

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

Tuesday, March 12, 2024 – 7:00PM

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

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

PRESENT: Council President Ripma, Councilor Caswell, Councilor Wunn, Councilor White, Councilor Wittren and Councilor Glantz.

ABSENT: Mayor Lauer (excused).

STAFF: Ray Young, City Manager; Kenda Rimes, Deputy City Recorder; Ed Trompke, City Attorney and Erich Mueller, Finance Director.

GUESTS: See Attached.

Council President Ripma asked for agenda updates.

Ray Young, City Manager, replied there are no updates.

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

Saul Pompeyo, Ristorante Di Pompello, stated he wanted to make Council aware of the new design of Halsey Street for the new apartments. We have big ice storms in Troutdale. Halsey is very important because sometimes you cannot go up 257th Avenue and the freeway can be closed which means Halsey is the only street we can use. A problem with the apartments is that the cars cannot go up to and down from them and the tenants need to park their cars on the streets. If the new design removes parking on Halsey then we have a big problem every winter when cars from the apartments cannot go up. Keep parking in this area for the tenants of these apartments. In the winter it is very important to keep that parking.

Paul Wilcox, Troutdale resident, read a self-prepared statement (attached as Exhibit A).

Twilla Harrington, Troutdale resident, submitted a letter to Mayor Lauer and the City Council (attached as Exhibit B).

3. CONSENT AGENDA:

3.1 RESOLUTION: A resolution approving a 2nd short-term extension of the exclusive franchise agreement with Waste Management of Oregon.

MOTION: Councilor White moved to approve the consent agenda. Seconded by Councilor Wunn.
Motion Passed 6-0.

4. DISCUSSION: Gresham Fire Department Burn Ban and other suggested Municipal Code Updates.

<0:09:30>

Shawn Durham, Gresham Fire Department Fire Marshall, introduced Assistant Chief Jeff Hairston and Lieutenant Brandon Baird.

Lieutenant Baird presented a PowerPoint to Council (attached as Exhibit C).

Fire Marshall Durham explained there are 2 different things, there is backyard burning which includes debris from the property and then there's fireplaces and fire pits. They separate items. BBQs would be included in with fireplaces and fire pits. These are still allowed. The only time they are not allowed is if there is a countywide burn ban or DEQ complaints.

Lieutenant Baird continued the PowerPoint presentation.

Councilor Wunn asked how much the City currently pays.

Fire Marshall Durham replied that the City doesn't pay anything specifically for fire inspections. It's the overall IGA fire service contract.

Ray Young, City Manager, stated that back in 2007 when the fire and life safety code passed there was language that said there would be a fee to be set by Council resolution for certain fire services like inspection services, but the Council never passed a resolution setting the fees. Whatever fees that are collected would go towards the City's quarterly obligation to the City of Gresham for Troutdale's fire service.

Lieutenant Baird stated it makes it extremely difficult to gain compliance when there are no fees in place.

Councilor Wittren asked regarding the burn ban, out of the 130 complaints last year, how many were Troutdale complaint?

Fire Marshall Durham replied that it has not been broken down. A lot of those complaints are from neighbors.

Councilor Wittren stated he's curious from a small town feel of Gresham of 110,000 people versus 17,000 people in a small-town feel. Troutdale is probably a little more spaced out than Gresham. He's trying to figure out what the constituents out there want. Knowing the breakdown would have been good feedback. As far as the permit process for those people on 1 acre or bigger lots or whoever can qualify to get the permit, the permit is still up to Gresham Fire's discretion. He asked what the approval percentage is for those who apply.

Fire Marshall Durham replied that pretty much all of ag and farm get approved. There are DEQ rules they have to follow. As far as the open burn for lots of 1 acre or less, there's only been a handful that have applied in the 20 years he's been with Gresham Fire.

Councilor White stated he's Troutdale's representative for the Fire User Board. He calls the burn line to see if he can burn. Last time this was brought up 9 years ago the public came out in droves against it. He stated that to him it's a property right. He asked Chief Lewis at the last Fire User Board meeting if there were plans to do a burn ban in Troutdale and he said no. He asked if Chief Lewis is aware of the proposed ban.

Fire Marshall Durham stated Chief Lewis is aware of it.

Councilor White stated Gresham Fire has a much greater problem, which is response times. Troutdale's contract is almost up. It really isn't prudent to start cutting services or adding fees when there's only a year left on the current contract. It ruins the negotiation stance. The timing is poor. He likes to get a bonfire going during the smelt run in case someone falls in the river and also people can gather around and have a cup of coffee and warm themselves. The rules to have a fire are that it has to be 25 feet from your neighbor's property line, it can only be 6 feet in diameter and 3 feet tall, you have to have a garden hose and the person has to stand by the entire time. Troutdale has a stellar record for safety. He doesn't think the community is going to be happy with a burn ban, especially when you go to Thousand Acres or the Sandy Delta property and there's a huge homeless community out there that burns year-round. They're burning garbage and tires. He's worried about people cutting trees down if they're not able to burn debris from the trees. For older people, you have to have a truck or trailer to haul debris. It gives Waste Management and Metro a monopoly on yard debris so the price will likely go way up. Troutdale citizens still believe in property rights. Bigger polluters are high rise buildings and cars. There's nothing being done about those. If he's not allowed to burn, he's going to use his woodchipper which is going to add noise and still have the air quality problem. As far as business fees, Troutdale's businesses are struggling. They're trying to make a comeback. He doesn't want to add a fee schedule. There are very few fires in Troutdale. Troutdale has a code enforcement person that can help with calls about garbage burning.

Fire Marshall Durham stated Chief Lewis was aware of and part of the discussion about a burn ban. Maybe there was some confusion when he was asked about it. He stated he appreciates the input.

Councilor Wunn asked if there are any other cities in the State of Oregon that do not have fees associated with their inspections.

Fire Marshall Durham stated he's sure there are others. He doesn't know off the top of his head. As far as fire departments, a lot of them in the metro area have fees associated with inspections. A lot of them are calculated on square footage of the business instead of a flat fee. When he originally reworked the fee schedule years ago, the buildings would've cost a lot more to inspect if they went by square footage.

Council President Ripma asked if something else needs to be changed in Troutdale's code.

Fire Marshall Durham replied that the currently adopted fire code states the 2007 version. There is a 2022 version and the language Gresham Fire recommended changing the language to not include the code year and to include the Oregon Administrative Rule that talks about adopting the most current version, so it doesn't need to be revisited every 3 years.

Council President Ripma opened public comment at 7:44pm.

Bruce Wasson, Troutdale resident, stated this is one of those things that ought to be voted out, resoundingly voted out. This amounts to a tax on business owners because a fee is still something you pay out of your pocket. They're called fees but they're actually taxes. The burn ban is an intrusion of property rights for everybody in Troutdale. He doesn't want someone coming in and telling him he can't do something on his own property. Anytime you pay the government money for anything, it's a tax. Troutdale does not need the fees or bans.

Sheri Winters, Troutdale resident, stated she is on the PSEAC committee and the Parks Advisory Committee. She's speaking as a resident, and she completely agrees with Councilor White. She is a concerned citizen and 30-year homeowner in Troutdale. She's asking the Council to continue to allow burning. In her 30 years of living in Troutdale almost every year she has burned multiple times during the times she's been allowed to burn. It allows her to mitigate fire danger around her house. She explained that she fought wildland forest fires for 3 summers and she's a responsible person. She has never had an issue with a fire. She does recycle some yard debris, but she can't keep up with the volume that ends up in her yard. She stated that 3 sides of her property are lined with arborvitae that all belong to neighbors who do not take care of them. There is a huge amount of debris that falls into her yard and when the wind blows it's even worse. The debris also blows down the street and collects in the gutter strip of the street in front of her house. She could fill a can nearly once a week with what comes into her yard that is not from her yard. It doesn't seem right that she should get more cans and pay more when it's not her yard debris. There is talk about fire awareness and mitigating fire danger around one's house. She believes she can best mitigate the fire danger near her house if she's allowed to burn. It would be a hardship to her if a ban is implemented. She doesn't have a trailer or a truck to take things away in. It seems that the government inserts itself into people's lives more and more and takes away more freedoms. One by one, the freedoms keep being snatched.

Ryan McNaughton, Troutdale resident, stated the property he lives on has been in his family for over 100 years and they have burned every year for 100 years. He has burned every spring and every fall since he was a kid. There are giant trees on the property. If he is not able to burn, he doesn't think he can get through all of the debris that drops. If that debris dries out it would be a huge fire hazard.

