDC program. **Exhibit 4** shows how these adjustments result in a recommended SDC of \$620 per ERU. This proposed SDC represents a decrease of 32.65 percent from the current SDC of \$920 per ERU.

Exhibit 4: SDC Components

Description	Amount
Reimbursement fee per ERU	\$ 86
Improvement fee per ERU	1,066
Subtotal	1,152
Adjustment for current SDC fund balance of \$2,005,721	(552)
Adjustment for administrative costs 3.29%	20
Total SDC per ERU	\$ 620
Current SDC per ERU	\$ 920
Proposed Change	-32.65%

Source: City staff

System Development Charge Comparisons

Although the SDCs of other cities have no bearing on our calculations and recommendation, we understand the interest in comparisons. **Exhibit 5** shows the City’s current and proposed storm sewer SDC alongside those of comparable cities:

Exhibit 5: SDC Comparisons

City	Storm Sewer SDC for Single-Family Residence
West Linn	\$ 1,083
Wilsonville	\$ 1,068
Camelius	\$ 985
Troutdale (current)	\$ 920
Gresham	\$ 824
Milwaukie	\$ 765
Oregon City	\$ 755
Sherwood	\$ 624
Troutdale (proposed)	\$ 620
Forest Grove	\$ 500
Fairview	\$ 461
Canby	\$ 161
Gladstone	\$ -

Source: City websites and staff

System Development Charge Credits

A credit is a reduction in the amount of the SDC for a specific development. Oregon SDC law (ORS 223.304) requires that credit be allowed for the construction of a "qualified public improvement" which (1) is required as a condition of development approval, (2) is identified in the City's capital improvements program, and (3) either is not located on or contiguous to property that is the subject of development approval, or is located on or contiguous to such property and is required to be built larger or with greater capacity than is necessary for the particular development project.

The credit for a qualified public improvement may only be applied against an SDC for the same type of improvement (e.g., a storm sewer improvement can only be used for a credit for a future storm sewer SDC), and must be granted only for the cost of that portion of an improvement which exceeds the minimum standard facility size or capacity needed to serve the particular project up to the amount of the improvement fee. For multi-phase projects, any excess credit may be applied against SDCs that accrue in subsequent phases of the original development project.

In addition to these required credits, the City may, if it so chooses, provide a greater credit, establish a system providing for the transferability of credits, provide a credit for a capital improvement not identified in the City's capital improvement plan, or provide a share of the cost of an improvement by other means (i.e., partnerships, other City revenues, etc.). Such additional credits have the effect of reducing City SDC cash flow resulting flexibility when executing the SDC project list.

Indexing System Development Charge for Inflation

ORS 223.304 allows for the periodic indexing of system development charges for inflation, as long as the index used is

- (A) A relevant measurement of the average change in prices or costs over an identified time period for materials, labor, real property or a combination of the three;
- (B) Published by a recognized organization or agency that produces the index or data source for reasons that are independent of the system development charge methodology; and
- (C) Incorporated as part of the established methodology or identified and adopted in a separate ordinance, resolution or order.

We recommend that the City (1) index its charges to the *Engineering News Record* Construction Cost Index for the City of Seattle, and (2) adjust its charges annually. There is no comparable Oregon-specific index.

REVENUE REQUIREMENT ANALYSIS

This section presents a financial analysis that reveals how much rate revenue would be required to meet operational and capital needs within contractual and policy constraints over the next ten years.

Criteria

At least two separate conditions must be satisfied in order for rates to be sufficient. First, the storm sewer utility must generate revenues adequate to meet cash needs. Second, revenues must satisfy bond coverage requirements (if there are any).

Revenues should be sufficient to satisfy both tests. If revenues are found to be deficient by one or more of the tests, then the greater deficiency drives the rate increase.

Cash Flow

The cash flow test identifies all cash requirements as projected in each given year. Cash requirements include operations and maintenance expenses, debt service payments, policy-driven additions to working capital, and capital improvement costs. These expenses are compared to total projected annual revenues, including interest on fund balances. Shortfalls are then used to estimate the necessary rate increases.

Bond Coverage

The bond coverage test identifies the amount of net revenues that a utility must generate to satisfy its contractual obligation to bondholders. Net revenues are typically defined as total revenues less operating expenditures. A shortfall exists if, in a given year, the ratio of net revenues to annual debt service falls below a value specified in the bond documents. Where shortfalls exist, we calculate the rate increase that would be necessary to eliminate the shortfall.

