



CITY OF TROUTDALE

"Gateway to the Columbia River Gorge"

AGENDA

CITY COUNCIL – WORK SESSION

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

Tuesday, June 17, 2014

Immediately following the Urban Renewal Agency meeting, which starts at 7:00pm

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

1. Roll Call
2. A discussion on the sale of City property, and purchase of property.
Erich Mueller, Finance Director
3. A discussion on relocating council meetings and municipal court to the Police Facility Community Room.
Craig Ward, City Manager
4. Adjourn

Doug Daoust, Mayor

Dated: 6/10/14

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.



CITY OF TROUTDALE



STAFF REPORT

SUBJECT / ISSUE: Potential Real Estate Transactions and Public Meeting Requirements.	
MEETING TYPE: City Council Work Session	MEETING DATE: June 17, 2014 STAFF MEMBER: Erich Mueller DEPARTMENT: Finance
ACTION REQUIRED Information/Discussion PUBLIC HEARING No	ADVISORY COMMITTEE/COMMISSION RECOMMENDATION: Not Applicable Comments:
STAFF RECOMMENDATION: none	
EXHIBITS: none	

Subject / Issue Relates To:

- Council Goals
 Legislative
 Other (describe)

Issue / Council Decision & Discussion Points:

- ◆ Public Meeting requirements for potential real estate transaction discussions
- ◆ Conditions for allowable Executive Sessions on real estate
- ◆ Requirements for purchase and sale of real estate

BACKGROUND:

Council has expressed the need to have a discussion on various possible real estate transactions including considering the future use or sale of the old Police Department site, old City Hall, and the possible purchase of parcels across from the new Police Facility.

Reviewed and Approved by City Manager:

ALLOWED FRAMEWORK FOR REAL ESTATE DISCUSSIONS:

The public meeting law allows for a rather narrow circumstance to discuss real estate transactions in executive session, general principal states that “[t]he Oregon form of government requires an informed public aware of the deliberations and decisions of governing bodies and the information upon which such decisions were made. It is the intent of ORS 192.610 to 192.690 that decisions of governing bodies be arrived at openly” (ORS 192.620).

Real estate considerations must be discussed in a normally noticed and open public meeting, including the discussions of any “possible” purchase or sale, general real estate polices, and long term space needs. This includes the discussion and decision, to start the negotiation process to **purchase** a specific property. Further purchase of property must be found to be a necessary and appropriate public purpose. Real estate for investment, or speculation, purposes is fine in the private sector, however, it does not qualify as a legitimate public purpose.

There are additional steps required for **sale** of City real estate. Prior to making any City owned real estate available for sale, a public **hearing** with a public notice published in the newspaper, which includes specific disclosures, is required. Specific findings have to be reached concluding the property is surplus and no longer serves a public purpose.

The law allows for the Council to meet in executive session “*To conduct deliberations with persons you have designated to negotiate real property transactions.*” ORS 192.660(2)(e). The Attorney General’s Public Records and Public Meetings Manual stresses that “*The executive session must be limited to discussions of negotiations regarding specific real property and may not include discussion of a public body’s long-term space needs or general policies concerning lease sites.*” In short, these executive sessions are limited to when there is an offer, or counter-offer, on the table, for a specific pending real estate transaction. Further, as with most executive sessions the media may attend, and as is always the case no final decisions can be made in executive session.

Lastly, the public records law applies to real estate appraisal information which can only be exempt from public disclosure for pending **purchase** of a specific property by the City ORS 192.501(6). Any real estate appraisal information on City owned property **is not** exempt from public disclosure, even in a pending sale transaction.

SUMMARY:

The above requirements would result in more than one Council work session prior to reaching the circumstances which allow for an executive session on any specific real estate transaction.



CITY OF TROUTDALE

MEMORANDUM

TO: Mayor and City Council

FROM: Craig Ward, City Manager *CW*

DATE: June 12, 2014

RE: Relocating Council and Municipal Court Meetings to the Police Facility Community Room, or Court to the City Conference Building

I asked staff to consider issues associated with moving either or both the Chambers and Municipal Court to either the Police Community Room (PCR), or the Court only to the City Conference Building (CCB). The following summarizes my findings of the principal considerations:

1. Saving money by not renting the downstairs (217 E. Historic Columbia River Hwy): Currently our lease for City Hall assumes the rental of both upstairs and downstairs. I spoke with Sue O'Halloran (the rental agent for Max Maydew), and the two spaces are considered one building, which he is very reluctant to separate. Our current lease is for another year, and we could propose different terms should we renegotiate next year, but it does not appear prudent to anticipate any savings from not using the lower level.
2. Cameras & AV: East Metro Media (EMM) is prepared to move the existing cameras and recording/transmitting equipment to the PCR at no charge, though we do not yet know when that could occur. We are not yet sure where the recording booth (where the EMM staff physically sits) would go. There is a storage room in the PCR, but Scott tells me it is fully utilized for storing the tables, chairs and mats. We might be able to put it in the CCB next door, but that hasn't yet been confirmed or priced. In addition, the audio-visual setup in the PCR is awkward for Council meetings and should thus be revised, at an unknown cost.
3. Planning Commission: If we move the cameras permanently, that means that Planning Commission meeting should also be relocated to the PCR, or we will have to leave the current system in the current Chambers and purchase new cameras and control equipment in the PCR. Alternatively, we could stop televising PC meetings, which may be a viable option.
4. Setup/teardown: Since the Police use the PCR room for training, setup and teardown will have to occur before and after each meeting, which takes a considerable effort just for the microphones, not to mention the tables and chairs. I asked EMM whether we could use wireless microphones and they responded that *"The idea of using wireless microphones is untenable as each microphone would need a transmitter of a different frequency so as not to interfere with each other. You would also need a receiver for each mic. The reliability of that type of system would be spotty at best because of radio frequency interference and the*

constant need for battery replacement. The current microphones with the switches on them would not work with any wireless system.” Considering that Court meets on Mondays, staff would have to set up the room either early on Monday or late on Friday, and tear it down immediately afterward; potentially requiring overtime. Admittedly, that is only once per month. However, when you add Council and Planning Commission meetings we will have at least one meeting per week. The estimated average time for setup and teardown is two hours per meeting. Setup and teardown won’t always require overtime, but will be a regular drain on Facilities, the Recorder and the Court Clerk just for setup and tear down; not to mention transporting files, recorders, etc.

5. Copy Machine: Access to the Police copy machine is behind secured doors, which could be a logistical and/or security challenge. Currently the Recorder (or Planners) simply run upstairs to City Hall, but that won’t be as practical at the PCR.
6. Customer Service & Staff Morale: Customer service for Court is a particular problem because people frequently pay their fines immediately after court, as well as stop in at City Hall before and after Court to ask questions and get direction for Court operations. Since the Cashier processes fine payments, we will have a regular shuffle of customers going back and forth to City Hall. Perhaps, if we can’t get out of the lease of the City Hall lower level, we might consider just operating Court there. I realize that would frustrate the businesses who don’t like court customers, but I have been specifically asked to let you know that moving Chambers and Court to the PCR will have both customer service and staff moral impacts. We might be able to move the Cashier one day a month to the PCR, but that would only solve the immediate payment problem and not the Q&A inefficiency and presence of court clientele at City Hall.
7. Planning & Building: If we can’t get out of the lease of the downstairs but move the Chambers and the Court to the PCR, we could move Planning and Building downstairs, which has some advantages (occasionally their customers have to run to City Hall to make cash Planning and Building payments to the Cashier, though we let them make credit card and check payments now at the remote location). It wouldn’t save us any money, of course, but the Parks staff would be happy to get their old digs back, and the inefficiencies caused by having the Planning & Building staff so remote from City administration would be improved.
8. Security: Currently public access to the PCR is limited. The lobby and doors to the PCR foyer are out of direct sight, so they are almost impossible to monitor. The doors lock after business hours, so we will undoubtedly have instances where the doors are locked despite a public meeting occurring, and staff will have to trudge out to let people in if we hear them knocking, or the public meeting act will be violated. Currently the Police let us in and lock up after each meeting there, but we will have to find a better way if we meet there once a week. We would probably have to issue building keys to Debbie, Sarah, Paula, and Planning staff for a start (I already have one), as well as others once the pattern becomes established and other groups also ask to meet there regularly.
9. Jury Room & Judge: While it only happens a few times a year, there is no jury room in the PCR. If the PCR was the Courtroom, I expect we would use the CCB for Jury deliberations. The current situation is also not ideal either (we use the 321 Conference Room that is not ADA compliant). Likewise, there is also no judge’s chambers in the Police facility (or City Hall), though the vacant Attorney office is potentially available.

These just remind us why we need a new City Hall.

A more detailed list of advantages and disadvantages of relocating the Chamber or the Court to either the PCR or CCB is provided below.

Advantages of PCR for Chambers and Court:

1. The room is larger and more comfortable for the Council and citizens:
 - The current Chambers/Court room is 20.5' x 40' = 820 sqft
 - The PCR is 22.5' x 43' = 967sqft
2. Good parking is available, including handicap spaces.
3. Area security is improved due to Police proximity – including LEADS info.
4. The bus stop on Buxton is adjacent to the entrance.
5. Traffic noise on Buxton is less disruptive than the passing train.
6. More public restroom capacity is available.