Shelby Staffenson, Troutdale resident, stated she agrees with all of the testimony so far. She is not in favor of charging businesses fees for inspections.

Bob Ice, Troutdale resident, stated the wind in Troutdale prunes all the trees and leaves a lot of debris and that debris needs to be burned. He gets debris from the neighboring city park, and he burns it with his yard debris. It's too much debris for a trash can.

Stafford Winters, Troutdale resident, stated he is a 33-year resident of Troutdale, and he thinks everybody should have the right to burn on their own property.

Saul Pompeyo stated he pays insurance on his restaurant business and his insurance does inspections and sends it to Gresham Fire.

Tanney Staffenson, Troutdale resident, asked when the ban would go into effect.

Council President Ripma stated he doesn't know. This is just a discussion item tonight.

Tanney Staffenson asked if there was public outreach and if the Citizens Advisory Committee had a discussion. He stated that citizens should be notified of a possible ban. He isn't able to put all of his yard debris in a small recycling container.

Rich Allen, Troutdale resident, stated it seems like more of a political concern than a fire concern. One might say a political solution looking for a problem.

Council President Ripma closed public comment at 8:13pm.

Council President Ripma stated he has lived in Troutdale for over 30 years, and he's always been against the burn ban.

Fire Marshall Durham stated that the inspections are not for new construction. He is talking about the Oregon Fire Code Annual Fire Safety Inspections which is different from new construction inspections. Troutdale's current code already has the up to one fire inspection per year can be conducted for a commercial business. The fee schedule is what hasn't been adopted. The fire inspection is looking at life safety hazards and looking at exits, lighting, wide enough doors to get out, door hardware, etcetera along occupancy type and the number of people approved. Troutdale falls under DEQ's rules because there is nothing in their current code as far as any requirements for backyard burning.

Ray Young stated all cities are subject to DEQ, regardless. Currently, DEQ gets to decide when Troutdale gets to burn. There is a mapping tool on DEQ's website that tells you when you can burn and when you cannot burn. As far as the fee schedule, any fees paid do not benefit the Gresham Fire Department. The fees paid go to the Troutdale General Fund essentially and pay down the obligation to the Gresham Fire under the current contract. Currently the General Fund subsidizes all the inspections that happen. The General Fund pays for it. All citizens pay for every business to get inspected. The fees represent a cost for the service. Currently there are no fines for false alarms. There are no abatement fines currently. Some fines should be put in place and Troutdale needs to update to current codes.

Councilor White stated that the Public Safety and Equity Advisory Committee should look over the fees for the fee schedule.

Ray Young stated his understanding is that Council would like to think about the burn ban and the fees schedule and have staff come back with an ordinance change for updating the code. He suggested PSEAC look over the fees schedule.

Councilor White asked to get an article in The Champion regarding the burn ban discussion.

5. UPDATE: An update on the Urban Flood Safety and Water Quality District (UFSWQD) Capital Funding.

<1:34:42>

Council President Ripma stated he has been serving as the City's representative on the UFSWQD, as has Erich Mueller. Erich is going to make a report on updating the funding package.

Erich Mueller, Finance Director, gave a brief overview of the staff report and presented a PowerPoint (attached as Exhibit D).

Council President Ripma stated the Council is being invited to endorse and request that people vote for a General Obligation bond for \$150 million that will be spread over the entire urban flood district. There is going to be a cost, a tax. There's at least \$100 million in federal funding that the district needs to match in order to get the federal funding. They will be asking the state to kick in another \$45 million. He stated he is in favor of this bond. It's a capital bond and there is matching federal funds. There is no tax compression that takes place like with the other funding mechanisms.

Councilor Wittren stated as a Council to endorse a bond and then earlier talking about a fee schedule for Gresham Fire and this next year there will be an ask for potentially joining a fire district and another bond. There's a lot of potential for the community. It's tough to say yes right away with other looming bonds. It's about priorities and everything can't be a priority.

Councilor Wunn asked if this covers upkeep.

Ed Trompke, City Attorney, stated this is to endorse a general obligation bond. A general obligation bond can only be used for capital programs. It can't be used for routine maintenance. Every project that gets paid has to have a fairly substantial long life. It's not a year-to-year maintenance sort of thing.

Council President Ripma opened public comment at 9:16pm.

Tanney Staffenson, Troutdale resident, stated he has served on the Sandy Drainage Improvement Company since 2015 and he presently serves as Chairman of that organization. He serves as Co-Vice Chair of the Urban Flood Safety and Water Quality District Board. There is a lot of change in 100 years. There's a whole new set of standards of Hurricane Katrina and climate change, social justice, equity and he doesn't know if all these things were talked about 100 years ago. The levee is a pretty technical piece of equipment. A pump is \$4 million. It costs a lot to do all the work and it costs way more than it used to. He stated he took 23 businesses, including Amazon and Shari's Restaurant and a number of others in the mix. Presently, those businesses are paying today about \$965,000 between the Sandy Drainage fees and the city stormwater fees and what the bond would cost. That's what 23 of the businesses would be paying. To give some context, next year their tax bill to the County will be about \$8.1 million. He stated he will do everything he can to control costs. The work will need to be done. The pump station needs to be rebuilt regardless.

Shelby Staffenson, Troutdale resident, asked when the accreditation happens.

Erich Mueller stated it's his understanding is the accreditation process will occur probably about 5 years out from now.

Sheri Winters, Troutdale resident, stated contrary to what's been said, she does not believe that government actually makes money, they just spend it. When she hears that a general bond is going for Troutdale and that there's a federal match and money from the state, she's opening her pocket for 3 different people. She keeps thinking about one of the last times Troutdale asked for some big bond. It was for the police building and a police department of which evaporated becoming MCSO.

Woodrow Terrell, Troutdale resident, stated it sounds like some of the items like the pump and other mechanical features might have some historical value perhaps. Maybe this is an opportunity to use old, discarded equipment to educate and share the history and remember it and what it takes to keep citizens safe.

Carol Allen, Troutdale resident, stated she thinks a levee is important, but she is really concerned about the taxes that keep being imposed on Troutdale citizens. She's afraid that she's going to be taxed out of her home, and she's been in Troutdale for 20 years.

Council President Ripma closed public comment at 9:31pm.

Council President Ripma stated his opinion is that the taxes that are used for something like this that protects people's property, jobs and infrastructure is good. It's important and a valuable use of tax money.

6. RESOLUTION: A resolution of the Troutdale City Council declaring it's support of the \$150,000,000 Bond Measure to upgrade levees, floodwalls, water pumps and natural floodplain restoration, brought by the Urban Flood Safety and Water Quality District, Measure 26-243.

MOTION: Councilor Wittren moved to approve the resolution of the Troutdale City Council declaring it's support of the \$150,000,000 Bond Measure to upgrade levees, floodwalls, water pumps and natural floodplain restoration, brought by the Urban Flood Safety and Water Quality District, Measure 26-243. Seconded by Councilor Glantz.

VOTE: Councilor Caswell – Yes; Councilor Wunn – No; Councilor White – No; Councilor Wittren – No; Councilor Glantz – Yes and Council President Ripma – Yes.

Motion failed 3-3.

Ed Trompke stated the reconsideration rules, if he remembers correctly, would allow at the next Council meeting anyone could change their vote to the other side and then become part of the prevailing group and ask for reconsideration if they wanted.

7. RESOLUTION: A resolution calling for urgent ambulance staffing model reform in Multnomah County.

<2:36:42>

Ray Young gave a brief overview of the staff report.

Councilor White stated to him, it's just another symptom of the bad decision of HB110, which legalized drugs. He agrees that one paramedic on the road is enough.

Councilor Wunn stated he thinks it's more important for people to have medical care get to them and get them to a medical facility that's appropriate in a more reasonable amount of time than holding to the higher standards that only Multnomah County is trying to achieve.

Councilor Wittren stated that it's bad on AMR for signing such a contract. They entered into the contract. There needs to be some sort of penalty to AMR, but that's up to the County or AMR to figure out. It is affecting community safety at this point. He supports the resolution to show the Council's support to get this changed. The public shouldn't have to suffer.

Council President Ripma opened public comment at 9:45pm.

Woodrow Terrell, Troutdale resident, stated he wants the best outcome for people needing an ambulance. He thinks the two paramedic rule is unnecessary. It's not just AMR, it's the process of schooling and getting the paramedic students into the system.

Council President Ripma closed public comment at 9:49pm.

Ray Young read the resolution calling for urgent ambulance staffing model reform in Multnomah County.