Financial Scenarios

While the two scenarios presented here are distinct models, they share many inputs in common. Here we identify some of these common inputs, and then we describe how these models differ.

Common Inputs

Our assumptions regarding cost escalation, customer growth, and operating reserves are shared by both scenarios and are summarized in **Exhibit 6**:

Exhibit 6: Common Inputs

Annual cost escalation	3.00% for salaries and wages 10.00% for benefits 3.00% for materials and services 4.00% for capital outlay
Customer account growth	0.25% per year
Minimum fund balance	30-45 days of operating expenditures

Other common inputs include the City's adopted budget for fiscal year 2013-14 and the storm sewer utility's current rate structure.

Findings

When we apply these common inputs to a baseline projection of the storm sewer utility's financial performance, we learn three important things.

First, the utility has enough fund balance to meet its near-term capital needs. In both scenarios below, no issuance of debt is needed until fiscal year 2020-21.

Second, operating expenditures will increase significantly as a result of correctly aligning storm sewer and sanitary sewer expenses with the respective utilities removing the effective subsidy provided by the sanitary sewer utility. This change alone makes the City's current storm sewer rates (under the existing rate structure) immediately inadequate.

Third, the current rate structure—specifically, capping billable impervious surface area at 6.2 ERUs—produces two undesirable effects. Not only does this structure subsidize large commercial customers and the expense of residential customers; it also limits the marginal revenue provided by a rate increase.

Scenario Comparison and Recommendation

While storm sewer rates initially rise faster in Scenario 2, rates become similar in both scenarios by fiscal year 2020-21. Furthermore, the operating and capital needs are held constant across scenarios. We are therefore indifferent between these two scenarios.

It is important to note that, other things equal, keeping the rate cap in place will make required rate increases much larger. A rate greater than \$10.00 per ERU would likely be needed by fiscal year 2016-17 if the current rate cap remains in place.

Rate Comparisons

Although the utility rates of other cities have no bearing on our calculations and recommendation, we understand the interest in comparisons. **Exhibit 9** shows the City's current and proposed storm sewer rate alongside those of comparable cities:

Exhibit 9: Rate Comparisons

City	Monthly Storm Sewer Rate for Single-Family Residence
Sherwood	\$ 13.77
Milwaukie	\$ 13.05
Cornelius	\$ 10.90
Gresham	\$ 9.84
Fairview	\$ 8.78
Oregon City	\$ 8.55
Forest Grove	\$ 7.00
West Linn	\$ 5.58
Troutdale (proposed, Scenario 2)	\$ 5.10
Wilsonville	\$ 5.10
Troutdale (proposed, Scenario 1)	\$ 4.57
Troutdale (current)	\$ 4.10
Canby	\$ -
Gladstone	\$ -

Source: City websites and staff

RESOLUTION NO.

A RESOLUTION ADJUSTING THE STORM SEWER UTILITY FEE AND RESCINDING RESOLUTION NO. 2216

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. Section 12.06.030 of the Troutdale Municipal Code establishes a storm sewer utility fee and authorizes the Council to adjust the amount of the fee by Resolution.
2. The current storm sewer utility fee was set by Resolution No. 2216 dated June 25, 2013 and effective July 1, 2013.
3. The storm sewer utility fee should be increased 4.0% (from \$0.00152 to \$0.00158 per square foot of impervious surface) to cover increasing costs of operation, maintenance and capital projects associated with the storm sewer system.

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

Section 1. The monthly storm sewer utility fee shall be \$0.00158 per square foot of impervious surface. All residential users are deemed to have an assumed average 2,700 square feet of impervious surface and therefore have a monthly storm sewer fee of \$4.27.

Section 2. Non-residential users shall be charged at the \$0.00158 per square foot of impervious surface.

Section 3. The storm sewer utility fee shall not be imposed for impervious surface owned and maintained by the City nor for the impervious surface of a public street, road, or highway nor upon the runways or taxiways of a public airport.