Disadvantages of PCR for Chambers and Court:

1. Assurances to the public that the structure would not be used as a City Hall is problematic.
2. Equipment (chairs, tables, microphones) may not be able to be left out permanently as this room's primary purpose is for police training. Permanently installing the equipment would be a cost for the electrical wiring (unknown at this time).
3. No designated room for the Metro East Community Media folks and their equipment (unless wiring was punched through to the CCB as was discussed early on in the construction of the Police Facility).
4. TV Cameras may need to be purchased. We could relocate the ones in the current Chambers, but only if the intent is to also move Planning Commission (PC) meetings to the PCR. This would tie up the room on the 3rd Wed. of each month, and sometimes the 4th Wednesday). EMM estimates that the cost of new cameras and control equipment to be approximately \$60k.
5. Ceiling mounted projector and screen are not in a location that is desirable for presentations at Council/PC meetings. Options: 1) Install a second screen and ceiling mounted projector for presentations at council meetings; 2) move the existing screen and ceiling mounted projector (probably not what the Police would want done); 3) use the existing screen and projector where they are and instead have Council dais along the north wall – this would allow the Council/PC and audience to be able to see the presentation and the Council/PC wouldn't have their backs to the audience; 4) alternatively, a portable screen and projector could be set up and taken down for each meeting. The proposed cost for these for the initial construction of the PCR was between \$5,000 and \$10,000 dependent on the cost of additional conduit, wiring and installation cost.
6. Set-up and tear down before and after meeting is not an efficient use of staff time. (tables, chairs, all equipment).
7. Transporting items back and forth between buildings (extra packets and agendas, recorder, extension cords, sign-in sheets, pens, cups, water, etc.) will take considerable staff time, and will be a particular challenge during bad weather.
8. No separate room for Council for executive sessions, or for meals on work session nights.
9. No copier is available for staff to use during a meeting if additional copies were needed.
10. Security is problematic as lobby doors would need to be unlocked during public meetings, so anyone can enter the building. While occupying the PCR there is no way to see who is in the lobby; some will be there for police business (like the man who pulled the handle off of the door to come and get his possessions that were taken from him earlier when he was arrested). After-hours access to public meetings is also problematic.
11. The hand dryers in the restrooms are noisy and distracting, particularly for recordings.

12. No cashier is available for Court payments, necessitating inconvenient customer transit to City Hall.
13. Moving will require notifications of address changes for citations, signage and correspondence, and the addresses for court offices will differ from courtroom for payments and court contact.
14. PCR would not be unavailable for Police training or EOC on Mondays for Court (or Tuesdays following a Monday Holiday), or whenever Council/PC meetings occur.
15. The PCR was designed to be used as an Emergency Operation Center (EOC) for any long term weather or natural disaster. If occupied for such an event, public meetings and court would be displaced.
16. Additional expense to provide panic buttons.
17. Additional foot traffic in the records lobby and inquires at the counter may cause Police records staff more work flow interruptions.
18. Land use considerations may arise, particularly for parking.

Advantages of CCB for Court:

1. The central meeting space is flexible and large enough.
2. The small conference room is available to stage & sequester the jury.
3. Reduces but does not resolve the concern of the downtown merchants of having court in the downtown area – court clients will still be coming to City Hall to ask for directions to court, to make payments and to speak to the court clerk. It will however address the larger group of folks lingering in the back side of downtown businesses waiting for court to start.
4. The bus stop on Buxton is adjacent to the entrance.
5. Traffic noise on Buxton is less disruptive than the passing train.

Disadvantages of CCB for Court:

1. HVAC is inadequate.
2. Restrooms are not ADA-compliant without significant improvements
3. No physical security.
4. Parking lot pavement needs repair.
5. Limited parking.
6. A secured location is required to lock up tickets between court sessions (LEDS, requires anyone in the building who could have access to LEDS info. to be fingerprinted).
7. Set-up for court sessions will require staff time.
8. May require additional wiring for internet access for a computer (so cases can be looked up if needed), but there is already internet service in the building.
9. No court records access; all files will be at City Hall.
10. No cashier is available.
11. Moving will require notifications of address changes for citations, signage and correspondence, and the addresses for court offices will differ from courtroom for payments and court contact.
12. CCB activities would be displaced for Court on Mondays, or Tuesdays following a Monday Holiday.
13. Transporting court documents and forms to and from City Hall will be a continual drain on staff and particularly inconvenient during bad weather.
14. Additional expense to provide panic button, telephone jacks/speaker phone for trials, etc.
15. Mixing Court and Recreation clientele diminishes sense of security for recreation clients.