MOTION: Councilor White moved to approve the resolution calling for urgent ambulance staffing model reform in Multnomah County. Seconded by Councilor Glantz.

VOTE: Councilor Caswell – Yes; Councilor Wunn – Yes; Councilor White – Yes; Councilor Wittren – Yes; Councilor Glantz – Yes and Council President Ripma – Yes.

Motion passed 6-0.

8. DISCUSSION: A discussion of County's plans for changes to 257th Avenue.

Ray Young stated this is an agenda topic suggested by Councilor White and there are 2 Multnomah County employees, Emily Miletich, Engineering Services Manager and Stephen McWilliams, Engineer, joining via Zoom.

Councilor White stated he was invited on the road tour of the section of 257th under question and there was a presentation from the County and a lot of the stuff brought up on the tour landed on the cutting room floor. He brought up the changes to Senator Gorsek and Representative Zach Hudson when they visited Council a while back. He was concerned about widening the bike lanes, shrinking the driving lanes and eliminating one freight lane. Senator Gorsek had not heard anything about it, and he asked Council to write him a letter, so he has something to go forward with to the County. He stated that Senator Gorsek is the Co-Chair of the Transportation Board.

Councilor Wittren stated Councilor White has some genuine concerns. The truck traffic that goes from I-84 to 26 is pretty significant and if the lanes are narrowing, it's a concern. He stated he would like a thorough study of what that impact could be.

Council President Ripma stated it is his recollection that Multnomah County came and presented to Council what they're going to do and did not really invite opinions or thoughts from Council. It's Multnomah County's road and they're going to do it and he's speculating that they

really didn't care too much what Council thought, and he's worried about it. He likes the idea of Council sending a letter to Senator Gorsek.

Emily Miletech stated she oversees this project for Multnomah County. She stated that the County is not taking away any lanes in the mentioned section of 257th. It will remain a 2 lane in each direction with a center turn lane. In some sections there are lanes that are about 12 feet wide, and the County will be making those consistent throughout the corridor at 11 feet wide. Currently there are sections of 257th north of Cherry Park that are 11 feet wide. The main driver behind this is they heard from the community through walking tours, public outreach and surveys that speed and safety were major concerns on the 257th corridor. One of the benefits of doing the lane reductions is actually that it helps to slow down traffic.

Stephen McWilliams stated the County isn't changing any lane allocation, it's only south of Cherry Park where the travel lane would go from 12 feet to 11 feet. The change fits within the design criteria of all 3 national standards as well as County standards and ODOT blueprint for the urban design manual. 257th conveys a high number of vehicles per day and they would not be able to take away any lanes and still convey that amount of traffic. This is an effort to lower speeds on 257th.

Emily Miletech stated that the 11-foot lanes will still be adequate room for truck traffic. There will be no sort of restriction in which lane the trucks can use or not use.

Council President Ripma opened public comment at 10:07pm.

Shelby Staffenson, Troutdale resident, speaking on behalf of PSEAC, stated they had a meeting last week and they prepared a statement. The PSEAC had a presentation from the County on February 1, 2024 regarding the upgrade plans for 257th. The committee had many questions and concerns and as a follow-up the County provided documentation for the reasoning behind some of the proposed upgrades. Based on the committee's concerns, they are asking the Council to take action on the subject. Some of the committee's concerns are the documentation contradicting the narrowing of lanes in a freight corridor, narrowing lanes impedes safety vehicles, the crosswalks don't take into account a holistic approach and no data collected on bike usage or a bike traffic study. The County replied with, street sections with lane width of 11, 12 or 13 feet in urban settings with a 20 to 25 or 30 to 35 mile per hour speed limit that do not serve as a transit or freight corridor should be considered first for lane width reductions. She stated, in her opinion, looking at the crosswalk that they're proposing at 17th, it might be convenient for the students but it's between Cherry Park and Hensley. She can see stopping there like crazy. It's not a very far distance. The other crosswalk at 28th, she doesn't know why 25th wasn't considered because 28th is awfully close to Stark.

Sheri Winters, Troutdale resident, stated she lives only a few blocks away from 257th and she drives it daily seeing big trucks in all lanes. She was in the surveys and the walking tours, and she gave her input when she could. The County said they would keep her up to date as things came through and she never heard from them, and they had all her information. On the walking

tour they talked about the problems with the obstruction in the sidewalks, the overgrowth, the debris and how it isn't wide enough. They also talked about the bike lanes that are riddled with debris and the water drains that are in the way for bikers. They talked about signs being blocked from overgrowth. They also talked about potholes, street noise and the crosswalks that were so far apart. The survey asked questions, but the County never mentioned anything about lane narrowing. She mentioned that over the 30 years that she has lived in Troutdale, the volume of traffic on 257th has increased. She has ridden a bike for nearly 20 years and in the early years she rode on 257th, both north and south, and the speed limit was faster and yet she was not bothered by riding it. After some years, the increase in the volume of traffic and the debris riddling the bike lane made riding her bike unsafe on 257th. Debris in a bike lane is especially dangerous for a road bike. Currently, the County doesn't sweep often enough and at the meeting they couldn't provide the schedule for street sweeping. Sweeping would probably be required weekly in a freight corridor to make it be bike friendly. Not every road needs a bicycle lane. She encouraged Council to reject the County's proposed plan.

Woodrow Terrell, Troutdale resident, stated he has a 5th wheel that is 102 inches wide and he's not that great at pulling it yet. Shrinking the lanes on 257th terrifies him. He thinks that shrinking the lanes would have a significant impact on return visitors. He stated the bike lanes are hammered and need maintenance.

Taney Staffenson, Troutdale resident, stated it seems like this is being done for a very small section of road. He stated he remembers a conversation where the County had said they were going to come out and do improvements to 257th. He asked if this is what they were talking about. He has talked to a lot of people in the trucking industry, and they have said it doesn't matter how wide the lane is, if there's a bicyclist on the right side, they're going to go to the left lane. When he did the walking tour and there were maintenance issues with weeds, blackberries, grass, broken sidewalks and raise sidewalks and it's not really up to a standard that all would appreciate. He asked what the maintenance plan is for the proposed changes. It would have been great if citizens were told on the walking tour that the County was going to shrink lanes. He stated that some of the studies the County did that they referenced in their report were done in California like Santa Monica and Los Angeles.

Rich Allen, Troutdale resident, stated he has his CDL, owns semi-trucks and has driven trucks and trailers up and down 238th and 257th. 257th is the preferred route for many truckers because it's a smoother grate. Narrowing lanes is dangerous and he's not in favor of the changes.

Paul Wilcox, Troutdale resident, stated his major issue with the change is the SW 17 Way enhanced crossing. He's done some measurements using Google Maps with that stretch of 257th. It's a ¼ mile between Cherry Park/16th and Hensley and the 17th Way crossing would be just slightly north of midway so you're looking at only 1/8 of a mile between Cherry Park/16th and SW 17th. When Reynolds High School gets out, southbound traffic will be stopped right after they pass Cherry Park, and you have school traffic turning right off Cherry Park onto south 257th. For that period of time, it's going to be total gridlock as far as he can foresee. Plus, the fact that there will be 2 fully signaled intersections at Cherry Park/16th and Hensley. Why put

another signal in between the two of them? Another thing about the 17th crossing is the eastern terminus doesn't continue to the east, it T's at the crosswalk on 257th. If a student wants to continue east, they're going to have to divert either north to 16th or south to Hensley. Another aspect of the 17th crossing is that 257th northbound takes kind of a slight left sweeping curve there towards the high school and he's seen 2 cars crashed into the field just south of the medical offices there at 16th & 257th. They don't make that curve; they go straight and right over the top of where there's a Troutdale well head. It's not a safe place for pedestrians to be finishing their walk across the crosswalk. He also has problems with bike lanes on 257th. He doesn't think the bike lanes can be made wide enough to make them safe. He stated if he's passing a bicyclist in the bike lane and he's in the right travel lane, he's not going to pass that bicyclist, he's going to move over to the left lane because there are double and triple trailers traveling through there.

Council President Ripma closed public comment at 10:35pm.

Council President Ripma stated he wishes the County would reconsider but he doesn't know how to convince them.

Councilor White stated it's his hope is that it would not hurt to get Senator Gorsek involved since he is the Co-Chair of the Transportation Committee. He would like staff to write a letter from council to Senator Gorsek.

Council President Ripma directed staff to write a letter to Senator Gorsek.