Section 4. The storm sewer utility fee may be reduced by individual mitigation efforts, as follows:

- A. The responsible party must request, in writing, a reduction in the storm sewer utility fee based upon mitigation actions taken to reduce the effect of storm water flow from the property.
- B. The request must include the following minimum information:
 - (1) The calculated storm water run-off from the area in question prior to its development.
 - (2) The calculated additional storm water run-off from the area in question after its development without mitigation.

- (3) The calculated additional storm water run-off from the area in question after is development with mitigation.
- (4) Drawings or other suitable details of the mitigation method(s) employed.
- C. In determining storm water run-off, a 25-year event of 24-hour intensity shall be used.
- D. Upon review and approval of the user's request, the Public Works Director may grant a reduction in the storm sewer utility fee equal to the percent reduction in additional storm water run-off achieved by the mitigation effort but in no event shall the reduction be more than 70% of the fee without mitigation.
- E. The full amount of the storm sewer utility fee shall be charged until a request for reduction is received and approved.
- F. The decision of the Public Works Director may be appealed to the City Manager. Such appeal must be in writing and submitted with 30 days after the decision is made by the Director. The appeal must state the particular matter in dispute, the reason(s) for differing with the Director, and the specific relief sought.

Section 5. Resolution No. 2216 is rescinded effective July 1, 2014.

Section 6. This resolution is effective July 1, 2014.

YEAS:
NAYS:
ABSTAINED:

Doug Daoust, Mayor

Date

Debbie Stickney, City Recorder

Adopted:



CITY OF TROUTDALE



STAFF REPORT

SUBJECT / ISSUE: A resolution adjusting the sanitary sewer utility fee, confirming the average flow rate for an equivalent residential unit and rescinding Resolution No. 2217.

MEETING TYPE:
City Council Regular Mtg.

MEETING DATE: May 13, 2014

STAFF MEMBER: Steve Gaschler
DEPARTMENT: Public Works

ACTION REQUIRED
Resolution

ADVISORY COMMITTEE/COMMISSION RECOMMENDATION:
Not Applicable

PUBLIC HEARING
No

Comments:

STAFF RECOMMENDATION: Approve the proposed rate increase and adopt the respective resolution.

EXHIBITS:

- A. Utility fee comparison with other cities.

Subject / Issue Relates To:

- Council Goals
 Legislative
 Other (describe)
Maintain stability in Public Works Funds

Issue / Council Decision & Discussion Points:

- ◆ The protection of the health, safety and property of residents and businesses through the provision of sanitary sewer collection, treatment and disposal is a critical function of the City.
- ◆ The City requires adequate funding for operation, maintenance and improvements to the City's sewer systems.
- ◆ While the sewer system is functioning well today, future capital needs as the system ages will require funding from user fees and therefore requires the City to build reserves to prepare for the future.
- ◆ Current Sanitary Sewer utility fees will not keep pace with increasing costs of operation and maintenance and needed capital projects.

Reviewed and Approved by City Manager:

- ◆ Increase in the Sanitary Sewer utility fee will also ensure that the Sewer Fund can cover its share of Water Pollution Control Facility bond payments.
- ◆ The proposed rate increase is within a reasonable level for rate payers' means.
- ◆ The City of Troutdale has the lowest total utility fees by far for all comparator cities identified. With all proposed rate increases, the City of Troutdale's typical residential utility bill will still be \$17/month less than the next closest comparator city.
- ◆ Needed rate increases are planned to phase in incrementally in order to avoid more dramatic increases in future years and to stay within rate payers' means, while maintaining necessary fund balances and operating coverage minimums.

BACKGROUND:

This item is being brought to the City Council after consideration by City Budget Committee and inclusion in the 2014-15 budget hearings and the proposed budget.

The Troutdale Municipal Code establishes Sanitary Sewer utility fees and authorizes the City Council to adjust the amount of the fees by Resolution. Costs of personnel, materials, services, capital projects and reimbursements to other funds continue to increase. Additionally, the City needs to build capital reserves to cover the cost of anticipated future capital costs that will be needed to maintain, upgrade and rehabilitate components of the system as they age and degrade, and maintain bond payment coverage in the Sewer Fund to prevent additional burden falling on property taxes.

