



CITY COUNCIL MINUTES

September 08, 2022 at 7:00 PM

Wilsonville City Hall & Remote Video Conferencing

CALL TO ORDER

1. Roll Call
2. Pledge of Allegiance

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Thursday, September 8, 2022. The Mayor called the meeting to order at 7:02 p.m., followed by roll call and the Pledge of Allegiance.

PRESENT:

Mayor Fitzgerald
Council President Akervall
Councilor Lehan - Excused
Councilor West - Excused
Councilor Linville

STAFF PRESENT:

Bryan Cosgrove, City Manager
Jeanna Troha, Assistant City Manager
Amanda Guile-Hinman, City Attorney
Kimberly Veliz, City Recorder
Zoe Mombert, Assistant to the City Manager
Ryan Adams, Assistant City Attorney
Dwight Brashear, Transit Director
Mark Ottenad, Public/Government Affairs Director
Robert Wurpes, Chief of Police
Zachary Keirse, School Resource Officer
Delora Kerber, Public Works Director
Martin Montalvo, Public Works Ops. Manager
Cindy Luxhoj, Associate Planner

3. Motion to approve the following order of the agenda.

Motion: Moved to approve the order of the agenda.

Motion made by Council President Akervall, Seconded by Councilor Linville.

Voting Yea:

Mayor Fitzgerald, Council President Akervall, Councilor Linville

Vote: Motion carried 3-0.

MAYOR'S BUSINESS

4. Oregon Highway Plan (OHP) Tolling Policy Amendment

The Mayor explained in the City Council meeting packet contained background information and a draft letter of City Comment on the Oregon Department of Transportation's (ODOT) proposed Oregon Highway Plan Toll Amendment.

The Mayor recalled that when the Oregon Legislature passed the state's largest transportation-funding legislation in 2017, House Bill 2017 prioritized three major Metro-area highways for improvements:

- I-205 and the Abernathy Bridge in Clackamas County;
 - I-5 and I-84 Rose Quarter Interchange in Multnomah County; and
 - Highway 217 in Washington County.
- House Bill 2017 also directed ODOT to utilize highway tolling to generate revenue and manage congestion for the I-205 capacity-expansion project and seismic reinforcement for the Abernathy Bridge over the Willamette River.

In 2021, the Oregon Legislature passed House Bill 3065, which added the I-5 Boone Bridge and Seismic Improvement project to the Metro-area mega-highway projects list.

That bill also directed ODOT to study tolling on both I-205 and I-5, from the Columbia River to the Boone Bridge over the Willamette River.

ODOT's new Urban Mobility Office was now undertaking the Regional Mobility Pricing Project. Moreover, Council would hear later in the meeting from ODOT staff about this tolling study.

The Mayor shared the matter before City Council was not if they like or do not like highway tolling. As, the City had been consistent in messaging: If tolling is to occur, then revenue generated by tolling a specific highway should be used for:

- (1) new facilities that improve that highway corridor's traffic-handling capacity and seismic sustainability, and

- (2) funding improvements to parallel local roads directly impacted by tolled-highway diversion traffic, and
- (3) creating alternative transportation mobility options that also support increased public-transit use.

The Mayor detailed the specific issue before City Council was the proposed adoption of amendments to the Oregon Highway Plan. Which is a policy document that guides how ODOT operates state and federal highways.

ODOT has authority to toll roads to generate revenue. A few transportation facilities in Oregon are still tolled to pay off bonds used for financing; for example, the Hood River Bridge to White Salmon and the Bridge of the Goods at Cascade Locks.

The City's draft letter of comment to the Oregon Transportation Commission focuses on two specific issues that the current proposed amendments to the Oregon Highway Plan fail to address.

The first issue pertains to residents of the Charbonneau District of Wilsonville and businesses that serve those residents. Charbonneau is dependent upon using I-5 for local access to the Wilsonville City Center for shopping, medical appointments, running errands, going to church, visiting family, and partaking in all things that Wilsonville has to offer.

When Charbonneau was developed in the 1970s as primarily a retirement community, ODOT policy allowed the interstate highway to be used as the local access to the City Center for the new neighborhood development.

Tolling of I-5 on or near the Boone Bridge could presumably impact the residents of Charbonneau, and businesses that serve those residents.

Thus, the City's draft comment letter suggests that ODOT consider accommodating trips on the interstate by residents and businesses of a community historically dependent upon use of the interstate for local access when there is no viable alternative to access the city center.

Additionally, a concern expressed by our constituents focuses on a maximum daily toll for those trips that require multiple occasions to access the interstate system.

That is, residents and businesses may need to go on and off the interstate during the course of running errands or making deliveries. Piling on more toll charges would fail the test of fair, equitable treatment.

Thus, the City recommends that ODOT develop a maximum daily tolling limit to accommodate a toll user's multiple trips on the tolled interstate highway.