9. UPDATE: Public Safety Services Delivery Working Group.

Ray Young stated the PSWG met on March 4th and the primary topic was fire. A number of action steps came out of that meeting. They wanted to explore the opportunity to find out what it would cost to create a Troutdale/3 cities fire department which was explored a little bit in the 2014 PSU study. He is going to find a consultant to work on that. They wanted more information on how a fire district works so Mike McKeel who is on the Board at Fire District 10 is going to the next PSWG meeting to answer questions about how fire districts work. He is going to reach out to ECON Northwest who did an economic analysis for Gresham in May of 2022 regarding financial impacts of a fire district to ask them if they could do one just for Troutdale. He will be attending a Fire District 10 board meeting to update them on things that the City is thinking of in Troutdale and getting their thoughts about potentially going back to Fire District 10. He is going to see if he can get some information about Gresham's intentions. They have ignored requests to talk about the issues about fire districts and renewing Troutdale's contract with them. He is going to search out a consultant who can help understand what the steps and process would be if Troutdale were to refer a measure to the citizens to join a fire district. The next PSWG is April 8th and hopefully he will have more information before the April 9th Council meeting.

10. MOTION: Mayor's Nomination of Councilor Wunn to replace Mayor Lauer on the Public Safety Services Delivery Working Group (PSWG).

MOTION: Councilor Wittren moved to have Councilor Wunn replace Mayor Lauer on the Public Safety Services Delivery Working Group. Seconded by Councilor Wunn.

VOTE: Councilor Caswell – Yes; Councilor Wunn – Yes; Councilor White – Yes; Councilor Wittren – Yes; Councilor Glantz – Yes and Council President Ripma – Yes.

Motion passed 6-0.

11. STAFF COMMUNICATIONS

Ray Young provided the following staff communications:

- Next Planning Commission meeting is March 13th, and they will be looking into the conditional use permit for the new indoor pickleball court at the Troutdale Marketplace.
- Due to spring break, the 2nd Council meeting of March will be cancelled.
- Next Council meeting is April 9th
- April 15th and 17th Budget Committee meetings

12. COUNCIL COMMUNICATIONS

Councilor White stated the smelt came in the Sandy River and they are still running. It's a huge run and he's disappointed that the State wouldn't open it up because they were concerned about the salmon smolts in the river. There's no by catch. He has never seen a salmon smolt get caught. He would like to meet with someone who could discuss the issue of not letting people fish for smelt.

13. ADJOURNMENT

MOTION: Councilor Wittren moved to adjourn. Seconded by Councilor Wunn. Motion passed unanimously.

Meeting adjourned at 10:43pm.



Randy Lauer, Mayor

Dated: May 20, 2024

ATTEST:



Kenda Rimes, Deputy City Recorder

[illegible]

March 12, 2024 City Council Regular Meeting - Zoom Guest

Name (Original Name)	User Email	Join Time	Leave Time	Duration (Minutes)
Troutdale Conferencing	troutconf@troutdaleoregon.gov	3/12/2024 18:46	3/12/2024 22:45	239
MetroEast		3/12/2024 18:46	3/12/2024 22:45	239
Troutdale Conferencing	troutconf@troutdaleoregon.gov	3/12/2024 18:47	3/12/2024 22:45	239
Paul Wilcox		3/12/2024 18:49	3/12/2024 22:45	236
speaker table		3/12/2024 18:50	3/12/2024 22:45	235
Mary Howell		3/12/2024 18:52	3/12/2024 19:00	9
Jordan Wittren		3/12/2024 18:54	3/12/2024 22:45	231
E. Mueller		3/12/2024 18:55	3/12/2024 21:36	161
Geoffrey Wunn		3/12/2024 18:56	3/12/2024 22:45	229
Sandy Glantz		3/12/2024 18:58	3/12/2024 22:45	227
Glenn White		3/12/2024 18:59	3/12/2024 22:45	226
Troutdale Conferencing	troutconf@troutdaleoregon.gov	3/12/2024 19:00	3/12/2024 22:45	225
Alison Caswell		3/12/2024 19:01	3/12/2024 22:45	224
Jim K		3/12/2024 19:03	3/12/2024 21:39	156
Allen		3/12/2024 19:06	3/12/2024 22:45	220
Jay Ellis		3/12/2024 19:07	3/12/2024 20:35	88
Carol Reynolds		3/12/2024 19:09	3/12/2024 22:45	217
Stephen McWilliams, Multnomah County		3/12/2024 19:59	3/12/2024 22:37	159
Jacinta		3/12/2024 19:59	3/12/2024 22:37	158
Shelley		3/12/2024 20:01	3/12/2024 21:45	104
Emily Miletich, Multnomah County		3/12/2024 20:04	3/12/2024 22:37	153
Mary Howell		3/12/2024 20:17	3/12/2024 22:45	149
Shelley		3/12/2024 21:47	3/12/2024 22:37	51

Exhibit A

March 12, 2024 Council Meeting Minutes

Mayor and Councilors,

This is an issue I raised with the CAC at their meeting last week not so much for them to address but to be aware of. Their chairperson had resigned entirely from the committee, so there was a vacancy in that position.

The Troutdale Municipal Code does not specifically address how a chairperson vacancy will be filled. That was the third chairperson resignation in the last year, two in PSEAC and one in CAC. During the first PSEAC vacancy the vice-chair called for an election of both chair and vice-chair. In the second PSEAC chairperson vacancy the vice-chair automatically assumed the position of chair and a new vice-chair was elected. This is an indication that the TMC as written provides inadequate guidance as to how to address committee chairperson vacancies.

Another factor to take into consideration is the restriction that no one can be chairperson of more than two committees. On that basis, it might be advisable to not allow that person to be vice-chair on any other committees because they would be ineligible to assume a third chairperson position.

It should also be made clear to anyone accepting a vice-chair position that they could become the full-time chair at any time, and would remain so until the end of the term. There's a difference between filling in occasionally and assuming the responsibilities of chairperson for the balance of a term.

While I'm on the subject of committee-related language in the TMC, I might as well address another aspect that I've been aware of for quite awhile, and have probably mentioned in the past. Under 2.20.020 F. it states: "Unless otherwise specified in the law or action creating the committee, a member's term on the committee shall expire on June 30th of the year the member's term has been designated to expire. If no qualified successor has been appointed as of that date, a member's term shall continue until the member's successor is appointed and qualified." If there are an insufficient number of applicants this could result in someone's name being retained on the committee rolls who had no intention of continuing as a member, and could create a scenario where quorum could not be met to hold a meeting.

By the way, staff and the CAC vice-chair chose the model of having the vice-chair assume the chair's position, and electing a new vice-chair. This is probably the preferable procedure, but I'd still like to see it spelled out more clearly in the code.

Submitted by:

Paul Wilcox

Troutdale

Exhibit B

March 12, 2024 Council Meeting Minutes

March 9th, 2024

Dear Mayor and Council,

I am Twilla Harrington a resident of Troutdale and providing public comment on agenda item 4.
Discussion: Gresham Fire Department Burn Ban and other suggested Municipal Code Updates specifically Exhibit A.

I am in support of following Oregon DEQ burn days guidance. The proposed code updates would not allow for citizens to use a fire pit, or other small contained devices for outdoor recreation on their property. This burn code makes sense for the metropolitan area and the small towns sandwiched between us. Troutdale has many areas that are not high density and small contained fires do not provide the same risk level when burning in accordance with DEQ guidelines.

When considering this code I would offer that language should be included around size of fires, permissible fires, and call outs for use of recreational fire pits, outdoor smokers (which also can produce considerable smoke) and residents whom use fire as a means of preparing food.

Thank you for your consideration.

Twilla

Twilla Harrington
492 se 4th St
Troutdale, OR
Twilla_harrington@yahoo.com



Recommendation to Ban Backyard Burning and adopt the current Oregon Fire Code including Life Safety Inspection Fees

LOOKING FOR CITY COUNCIL TO CONSIDER
CREATING CODE LANGUAGE THAT IS IN LINE
WITH OUR OTHER CONTRACT CITIES

The City of Troutdale currently allows backyard burning on any DEQ approved burn day

Unlawful burn restrictions were placed in local codes in 2007 to improve air quality and support a healthy living environment for our communities. These restrictions were not previously adopted by the City of Troutdale.

The Gresham, Fairview, and Wood Village burn restrictions previously allowed 10 backyard burn days in the spring and 10 days in the fall and was considered temporary, which would allow our citizens to adjust to recycling their yard debris.



What would a ban mean? The backyard burn ban would mean that your citizens would need to resort to recycling their recyclable debris. All local garbage collectors offer debris recycling currently. For larger loads we have a public yard debris recycling business on Marine Drive. Residential properties with more than 1 acre can apply for an Open Burn permit. This will be reviewed prior to approval. Agricultural Burn Permits for farms and nurseries are still an option for those customers.