The City Council adopted the Sanitary Sewer Master Plan at its November 12, 2013 regular meeting. A component of that master planning effort is an economic analysis to project future funding needs and associated rate increases. The economic analysis has been updated to align with the proposed capital projects of the adopted Sanitary Sewer Master Plan, add a system reinvestment component and more accurately reflect the division of personnel expenses between the Sewer Fund and Storm Sewer Fund. This updated analysis assumes the proposed rate increase of 4% that is included in the proposed FY 14-15 budget. It is important to note that these financial projections are based upon current assumptions and the proposed capital program. Circumstances might change over time, causing actual rate adjustment needs to be higher or lower once actual costs are known. Staff will continue to track costs and update the financial model as appropriate to help assure that rate adjustments are made to meet the financial needs necessary for fund stability.

Should the Council choose not to approve this requested 4% increase this year, the Sewer Fund's ending balance for FY 14-15 will be drawn down an additional \$101,000 below the ending balance project in the proposed budget.

A monthly Sanitary Sewer rate increase from \$33.04 to \$34.36 (4%) per equivalent residential unit is proposed to meet increasing annual costs in operations and maintenance, as well as to cover remaining bond debt payments and provide for projected future capital needs. For an average residential customer based on 1 equivalent residential unit, this would be an increase of \$1.32 per month or \$15.84 per year. This will generate a revenue increase of approximately \$101,000 per year

PROS & CONS:

Pros:

- These rate increases maintain existing Sanitary Sewer services and build reserves that will be necessary to meet increasing future expenses and fund capital projects that will be needed to sustain the system as it ages.
- The rate increases are restrained and relatively modest.
- Without rate increases, the fund risks becoming unstable in future years, resulting in reduced levels of service and inability to fund needed operation, maintenance and/or capital projects.

Cons

- Increased fees to residents and businesses.
- Does not build sustaining reserves that will be necessary to meet increasing future expenses, as well fund capital projects that will be needed to sustain the system as it ages.

<p>Current Year Budget Impacts <input type="checkbox"/> Yes (<i>describe</i>) <input checked="" type="checkbox"/> N/A</p> <p>Future Fiscal Impacts: <input checked="" type="checkbox"/> Yes (<i>describe</i>) <input type="checkbox"/> N/A Increases revenue as described above and maintains stability of utility funds.</p> <p>City Attorney Approved N/A <input type="checkbox"/> Yes</p> <p>Community Involvement Process: <input type="checkbox"/> Yes (<i>describe</i>) <input checked="" type="checkbox"/> N/A</p>

Exhibit A

5/13/14 Council Mtg. – Item #10

UTILITY RATE COMPARISON TO OTHER CITIES 4/2014

CITY	POPULATION	WATER	SANITARY SEWER	STORM SEWER	STREET	PARKS	TOTAL
TROUTDALE	16,000	\$20.02	\$33.04		\$4.10	-	\$57.16
CORNELIUS	12,107	\$52.38	\$47.44		\$11.40	-	\$111.22
GLADSTONE	11,626	\$25.14	\$74.92			-	\$100.06
HAPPY VALLEY	21,275	\$29.26	\$40.00		\$9.35	-	\$78.61
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FOREST GROVE	21,488	\$38.33	\$44.43		\$7.00	-	\$89.76
La GRANDE	13,182	\$31.81	\$38.05		\$4.00	\$8.00	\$81.86
CANBY	15,830	\$27.39	\$41.90	Combined w/sanitary		\$5.00	\$74.29
WEST LINN	25,250	\$23.57	\$30.71		\$5.58	\$10.31	\$70.17
WOOD VILLAGE	3,885	\$33.30	\$48.82	Combined w/streets		\$9.50	\$91.62
GRESHAM	106,000	\$40.60	\$26.30		\$9.84	-	\$76.74
FAIRVIEW	8,920	40.22/30.66	\$52.60		\$13.68	-	\$76.74
		35.26	\$31.98		\$8.78	-	\$76.02
OREGON CITY	32,720	\$36.63	\$38.45		\$8.80	\$11.56	\$95.44
HOOD RIVER	7,167	\$32.30	\$41.75		\$8.75	-	\$82.80
THE DALLES	12,156	\$52.67	\$44.78		\$2.00	-	\$99.45
MILWAUKIE	20,400	\$31.67	\$56.76		\$13.05	\$3.35	\$102.83
		\$31.67	\$87.41		\$13.05	.35 trip	\$131.48
		\$25.63	\$28.38		\$6.53		\$60.54
WILSONVILLE	19,565	\$61.93	\$46.39		\$5.10	\$6.72	\$119.14
		\$55.83	\$44.44		\$7.33	\$7.45	\$115.05
		\$36.83	\$44.44		\$7.33	\$7.45	\$96.05

All cities except Troutdale, Hood River and Forest Grove charge water based on Cubic Feet
 Comparisons are based on assumed equivalent water consumption of 7,000 gal per month

RESOLUTION NO.