The Mayor noted in the Council packet was a new letter of comment on the toll policy from the Clackamas County Coordinating Committee (C4). The Mayor then asked the Council President whom attended the September 1, 2022 C4 to provide comment.

The Council President noted that the two points that the Mayor raised for the City's draft letter of comment are echoed in the C4 letter. The Council President further commented that C4 had a very good discussion about the proposed amendments to the Oregon Highway Plan Toll Policy. The letter was approved unanimously by C4.

However, one issue that the Council President Akervall suggested City Council might want to include in the City's comment letter is the first point in the C4 letter:

- "Local and regional engagement on tolling programs must happen at all levels.
- "The Proposed Goal 6 amendment is alarmingly silent on how ODOT is to engage the public and local and regional governments when implementing tolling and congestion pricing."

The Council President reminded City Council that public engagement is the bedrock of good government and one that the City of Wilsonville takes seriously.

The Council President recommended that City Council consider adding the following language to the City's letter that referenced this concern and recommended that the ODOT Toll policy:

"Adopt language that creates standards for local and regional public engagement when deciding where to toll a project and how jurisdictions and communities stay informed, and provides transparent access to information."

The Mayor endorsed adding standards for ODOT's public engagement to the City Council letter similar as C4.

Councilor Linville concurred with the comments made by the Council President.

In closing, the Mayor stated there seemed to be consensus for Council on the letter of comment to the OTC on the draft Toll Amendment.

Motion: Moved to direct the City Manager to incorporate that verbiage in the letter.

Motion made by Council President Akervall, Seconded by Councilor Linville.

Voting Yea:

Mayor Fitzgerald, Council President Akervall, Councilor Linville

Vote: Motion carried 3-0.

5. Upcoming Meetings

The Mayor reported on the following events that occurred since the last Council meeting:

Annual Community Block Party in Town Center Park

- City hosted the Annual Community Block Party in Town Center Park.
- Block Party consisted of various family activities and provided a forum for staff to receive feedback on various questionnaires.

American Legion Post #21 picnic

- The Mayor attended the American Legion Post #21 picnic in Villebois.
- Picnic was a gathering of veterans of different ages who have served during various times in the armed forces.

Portland Mayor Ted Wheeler Request

- The City received a request from Portland Mayor Ted Wheeler via the Metropolitan Mayors' Consortium to sign onto a letter addressed to members of Oregon's Congressional delegation.
- The letter requests their support for action to lower the Private Activity Bond (PAB) cap from 50% PAB-funded to 25% for affordable housing projects using the 4% Low Income Housing Tax Credit (LIHTC) subsidy.
- Planning Division staff had indicated that this change in federal law would benefit City's effort to develop the Wilsonville Transit Oriented Affordable Housing Development at the Wilsonville Transit Center.

The Mayor then announced the following upcoming events:

Emergency Preparedness Fair

- Reminded all September is Emergency Preparedness Month.
- The City hosting an Emergency Preparedness Fair on Saturday, September 17, 2022, from 10:00 a.m. to noon, at the Stein-Boozier Barn in the Murase Plaza area of Memorial Park.
- Organizers are giving away battery cell phone chargers up to 100 residents who show us their completed "Go Bag." Learn how to be more self-sufficient in the aftermath of an emergency.

City Council Meeting

- The next City Council meeting scheduled for Monday, September 19, 2022, at 7:00 p.m.

COMMUNICATIONS

6. School Resource Officer Vehicle Design

Robert Wurpes, Chief of Police introduced Zachary Keirse, School Resource Officer (SRO) who displayed a PowerPoint on the SRO vehicle design. Moreover, the SRO detailed his work with Wilsonville High School students. In addition, photos were displayed of the student-designed vehicle wrap, which makes the SRO vehicle more identifiable to the student community and demonstrates school pride.

City Council comments followed the presentation.

7. Employer Support of the Guard and Reserve (ESGR) Military Reservist Appreciation Award

Martin Montalvo, Public Works Ops. Manager and Ryan Adams, Assistant City Attorney shared they nominated the City for the ESGR Military Reservist Award. It was explained the award recognizes those employers that go above and beyond for military reservist. They recalled how the City looked at their policies for leave and how they take care of their reservists and guard members. Moreover, the City made significant changes to the benefit of staff.

Dennis Klein, Oregon ESGR State Chair, and Lon Getlin, Oregon ESGR Employer Outreach Director then recognized the City. Photos with Council and staff followed.

8. ODOT Update on Oregon Highway Plan (OHP) Toll Amendment and Regional Mobility Pricing Project (RMPP)

Oregon Department of Transportation (ODOT) staff Mandy Putney, Urban Mobility Office Director of Strategic Initiatives and Erik Havig, Planning Section Manager shared details of the Regional Mobility Pricing Project and the I-205 Toll Project. It was detailed that the two initiatives would introduce tolls along I-5 and I-205 to help alleviate traffic congestion and to raise revenue for state transportation infrastructure.