Why is a ban needed? Our communities have become denser with new subdivisions, infill development, and smaller lot sizes. Smoke tends to “settle” in housing tracts, which causes respiratory and air quality concerns for some citizens. Backyard burning complaints have continued to increase in the last few years. GFD responded to 130+ backyard burning complaints in the last year.

Who would the ban affect? The ban will affect the citizens that still believe burning of debris is the most efficient way to remove yard debris from their property. However, with a variety of recycling options available the burden will be lessened.

Who else has banned backyard burning? The Cities of Gresham and Fairview have both banned backyard burning. Fairview will allow one more burn season in March 2024. The proposed ban is also being taken to the City of Wood Village on February 13, 2024 .

Who would be responsible for enforcement? Gresham Fire and the Department of Environmental Quality would both oversee enforcement.

New Troutdale Municipal Code Language Backyard Burn Ban

The Gresham Fire Department recommends new backyard burn ban language as shown herein.



Proposed Backyard Burn Ban Municipal Code Language to be included in Chapter 15.35.xx– Fire and Life Safety Code

Unlawful Burning

No person may:

- A. No person may burn yard debris or any type of material on any single or multiple family property within the city of Troutdale.
- B. Burn at any time any manmade material; rubber; plastic; garbage; construction materials; petroleum-based materials; or any other product for which burning is prohibited by the Department of Environmental Quality.
- C. Conduct any type of burning during a declared fire season.
- D. Set on fire, or cause to be set on fire, any grass, grain, stubble, or other material being or growing on land within the city.
- E. Intentionally or negligently allow fire to escape from the person’s own land, or land of which the person is in possession or control.
- F. Accidentally set any fire on the person’s own land or the land of another and allow it to escape from control without extinguishing it or using every reasonable effort to do so.
- G. Know of a fire burning on the person’s own land, or land of which the person is in possession or control and fail or neglect to make every reasonable effort to extinguish it, regardless of whether or not the person is responsible for the starting or the existence of the fire.

Troutdale Municipal Code Oregon Fire Code Adoption

The Troutdale Municipal Code has the 2007 Oregon Fire Code listed as the most current adoption in 15.23.010.

GFD recommends changing the language to reflect the most currently adopted Oregon Fire Code as included here.

Current Troutdale Municipal Code Language 15.12.010 (A)

For the purpose of governing conditions hazardous to life and property from fire, panic, or explosion, the city adopts the fire code known as the Oregon Fire Code (OFC), 2007 edition, and the whole thereof, including the Oregon adopted appendices, except as amended in section 15.12.070 of this chapter, and incorporated herein.

Proposed Troutdale Municipal Code Language

The city adopts the Oregon Fire Code, as set forth under OAR 837-040-001 through 837-040-0140 and as amended or revised by the State of Oregon, including adopted appendices, except as otherwise amended in section in 15.12.070 of this chapter, and incorporated herein.

Troutdale Municipal Code Fee Schedule Adoption

Gresham, Fairview, and Wood Village adopted fees for Fire Life Safety Inspections on/around 2006.

The City of Troutdale has not yet adopted a fee schedule, although the code language exists in 15.12.070, section 108.1 as listed below:

The Jurisdiction shall establish the fees, if any, for initial business fire inspections, reinspections, failure to abate hazards and false alarms. The fees shall be set by resolution.

GFD recommends adopting a fee schedule by resolution. The fees paid by the business owner are “credited” to the City of Troutdale’s fire service contract, thus reducing the cost of the contract.

An example fee schedule is copied on the right and attached for council review.

Permits	Gresham - Fairview- Wood Village
Aircraft Refueling Vehicles	\$158
Special Place of Assembly	\$315
Special Events (i.e. Farmers Market, trade shows, exhibits)	\$315
Carnivals & Fairs	\$315
Seasonal Sales (i.e. Christmas Tree Sales)	\$158
Explosive/Blast Agents	\$315
Fireworks (Wholesale)	\$397
Fireworks (Display)	\$315
Fireworks (Sales - Retail)	\$158
Flammable/Combustible Liquids	\$158
Change Flammable/Combustible Liquid Content	\$158
Fumigation/Thermal Insecticidal Fogging	\$158
Mall-Temporary KIOSK	\$126
Mall- Place of Assembly (> 100 people)	\$126
Mall- Open Flame Device	\$126
Mall-Display Liquid or Gas Fueled Power Equip	\$126
Motor Vehicle Fuel Dispensing Station	\$158
Open Burning - Residential Only	\$158
Pyrotechnical Special Effects Material	\$416
Radioactive Materials	\$416
Tents & Membrane Structure: Includes Tents > 200 sq ft, Canopy > 400 sq ft &, Canopy open on all 4 sides > 700 sq ft	\$158
Life Safety Inspections	Gresham - Fairview- Wood Village
Ultra Low Hazard	\$120
Low Hazard	\$158
Moderate Hazard	\$621
High Hazard	\$1,027
Special Inspections	\$120
Business License (Initial Inspection)	\$158
First Re-Inspection	\$71
Second Re-Inspection	\$158
Fail to Abate	\$825
Excess False Fire Alarms	\$605
Late Fee (if not paid within 30 days of notice)	\$44
Food Cart Plan Review& Inspection (including fire supression system)	\$315

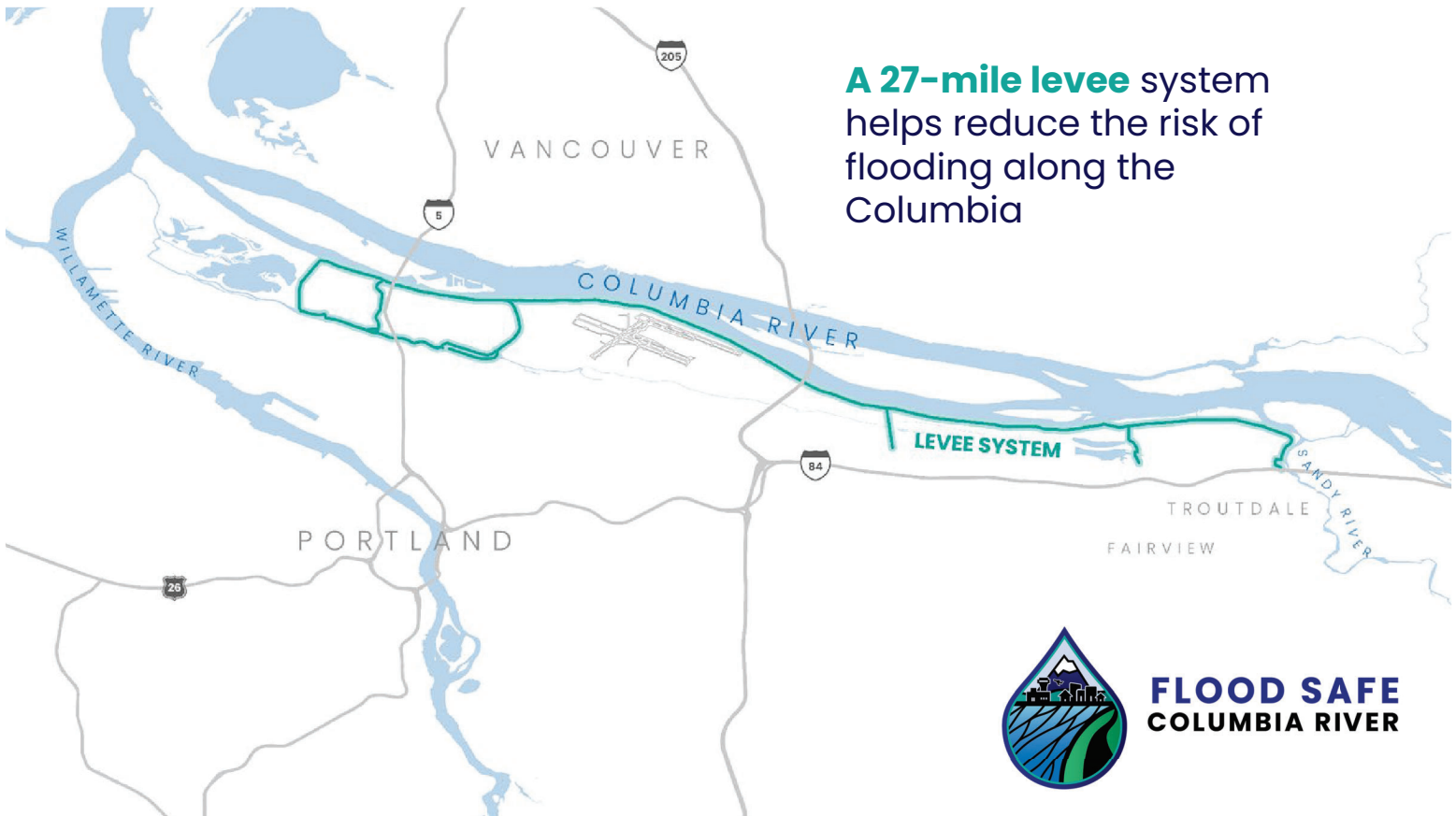
<u>Fire Safety Consultation Fees (GRC 10.25)</u>	<u>Gresham - Fairview- Wood Village</u>
Consultation Fees (onsite) for new construction or design purposes.	\$158 per hr. 1hr Min
Consultation Fees (office) to discuss new construction or design purposes.	\$158 per hr. 1hr Min
<u>Inspection Outside Business Hours</u>	
Special Request Inspection outside office business hours.	\$315 for first two hours or portion thereof; \$158 each addtl hour
<u>State Licensed Facilities Inspections (GRC 10.25.090)</u>	<u>Gresham - Fairview- Wood Village</u>
24-hour Residential Home	\$158
Adult Foster Home	\$158
Assisted Living Facility	\$315
Children's Residential Facility or Day Treatment Facility	\$315
Health Care Facility	\$315
<u>Miscellaneous</u>	<u>Gresham - Fairview- Wood Village</u>
Motor Vehicle Dismantlers	\$1,027
Expedited Plan Review (Max of (2) per week)	\$315
Fire Drill Evaluation/Inspection one hour min.	\$158 per hr
Fire Watch (Min of (2) people) two hour min.	\$158 per hr.
Fire Service Agency Review Forms (Access and Water Supply Review)	\$315
Occupant Load Inspection and/or Occupant Load Sign Request	\$315 per hr. 1hr Min.
Fire Access, Gate Review/Inspection	\$315