A RESOLUTION ADJUSTING THE SANITARY SEWER UTILITY FEE, CONFIRMING THE AVERAGE FLOW RATE FOR AN EQUIVALENT RESIDENTIAL UNIT AND RESCINDING RESOLUTION NO. 2217

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. Section 12.04.030 of the Troutdale Municipal Code establishes a sanitary sewer utility fee and authorizes the Council to adjust the amount of the fee by resolution.
2. The current sanitary sewer utility fee was set by Resolution No. 2217 dated June 25, 2013 and effective July 1, 2013.
3. The sanitary sewer utility fee should be increased 4.0% (from \$33.04 to \$34.36 per equivalent residential unit) to cover increasing costs of operation, maintenance and capital projects associated with the sanitary sewer system.
4. No adjustment is proposed for the average flow rate that is represented by an equivalent residential unit.

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

Section 1. The monthly sanitary sewer utility fee per equivalent residential unit shall be \$34.36.

Section 2. The monthly additional surcharge on all sanitary sewer accounts that are connected to the sanitary sewer system through a Septic Tank Effluent Pump (STEP) station that is operated and maintained by the City shall be \$1.00.

Section 3. For the purposes of assessing the monthly sanitary sewer utility fee, an account holder will be charged for the number of equivalent residential units for which system development charges are or would be assessed unless there is a documented, long-term change in wastewater discharge by that particular account.

Section 4. An equivalent residential unit has an average flow of 180 gallons per day.

Section 5. Resolution No. 2217 is rescinded effective July 1, 2014.

Section 6. This resolution is effective July 1, 2014.

**YEAS:
NAYS:
ABSTAINED:**

Doug Daoust, Mayor

Date

Debbie Stickney, City Recorder

Adopted:



CITY OF TROUTDALE



STAFF REPORT

SUBJECT / ISSUE: A resolution adjusting the Water commodity fee, confirming other water related fees, and rescinding Resolution No. 2218.

MEETING TYPE:
City Council Regular Mtg.

MEETING DATE: May 13, 2014

STAFF MEMBER: Steve Gaschler
DEPARTMENT: Public Works

ACTION REQUIRED
Resolution

ADVISORY COMMITTEE/COMMISSION RECOMMENDATION:
Not Applicable

PUBLIC HEARING
No

Comments:

STAFF RECOMMENDATION: Approve the proposed rate increase and adopt the respective resolution.

EXHIBITS:

- A. Utility fee comparison with other cities.

Subject / Issue Relates To:

- Council Goals
 Legislative
 Other (describe)
- Maintain stability in Public Works Funds*

Issue / Council Decision & Discussion Points:

- ◆ The protection of the health, safety and property of residents and businesses through the provision of potable water and fire-fighting water is a critical function of the City.
- ◆ The City requires adequate funding for operation, maintenance and improvements to the City's water system.
- ◆ Water fees have not kept pace with increasing costs.
- ◆ Future capital needs as the water system ages will require funding from user fees and therefore requires the City to build reserves to prepare for the future.
- ◆ Upgrade needs, including seismic, connectivity/resiliency and fire-fighting upgrade projects, will be costly. The City must build services to save up if it intends to fund these

Reviewed and Approved by City Manager:

future capital expenditures and fund replacement of existing infrastructure. Some current needs are already being deferred.

- ◆ The proposed rate increase is within a reasonable level for rate payers' means. Forecasts indicate a need for year-over-year increases at a much higher rate, but staff has proposed a more modest rate increase this year in light of the slowly recovering economy.
- ◆ The City of Troutdale has the lowest total utility fees by far for all comparator cities identified. With all proposed rate increases, the City of Troutdale's typical residential utility bill will still be almost \$17/month less than the next closest comparator city.
- ◆ Requested annual rate increases are incremental in order to avoid more dramatic increases in future years and to stay within rate payers' means, while maintaining necessary fund balances and operating coverage minimums for the coming fiscal year.