Councilor comments and questions followed the presentation.

In closing, Council asked ODOT staff to connect with City staff in order to plan an open house in the City of Wilsonville regarding the topic of tolling.

CITIZEN INPUT AND COMMUNITY ANNOUNCEMENTS

This is an opportunity for visitors to address the City Council on items not on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Staff and the City Council will make every effort to respond to questions raised during citizen input before tonight's meeting ends or as quickly as possible thereafter. Please limit your comments to three minutes.

There was none.

COUNCILOR COMMENTS, LIAISON REPORTS AND MEETING ANNOUNCEMENTS

9. Council President Akervall

Reported on the below meeting and events attended since the last City Council meeting:

- Annual Community Block Party
- Urban Renewal Taskforce meeting
- Clackamas County Coordinating Committee (C4) meeting

Announced the following upcoming event she planned to attend:

- Chamber of Commerce Morning Spark and Ribbon Cutting at the Concert School of Music

10. Councilor Lehan - Excused

11. Councilor West - Excused

12. Councilor Linville

Reported on the following meeting she attended since the last City Council meeting:

- Clackamas County Coordinating Committee (C4) Subcommittee meeting
- Charbonneau Emergency Response Community meeting
- Annual Community Block Party
- Ruth Johnson's 100th Birthday Party

Announced the following upcoming events and meetings she planned to attend:

- Clackamas County Coordinating Committee (C4) Subcommittee meeting
- Wilsonville-Metro Community Enhancement Committee
- Charbonneau National Shakeout

CONSENT AGENDA

The City Attorney read the titles of the Consent Agenda items into the record.

1. **Resolution No. 2995**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute An Amendment To The Professional Services Contract With Leland Consulting Group, Inc. For The Wilsonville Transit Center TOD Study.

2. Minutes of the August 15, 2022 City Council Meeting.

Motion: Moved to adopt the Consent Agenda.

Motion made by Council President Akervall, Seconded by Councilor Linville.

Voting Yea:

Mayor Fitzgerald, Council President Akervall, Councilor Linville

Vote: Motion carried 3-0.

NEW BUSINESS

There was none.

CONTINUING BUSINESS

There was none.

PUBLIC HEARING

The City Attorney read the title of Ordinance Nos. 866 and 867 into the record on first reading.

The Mayor provided the public hearing format and opened the public hearing at 8:31 p.m.

No Councilor declared a conflict of interest, bias, or conclusion from information gained outside the hearing. No member of the audience challenged any of the Councilor's participation.

Cindy Luxhoj, Associate Planner provided the staff report and PowerPoint, which has been made a part of the record.

The City Attorney stated there was no legal comment.

Staff informed there was no applicant presentation.

The Mayor invited public testimony, seeing none the Mayor closed the public hearing on Ordinance Nos. 866 and 867 at 8:40 p.m.

The Mayor requested a motion on Ordinance No. 866.

3. Ordinance No. 866 - 1st Reading (Quasi-Judicial Hearing)

An Ordinance Of The City Of Wilsonville Annexing Approximately 11.17 Acres Of Property Located South Of SW Frog Pond Lane At 7480 And 7500 SW Frog Pond Lane For Development Of A 19-Lot Residential Subdivision.

Motion: Moved to adopt Ordinance No. 866 on first reading.

Motion made by Council President Akervall, Seconded by Councilor Linville.

Voting Yea:

Mayor Fitzgerald, Council President Akervall, Councilor Linville

Vote: Motion carried 3-0.

The Mayor requested a motion on Ordinance No. 867.

4. **Ordinance No. 867** - *1st Reading (Quasi-Judicial Hearing)*

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Clackamas County Rural Residential Farm Forest 5-Acre (RRFF-5) Zone To The Residential Neighborhood (RN) Zone On Approximately 10.94 Acres Located South Of SW Frog Pond Lane At 7480 And 7500 SW Frog Pond Lane For Development Of A 19-Lot Residential Subdivision.

Motion: Moved to adopt Ordinance No. 867 on first reading.

Motion made by Council President Akervall, Seconded by Councilor Linville.

Voting Yea:

Mayor Fitzgerald, Council President Akervall, Councilor Linville

Vote: Motion carried 3-0.

CITY MANAGER'S BUSINESS

The City Manager reminded that Councilor Lehan would be terming off City Council. Therefore, a Council replacement for the Tourism Promotion Committee would be necessary.

LEGAL BUSINESS

The City Attorney shared she would be attending and presenting at the International City/County Management Association (ICMA) conference, September 16-21, 2022. Therefore, the City Attorney would attend the September 19, 2022 City Council meeting virtually.

ADJOURN

The Mayor adjourned the meeting at 8:44 p.m.

Respectfully submitted,

Kimberly Veliz, City Recorder

ATTEST:

Julie Fitzgerald, Mayor