Progress Update

Troutdale City Council

March 12, 2024



FLOOD SAFE
COLUMBIA RIVER

WHAT IT PROTECTS



8,000 residents



50% of the region's
manufacturing and
warehouse jobs



2nd largest source of
drinking water in Oregon



22M passengers
use PDX annually



\$16B in annual
economic activity



2,000+ acres of
natural habitat
and open space

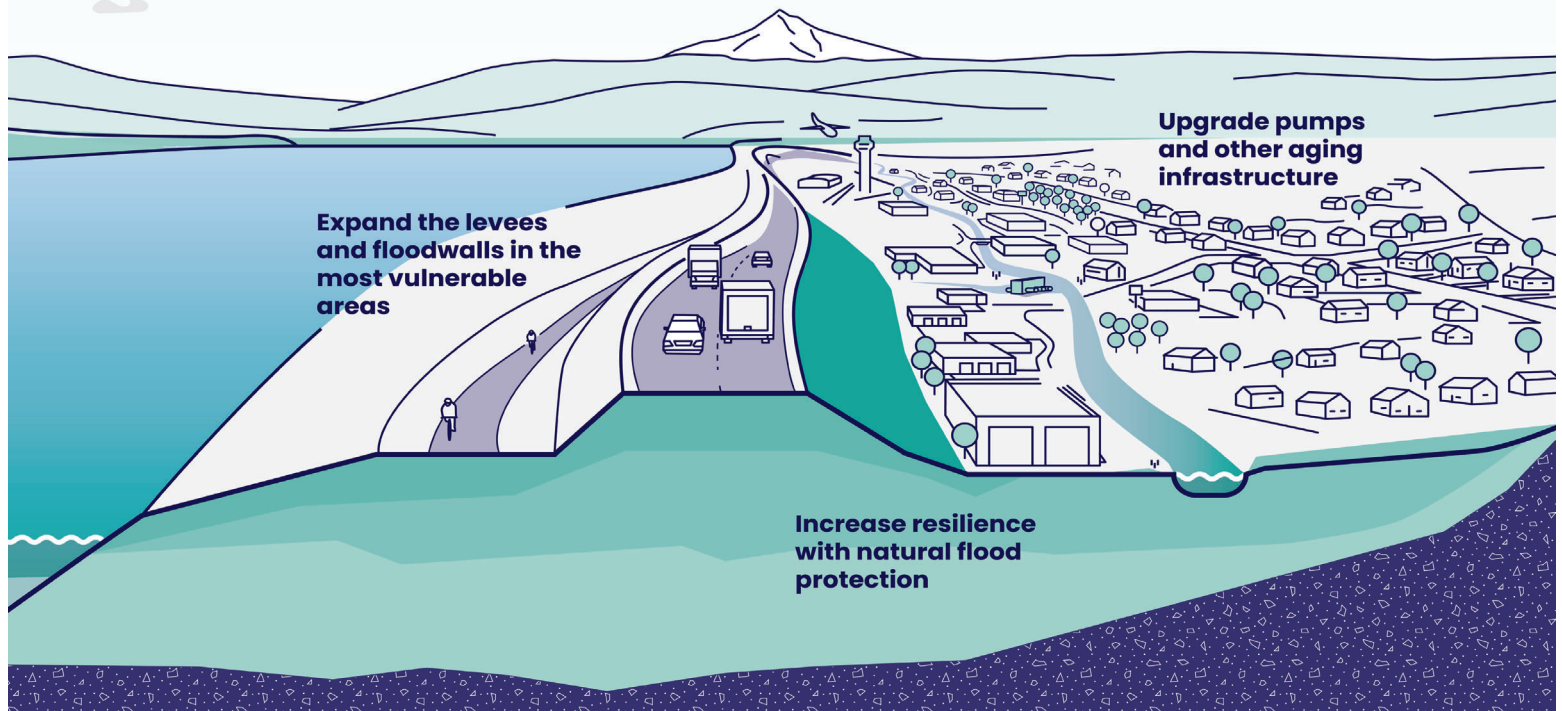
(See Exhibit C)

Our flood-
control infrastructure
no longer meets
federal standards.

In the aftermath of Hurricane Katrina, the Federal Emergency Management Agency (FEMA) and US Army Corps of Engineers (USACE) overhauled their levee safety standards.