BACKGROUND:

This item is being brought to the City Council after consideration by City Budget Committee and inclusion in the 2014-15 budget hearings and the proposed budget.

The Troutdale Municipal Code establishes Water utility fees and authorizes the City Council to adjust the amount of the fees by Resolution. Costs of personnel, materials, services, capital projects and reimbursements to other funds continue to increase. Additionally, the City needs to build capital reserves to cover the cost of anticipated future capital costs that will be needed to maintain, upgrade and rehabilitate components of the system as they age and degrade. Additionally, there are upgrades needed in the system for seismic resiliency, connectivity and to meet current fire-fighting standards that will require significant capital expenditures. Some of these needs are in the near future, some can be held off to out-years. However, there are already important water system rehabilitation projects of immediate need that have been deferred for a couple of years due to lack of available capital in the Water Fund. Two of the City's reservoirs are in immediate need of interior recoating, with the existing coatings failing. Continued deferral of these projects can result in damage to the steel structures and may affect water quality, which in turn will result in dramatically increased costs to repair. Additionally, for the last two budget planning cycles, staff deferred two other currently needed water projects due to insufficient funds: a water main upsizing project on 7th and Kings Byway needed to bring that segment of the system up to contemporary fire-fighting standards and a Reservoir Seismic Study that will evaluate the seismic resiliency and risk of the City's reservoirs, and identify seismic improvements needed to manage those risks to the public water supply.

In 2012, the City completed and adopted its new Water Master Plan. A component of that master planning effort was an economic analysis to project the impact of identified capital projects on water rates through FY 2022-23. The City Council has adopted the master plan and in March 2013 the Council adopted into the Capital Improvement Plan the slate of capital project identified in the Master Plan. The Master Plan economic analysis indicated that full funding of all of the user fee funded projects would require average annual rate increases of 9%/year, in addition to inflation in routine operation and maintenance costs. In FY 2014-15, staff plans to undertake a more thorough financial analysis of the Water fund with the assistance of economic analysis specialists, similar to those performed recently on the Sewer and Storm Sewer funds, to project the impact of escalating operation and maintenance costs, capital projects, and establishing

reserves for system reinvestment. At this time, a modest increase of 4% is proposed to avoid falling further behind this coming fiscal year.

Should the Council choose not to approve this requested 4% increase this year, the Water Fund's ending balance for FY 14-15 will be drawn down an additional \$60,000 below the ending balance project in the proposed budget and/or planned projects, such as well rehabilitation, may be deferred. Continuation of this trend in diminishing end balances will result in the fund becoming unstable. Additionally, capital accumulation needed to cover already deferred projects (e.g. reservoir interior recoating) will not be possible, deferring those projects even further into the future.

A monthly Water Commodity fee rate increase from \$2.86 to \$2.97 (4%) per 1,000 gallons is proposed for the Water Commodity Fee. For an average residential bill based on an average consumption of 7,000 gallons per month, this would be an increase of \$0.80 per month or \$9.61 per year. This will generate a revenue increase of approximately \$60,000 per year. Staff is not proposing increases in any of the other water-system related fees at this time.

PROS & CONS:

Pros:

- These rate increases maintain existing domestic and fire-fighting Water services.
- The proposed rate increase is significantly restrained from actual revenue needs and relatively modest.
- Without rate increases, the fund risks becoming unstable in ensuring budget years, resulting in reduced levels of service and inability to fund needed operation, maintenance and/or capital projects.

Cons

- Increased fees to residents and businesses.
- Does not build sustaining reserves that will be necessary to meet increasing future expenses, as well fund capital projects that will be needed to sustain the system as it ages or upgrade the system for seismic resiliency.

Current Year Budget Impacts <input type="checkbox"/> Yes (<i>describe</i>) <input checked="" type="checkbox"/> N/A
Future Fiscal Impacts: <input checked="" type="checkbox"/> Yes (<i>describe</i>) <input type="checkbox"/> N/A Increases revenue as described above and maintains stability of utility funds.
City Attorney Approved N/A <input type="checkbox"/> Yes
Community Involvement Process: <input type="checkbox"/> Yes (<i>describe</i>) <input checked="" type="checkbox"/> N/A