THERE ARE SIMPLE, COST-EFFECTIVE SOLUTIONS



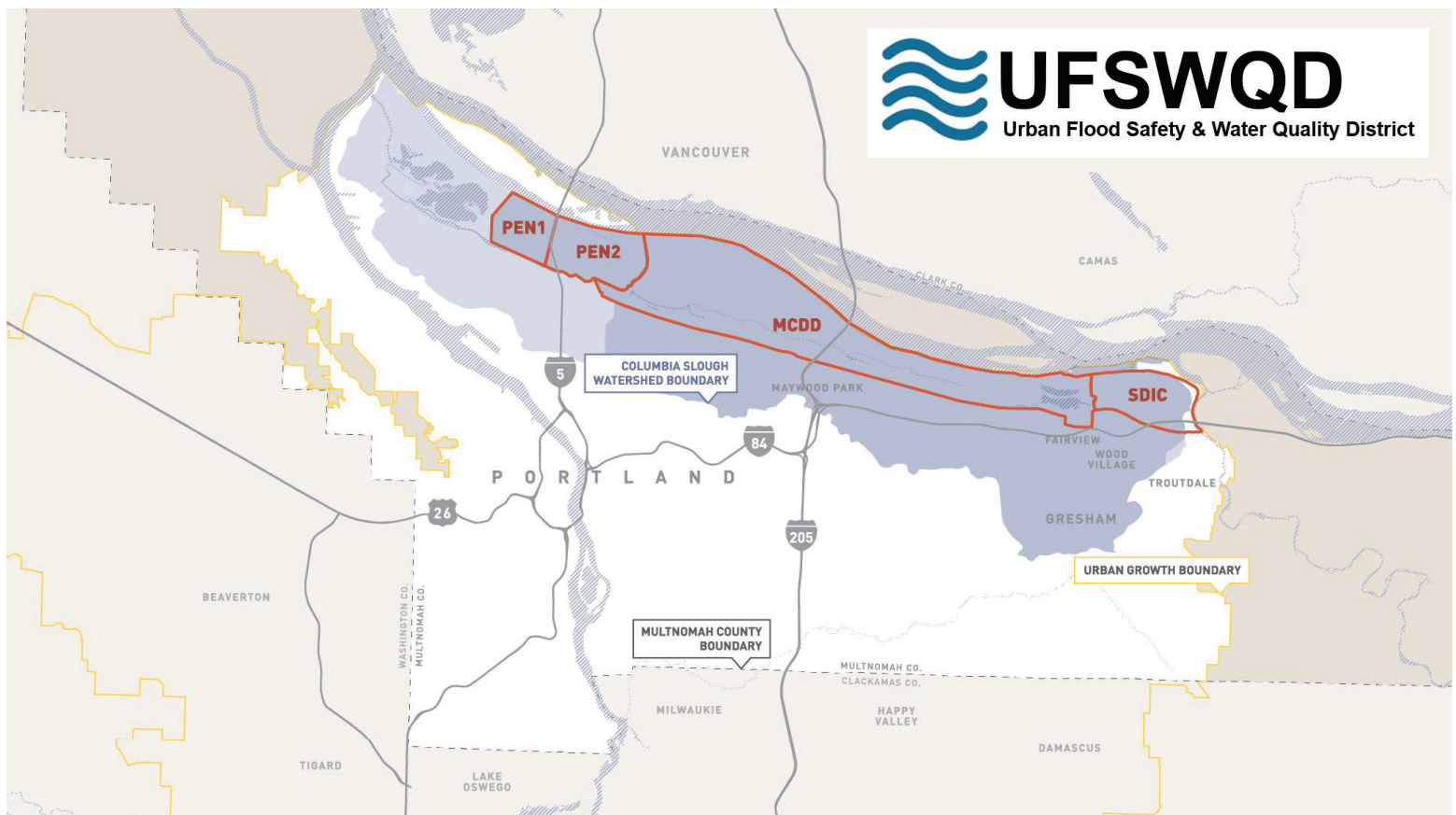
Levee Ready COLUMBIA





At the urging of the LRC the Oregon State Legislature created in 2019 a new special district to consolidate the four legacy drainage districts and implement the necessary PMLS study improvements to obtain the FEMA reaccreditation of the levees.

The result was:  **UFSWQD**
Urban Flood Safety & Water Quality District

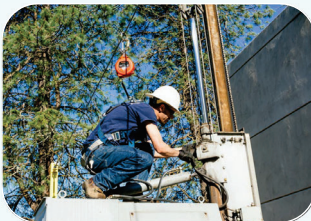


ORS 550.170(1) An urban flood safety and water quality district is **created for the purpose** of acquiring, purchasing, constructing, improving, operating and maintaining works **in order to:**

- (a)** Reduce the risk of flooding;
- (b)** Protect people and property from flood risk;
- (c)** Respond to flood emergencies;
- (d)** Convey water for the purpose of flood safety;
- (e)** Contribute to improved water quality, fish and wildlife habitat, floodplain restoration and landscape resilience;
- (f)** Promote equity and social justice in all aspects of the district's operations;
- (g)** Prepare for and adapt to the impact of climate change in relation to the managed floodplain; and
- (h)** Provide the public with information regarding the cultural history of the territory in the managed floodplain.

Funding Needs

Operations



Flood Safety

- Operations & Maintenance
- Capital Improvement
- Levees & Conveyance Systems



Emergency Management

- Planning & Preparation
- Emergency Response

Equity

Capital



US Army Corps Project



Recertification Projects



Environmental Benefit & Climate Adaptation



Flood Risk & Cultural History Awareness



Other capital needs



New work from ORS Chapter 550

Funding Needed

2 Funding Pathways Needed

Annual
Operations &
Maintenance
“O&M”

Capital:
PMLS Projects &
Asset Replacement



FLOOD SAFE
COLUMBIA RIVER

Exhibit: B
Agenda Item 5
Council Mtg 03-12-2024

Flood Safety & Water Quality Capital Investment Program Summary

February 2024

Upgrade the levees and floodwalls in the most vulnerable areas

- Build a new levee along the railroad embankment that failed in the Vanport Flood.
- Upgrade levees to meet modern standards of flood protection.
- Rehabilitate and replace drainage infrastructure to reduce pressure on the levees.

Flood Safe Columbia River



Increase resilience with natural flood protection solutions

- Open spaces and wetlands:
 - Slow and store floodwaters
 - Reduce pressure on flood control infrastructure
 - Support clean water
 - Provide habitat for fish and wildlife

Flood Safe Columbia River



Upgrade pumps and other aging infrastructure

- Increase capacity to remove water by upgrading failing and underperforming pump stations.
- Add backup power generation to reduce risk.
- Safe and functional facilities for flood preparedness.



Flood Safe Columbia River

Proposed Flood Safety Projects	Estimated Project Sequencing		
	Phase I	Phase II	Phase III
Upgrade Aging infrastructure: Raise levees, improve floodwalls, pumps, pipes, and drains in the most vulnerable areas			\$268,086,000*
USACE PMLS Project **			
PMLS Complementary Projects			
FEMA Sunderland Levee Upgrade			
FEMA Salmon Creek Levee Rebuild			
FEMA Gate Tower Flow Structure			
Broadmoor Pump Station Upgrade i			
NE 181st Pump Station Upgrade i			
PIR Pump Station Replacement ** i			
Schmeer Rd Pump Station Upgrade i			
Levee Slope Resurfacing i			
Flood Safety Operations Center i			
Floodplain Restoration & Resilience Projects			\$27,222,000*
Floodplain Storage			
Levee Enhancements			
TOTAL			\$295,308,000

WINDOW OF OPPORTUNITY

\$100M

Congress has authorized **nearly \$100 million** to improve our flood protection system, provided there is a local funding match. Moving forward in a timely manner is important for receiving federal funds.



Flood Safe Columbia River

The funding for the \$295 million is composed of *3 parts*:

- Subject to voter approval, Bond Ballot Measure 26-243: **\$150,000,000**
- Subject to local match, approved Federal funding through the USACE: **\$100,000,000**
- To be determined funding source(s) from the State: **\$45,000,000**

Measure **26-243** - Bonds to upgrade levees, floodwalls, water pumps, natural floodplain restoration.



Question: Shall Flood Safety District issue bonds to upgrade infrastructure, protect water quality, communities, businesses, environment from flooding; require independent oversight?

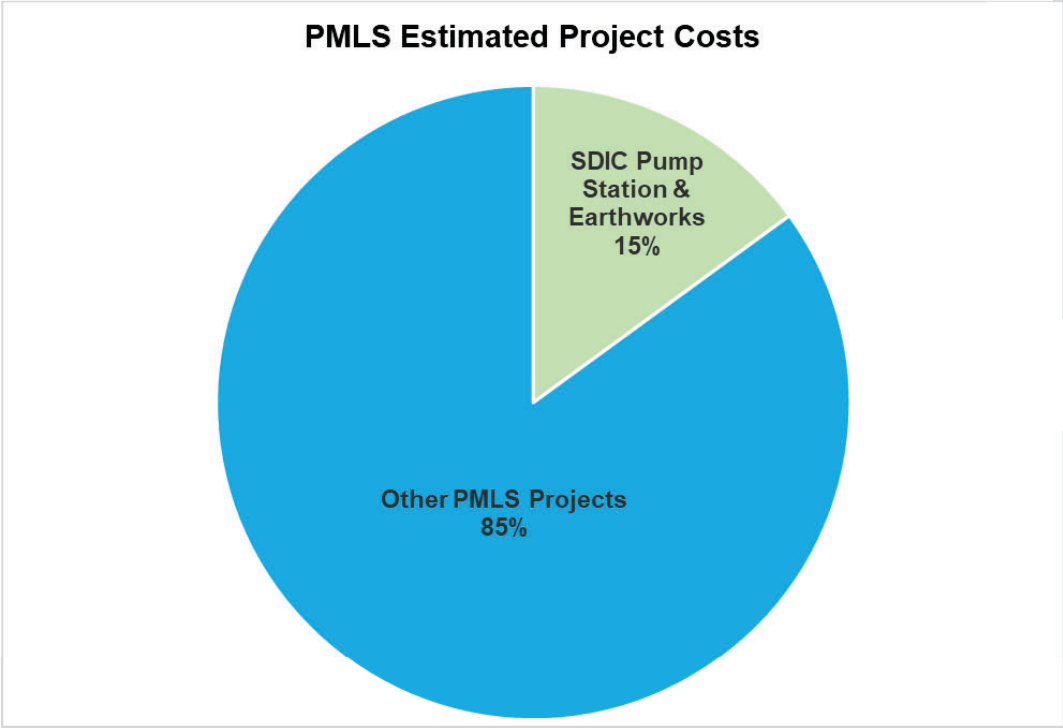
*"Congress authorized nearly \$100,000,000 for flood safety projects, which may be unlocked for a limited period with local match. This measure would authorize issuing up to **\$150,000,000** in principal amount of **general obligation bonds** for Urban Flood Safety and Water Quality District."*

*"Estimated annual tax rate for bonds would be \$0.11 per \$1,000 of assessed value. The owner of a home assessed at \$246,712 would pay approximately **\$2.19 per month, \$26.67 annually.**"*

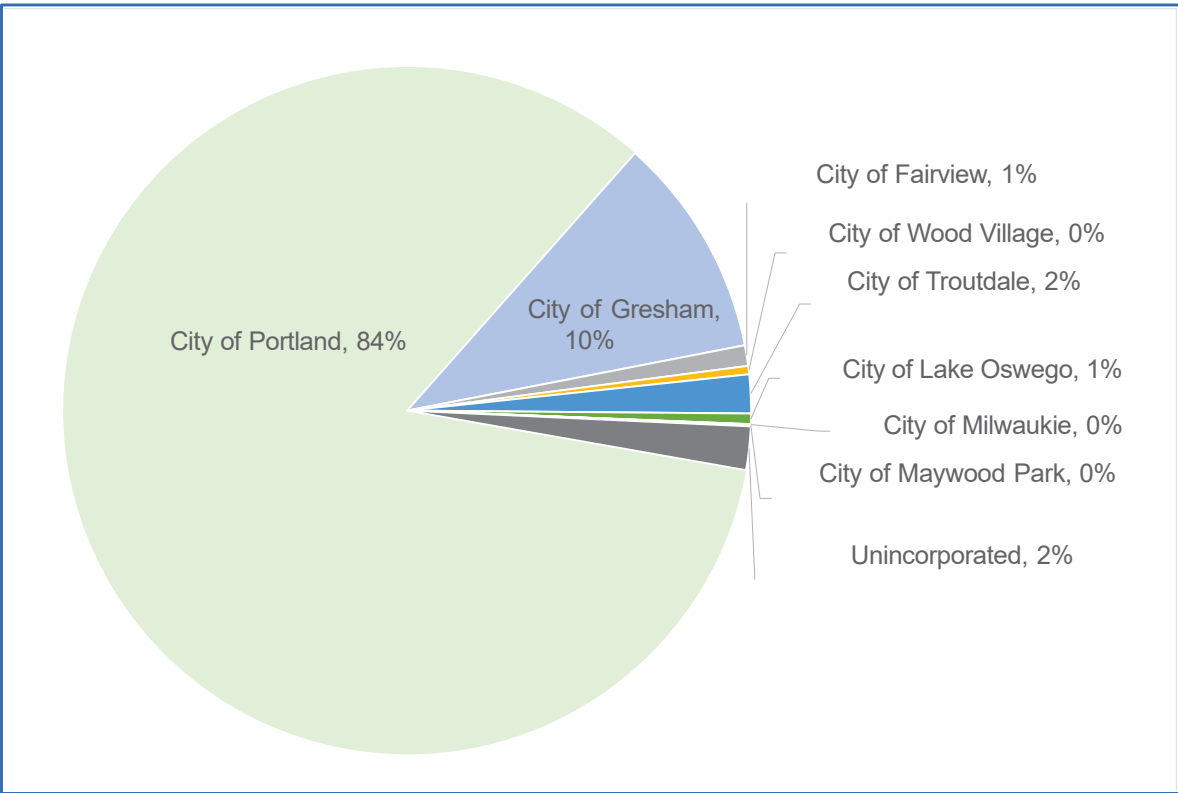
SDIC needs investment

- 1/3 of primary levee in SDIC is doesn't meet fragility standards
- Pump station needs to be replaced, elevated, and properly sized
- Head wall behind pump station needs to be rebuilt
- Levee by pump station needs to be raised

SDIC capital projects estimated at \$25m

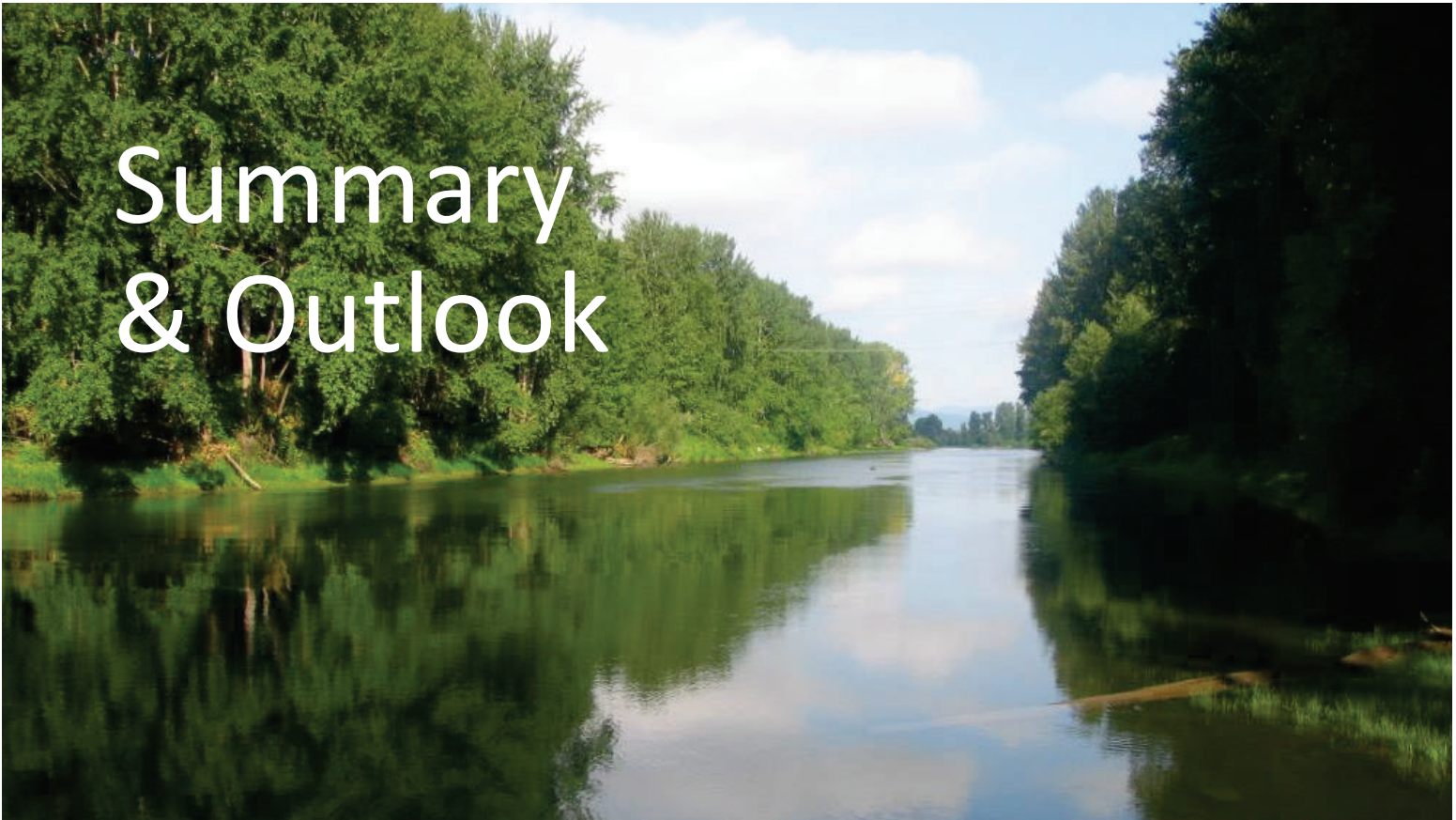


Share of GO Bond by Jurisdiction



Troutdale Share of GO Bond

- Most recent Assessed Value of \$1,820,976,620
- Estimated tax rate for bonds of **11¢** per \$1,000 AV
- Estimated annual debt service of \$200,307 from Troutdale property taxpayers
- Estimated over 20 year bonds period of \$4,006,150
- For the \$25,000,000 in SDIC zone upgrades
- These are *estimates* the actual amounts *will be different!*



Summary
& Outlook

Keep our eyes on the prize...!

- 65% Federal funding for the PMLS projects
- Along with other supplemental fundings
- Total federal funding support could reach \$110 million



FLOOD SAFE COLUMBIA RIVER

*Protecting communities and
improving the natural environment
in a changing climate*

Questions ?