Exhibit A

5/13/14 Council Mtg. – Item #11

UTILITY RATE COMPARISON TO OTHER CITIES 4/2014

CITY	POPULATION	WATER	SANITARY SEWER	STORM SEWER	STREET	PARKS	TOTAL
TROUTDALE	16,000	\$20.02	\$33.04		\$4.10		\$57.16
CORNELIUS	12,107	\$52.38	\$47.44		\$11.40		\$111.22
GLADSTONE	11,626	\$25.14	\$74.92				\$100.06
HAPPY VALLEY	21,275	\$29.26	\$40.00		\$9.35		\$78.61
SHERWOOD	18,567	\$54.44	\$41.36		\$13.77	\$2.00	\$111.57
FOREST GROVE	21,488	\$23.36 \$38.33	\$44.43		\$7.00		\$89.75
La GRANDE	13,182	\$31.81	\$38.05		\$4.00	\$8.00	\$81.86
CANBY	15,830	\$27.39	\$41.90	Combined w/ sanitary		\$5.00	\$74.29
WEST LINN	25,250	\$23.57	\$30.71		\$5.58	\$10.31	\$69.97
WOOD VILLAGE	3,885	\$14.30 \$33.30	\$48.82	Combined w/ streets		\$9.50	\$95.92
GRESHAM	106,000	\$40.60	\$26.30		\$9.84		\$76.74
FAIRVIEW	8,920	40.22/30.66 35.26	\$52.60 \$31.98	\$13.68	\$8.78		\$76.02
OREGON CITY	32,220	\$36.63	\$38.45		\$8.80	\$11.56	\$95.44
HOOD RIVER	7,167	\$32.30	\$41.75		\$8.75		\$82.80
THE DALLES	12,156	\$23.36 \$52.67	\$44.78		\$2.00		\$99.45
MILWAUKIE	20,400	\$31.67	\$56.76		\$13.05	\$3.35	\$102.83
Low income		\$31.67 \$25.63	\$87.41 \$28.38	\$13.05 \$6.53	.35 trip		
WILSONVILLE	19,565	\$61.93	\$46.39		\$5.10	\$6.72	\$119.14

All cities except Troutdale, Hood River and Forest Grove charge water based on Cubic Feet
 Comparisons are based on assumed equivalent water consumption of 7,000 gal per month

RESOLUTION NO.

A RESOLUTION ADJUSTING THE WATER COMMODITY FEE, CONFIRMING OTHER WATER RELATED FEES AND RESCINDING RESOLUTION NO. 2218

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. Section 12.03.030 of the Troutdale Municipal Code establishes water utility fees and authorizes the Council to adjust the amount of the fee by resolution.
2. The current water utility fees were set by Resolution No. 2218 dated June 25, 2013 and effective July 1, 2013.
3. The water commodity fee should be increased 4.0% (from \$2.86 to \$2.97 per thousand gallons) to cover increasing costs of operation, maintenance and capital projects associated with the water system.
4. No adjustment is proposed for any charges other than the commodity charge.

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

Section 1. The monthly water user fees are as follows:

- A. Water Commodity Charge: \$2.97 per thousand gallons.
- B. Water Meter Installation Charge:
 1. For a 3/4" meter: \$254
 2. For a 1" meter: \$308
 3. For meters larger than 1": Installed by owner.
- C. Stand Pipe Charge: \$50 (3/4" only). This is for single family home construction only. The rate is for up to 90 days. For each additional 90-day period or fraction thereof, there is an additional charge of \$50.
- D. Hydrant Meter Rental Charge: A refundable deposit of \$100 is required. There is a minimum rental charge of \$25.00 plus \$1.00 per day of each day in excess of 25 days, plus metered water usage at the water commodity charge of \$2.97 per thousand gallons.
- E. Monthly Standby Fire Service with a detector check meter:

<u>Meter Size</u>	<u>Monthly Rate</u>
1 1/2"	\$6.00
2"	\$9.64
3"	\$18.19

4"	\$30.36
6"	\$61.45
8"	\$96.91
10"	\$136.00

F. Monthly Standby Fire Service without a detector check meter: Twice the rate given in Paragraph E above.

Section 2. Resolution No. 2218 is rescinded effective July 1, 2014.

Section 3. This resolution is effective July 1, 2014.

YEAS:
NAYS:
ABSTAINED:

Doug Daoust, Mayor

Date

Debbie Stickney, City Recorder

Adopted: