

CITY OF WILSONVILLE

CITY COUNCIL MEETING MINUTES

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, April 7, 2014. Mayor Knapp called the meeting to order at 7:14 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

Mayor Knapp
Council President Starr
Councilor Goddard
Councilor Fitzgerald
Councilor Stevens - Excused

Staff present included:

Bryan Cosgrove, City Manager
Jeanna Troha, Assistant City Manager
Barbara Jacobson, Assistant City Attorney
Sandra King, City Recorder
Eric Mende, City Engineer
Delora Kerber, Public Works Director
Cathy Rodocker, Assistant Finance Director
Jon Gail, Community Relations Coordinator
Stephan Lashbrook, SMART Director
Jeff Smith, Police Chief
Nancy Kraushaar, Community Development Director
Chris Neamtzu, Planning Director

Motion to approve the order of the agenda.

Motion: Councilor Fitzgerald moved to approve the order of the agenda. Councilor Starr seconded the motion.

Vote: Motion carried 4-0.

MAYOR'S BUSINESS

A. Proclamation Declaring the Month of April 2014 as Volunteer Appreciation Month

April has been designated as *Volunteer Appreciation Month* nationwide. The City Council recognized Gail Lasko, Al Steiger, Hilly Alexander, and Helen Mead four of the many volunteers who give of their time and skills to the community and City.

Mayor Knapp identified the activities and service each of the volunteers participates in and presented a Certificate of Appreciation to each volunteer.

B. 2014 Arbor Day Proclamation

Chris Neamtzu spoke about the Arbor Day activities that would be taking place during the week in the Villebois community.

Mayor Knapp read the proclamation into the record.

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C. Proclamation Declaring April Child Abuse Prevention Month

Barbara Peschiera, Executive Director, Children's Center explained the function and importance of the work her organization does.

Mayor Knapp asked if a link to the information could be put on the City's website, and read the proclamation into the record.

Councilors expressed their appreciation for the work the Children's Center does.

COMMUNICATIONS

A. Wilsonville Police Department Annual Report - Chief Jeff Smith

Chief Jeff Smith presented the annual report for the Wilsonville Police Department, including crime rates, calls for service, traffic, and community policing. The 2013 Annual report is part of the record.

B. Metro Activities Update – Metro Councilor Dirksen

Councilor Dirksen used a PowerPoint slide show to provide updates on the projects and programs Metro is involved in to preserve the quality of life in the Metro region, including:

- Land use and transportation
- Regional Transportation Plan update must be adopted by July 2014
- Climate Smart Communities
- Natural Areas update, and
- Visitor Venues

C. Wastewater Treatment Plant (WWTP) Update

Using a PowerPoint presentation, Eric Mende provided the final WWTP quarterly report which is for the period of January – March 2014. During this last quarter, CH2M HILL the City's Operate Design Build Operate contractor successfully completed testing and acceptance of the Wastewater Treatment Plant (WWTP) improvements. All facilities are now on-line and operating. Staff gave a short presentation summarizing the major milestones for the project; highlighted final costs and other key metrics, and provided information on the remaining work needed for final completion.

CITIZEN INPUT & 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 citizens input before tonight's meeting ends or as quickly as possible thereafter. Please limit your comments to three minutes.

There was none.

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COUNCILOR COMMENTS, LIAISON REPORTS & MEETING ANNOUNCEMENTS

Council President Starr – (*Park & Recreation Advisory Board Liaison*) reported the Parks and Recreation Advisory Board awarded the Community Services Tourism Match Grants at their past meeting, and announced the next meeting date of the Board. He invited the public to attend the annual Egg Hunt in Memorial Park.

Councilor Goddard – (*Library Board Liaison*) spoke about the activities of the Clackamas County Business Alliance and announced the Library Family Night, as well as the Rural Homebuyers Fair to be held at the Library.

Councilor Fitzgerald – (*Development Review Panels A & B Liaison*) advised the Library Board completed its strategic plan, and reported on the decisions made by the DRB during their last meetings. The Councilor announced the final meeting date of the Tourism Task Force.

CONSENT AGENDA

Ms. Jacobson read the titles of the Consent Agenda items into the record.

- A. **Resolution No. 2461**
A Resolution Granting An Exemption From Property Taxes Under ORS 307.540 to ORS 307.548 For Autumn Park Apartments, A Low-Income Apartment Development Owned And Operated By Northwest Housing Alternatives, Inc.
- B. **Resolution No. 2462**
A Resolution Granting An Exemption From Property Taxes Under ORS 307.540 to ORS 307.548 For Rain Garden Limited Partnership, A Low-Income Apartment Development Owned And Operated By Caritas Community Housing Corporation.
- C. **Resolution No. 2463**
A Resolution Granting An Exemption From Property Taxes Under ORS 307.540 to ORS 307.548 For Creekside Woods LP, A Low-Income Apartment Development Owned And Operated By Northwest Housing Alternatives, Inc.
- D. **Resolution No. 2464**
A Resolution Granting An Exemption From Property Taxes Under ORS 307.540 to ORS 307.548 For Charleston Apartments, A Low-Income Apartment Development Owned And Operated By Northwest Housing Alternatives, Inc.
- E. **Resolution No. 2465**
A Resolution Granting An Exemption From Property Taxes Under ORS 307.540 to ORS 307.548 For Wiedemann Park, A Low-Income Apartment Development Owned And Operated By Accessible Living, Inc.

Motion: Councilor Fitzgerald moved to approve the Consent Agenda. Councilor Starr seconded the motion.

Vote: Motion carried 4-0.

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Mayor Knapp declared a recess at 8:45 p.m. and reconvened the meeting at 8:50 p.m.

PUBLIC HEARING

A. **Ordinance No. 735** – 1st hearing

An Ordinance Amending City Of Wilsonville Miscellaneous Code Provisions To Prohibit Smoking At Or Within Twenty Feet Of A Bus Stop Or Transit Shelter.

Mayor Knapp read the title of the Ordinance into the record and the public hearing procedure. The Mayor opened the public hearing at 8:52 p.m.

Mr. Lashbrook presented the staff report. The City of Wilsonville joined numerous other cities in banning the use of tobacco in public parks in 2012. That City Council decision was in response to strong community support. Since that time, SMART employees have heard from citizens asking that smoking be prohibited in and around transit stops and shelters. When a bus sits at these locations with the doors open, cigarette smoke is often drawn into the bus from smokers outside the bus. Such smoke can also be irritating to people waiting to board a bus. On occasion, bus drivers have asked smokers to move away from transit shelters, but with mixed results. On some occasions, smokers have flatly refused to comply. Twenty feet is a rational and reasonable distance to provide a margin for the smoke to dissipate when people waiting to board a bus may occupy some of the area within the twenty feet and as a practical matter the distance may be closer to ten feet.

If the Ordinance is adopted, signs will be installed at transit shelters and stops indicating that those locations are smoke free. As proposed, this ordinance will be enforced through fines as outlined in the Wilsonville Code, just as with the tobacco ban in Wilsonville parks.

Councilor Goddard asked who would be enforcing the ordinance and how enforcement would be done should a person who is smoking walk by a bus shelter.

Mr. Cosgrove indicated staff has had the conversation with the Police Department who will be conducting bike patrols this summer. The goal is to educate the public on the effects of second hand smoke, not to cite people or generate revenue. In addition bus shelters are a public facility and it was common to have public facilities posted “no smoking”.

Councilor Goddard wanted clarity on how the ordinance would be enforced on the public sidewalks.

Ms. Jacobson stated the intent behind the ordinance is someone waiting for the bus or standing by the shelter within those forty feet. If you are talking about someone that is walking quickly by the shelter and who happens to be smoking sixty feet away and then walks past it immediately, I don’t believe that is target the police will be looking for. If that is a concern there is an ability to amend the ordinance to make it clear that somebody just walking past the shelter is not the focus of the ordinance.

Councilor Goddard suggested clarifying the intent of the ordinance may make the enforcement easier.

Mr. Cosgrove thought the intent was clearly related to bus shelters, and not the occasional passerby on the sidewalk.

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Councilor Fitzgerald understood the ordinance provided a degree of clarity that was lacking now, in that the bus drivers were not expected to debate the topic of smoking with passengers. Adding the ordinance made it easier to say the City has a rule there was no smoking within twenty feet of a bus shelter.

Mr. Cosgrove offered to add language clarifying how bicycle riders and walkers who happened to be smoking while riding or walking past a bus shelter would be addressed. However, the police department would not be out enforcing this ordinance against people who were walking, or biking; they would be enforcing the ordinance in and around bus shelters and WES. The Mayor recommended the appropriate time to suggest an amendment to add clarity was once a motion and second had been made.

The Mayor invited public testimony; hearing nothing he closed the public hearing at 9:02 p.m.

Motion: Councilor Starr moved to approve Ordinance No. 735 on first reading. Councilor Fitzgerald seconded the motion.

Councilor Goddard suggested legal staff consider whether there should be an amendment for Council to consider on second reading that would avoid the ambiguity around whether or not the Council is outlawing smoking in bike lanes or sidewalks that happen to be adjacent to a bus shelter.

Mayor Knapp recommended Councilor Goddard make a motion to amend the ordinance.

Ms. Jacobson suggested a motion to amend the ordinance to clarify the ordinance would exempt persons driving vehicles, biking, or walking by, not stopping; staff could bring back that language on second reading.

Motion to amend: Councilor Goddard moved that amending language be considered for second reading that would explicitly exempt passersby not only those in enclosed vehicles but those who are walking and biking that may be traveling adjacent to a bus shelter without the intent of stopping and taking public transit. Councilor Starr seconded the motion for the sake of discussion.

Councilor Starr favored making the ordinance as simple as possible. He was unsure of the effect of the amendment; however, he was open to reviewing the language provided by the Legal Department.

Mayor Knapp thought the amendment added an additional layer of debate that was unnecessary. He felt people would self-regulate after the bus shelters had been posted with “no smoking within twenty feet” signs.

Vote on Amendment: Motion fails 2-2.

Vote: Motion carried 3-1
Councilor Goddard voting “No”.

B. **Resolution No. 2459**
A Resolution Authorizing A Supplemental Budget Adjustment For Fiscal Year 2013-14.

C. **Resolution No. 2460**
A Resolution Authorizing A Transfer Of Budget Appropriations Within Certain Funds For Fiscal Year 2013-14.

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Ms. Jacobson read the titles of Resolution Nos. 2459 and 2460 into the record and noted the public hearing for the two resolutions could be conducted concurrently; however, the motions were to be separate.

Mayor Knapp read the public hearing format and opened the public hearing for both Resolution Nos. 2459 and 2460 at 9:07 p.m.

Ms. Rodocker presented the staff report. Local Budget Law allows the Council to amend the adopted budget for an occurrence or condition that was not known at the time the budget was adopted. The following supplemental budget primarily amends the current budget for numerous capital improvement projects and expenditures.

At its June 3, 2013 City Council meeting, the Council adopted the Fiscal Year 2013-14 budget. Since that time, several unanticipated projects and expenses have come to staff's attention that will require additional budget authorization. There are two resolutions for consideration: a budget transfer and a supplemental budget adjustment. The transfer resolution will move expenditures from one category to another with no additional increase to the overall budget. The second resolution is a supplemental budget adjustment that will impact the budget by increases to revenues and expenditures. As per Local Budget Law, the supplemental budget adjustment also includes budget transfers that have surpassed 15 percent of the adopted contingency.

Transfer Resolution (Resolution No. 2460)

"Transfers Only – No Increase on Overall Budget" provides a detail listing of the projects and/or accounts that will be affected by the transfer resolution. The transfers noted are all less than 15 percent of the original adopted contingency in each fund.

Net zero transfers are being made in the Water, Sewer and Streets CIP as funding is being transferred from the existing "Early Planning Project" to a new "Close-out from Prior Years" project. The new project will allow staff to track their time for the end-of-project close out that typically spans more than one fiscal year.

Additional funding for the Basalt Creek Concept Planning and the Frog Pond/Advance Road Planning (grant match portion) will be transferred from various SDC's. The funding will be calculated at 20 percent from Water and Sewer SDC, 40 percent from Street SDC and 10 percent from Parks and Stormwater SDC.

A minimal transfer is being made from the Water Operating Fund for additional direct expenses from the Human Resources program.

Adjustment Resolution (Resolution No. 2459)

"Supplemental Budget Adjustments" provides a detail listing of the projects and expenditures that are recognizing new funding from either interfund transfers or outside funding sources. The largest increase in the budget adjustment is for the Park & Rec Tenant Improvement project. The expense of \$362,000 is recorded in the Building Fund where the expenses will be captured and in the General Fund as the funding source.

The resolution also includes additional appropriations for expenses and funding for the Basalt Creek Area Planning and Frog Pond/Advance Road Planning projects as well as the Annual Pedestrian Enhancement project that will begin the implementation of the Bicycle and Pedestrian Connectivity Action Plan.

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As stated in the Fiscal Management Policies, the City shall amend its annual budget in accordance with Oregon local budget law. The supplemental budget adjustment is adopted by the Council at a regularly scheduled meeting. The budget committee is not required.

As required by Local Budget Law, a notice for the public hearing has been published in the Wilsonville Spokesman. The notice was published on Wednesday, March 26, 2014. Adoption of the Supplemental Budget Adjustment is required prior to the end of the fiscal year, June 30, 2014. The adoption process requires a public hearing prior to adoption

CURRENT YEAR BUDGET IMPACTS:

Resources:		Expenditures:	
Interfund transfers	\$ 691,700	Street Capital Projects	\$ 263,600
Other governments	25,000	Building Capital Projects	362,000
Charges for services	12,000	Web Design Professional Services	41,000
		Bus Purchases	60,000
		Direct Wages and Expenses	32,500
		Transfer to other funds for Capital Projects	600,600
		Contingencies	(631,000)
Total Resources	<u>\$ 728,700</u>		<u>\$ 728,700</u>

Not approving the attached supplemental budget could result in overspending current budget appropriations. The City is required to disclose all excess of expenditures over appropriations in the Comprehensive Annual Financial report.

Councilor Starr asked what the funds were for identified as “web design”. Ms. Rodocker explained it was the professional services contract for the redesign of the City’s web sites and creation of the additional sites as well as the offsite hosting services.

The Mayor closed the public hearing at 9:12 p.m.

Motion: Councilor Fitzgerald moved to approve Resolution No. 2459. Councilor Starr seconded the motion.

Vote: Motion carried 4-0.

Motion: Councilor Starr moved to approve Resolution No. 2460. Councilor Fitzgerald seconded the motion.

Vote: Motion carried 4-0.

D. Ordinance No. 738 – 1st reading

An Ordinance Of The City Of Wilsonville Approving A Comprehensive Plan Map Amendment From Residential 0 – 1 DU/AC To Residential 4 – 5 DU/AC On 1.79 Acres Comprising Tax Lot 5000 Of Section 13BA, T3S, R1W, Clackamas County, Oregon; Renaissance At Canyon Creek II; Renaissance Development, Applicant.

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Ms. Jacobson read the titles of Ordinance No. 738 and Ordinance No. 739 into the record on first reading. She noted the public hearing on the two companion ordinances could be held contemporaneously.

Mayor Knapp read the public hearing protocol and opened the public hearing at 9:15 p.m.

Blasé Edmonds, Manager of Current Planning, and Mike Wheeler, Associate Planner presented the staff report.

The proposed Comprehensive Plan Map Amendment is being forwarded to the City Council by Development Review Board Panel 'A' (DRB) with a recommendation of approval. Under a separate Ordinance, the DRB is also recommending approval of a Zone Map Amendment from RA-H to PDR-3 and to approve the Stage I Preliminary Plan for Renaissance at Canyon Creek II Residential Planned Development. The proposed Comprehensive Plan Map Amendment will enable the development of Renaissance at Canyon Creek II Residential Planned Development, which is comprised of eight (8) residential subdivision lots and open space. Also proposed in companion Ordinance No. 739 is a Zone Map Amendment from Residential Agricultural - Holding Zone to Planned Development Residential - 3. The DRB also approved a Stage I Preliminary Plan, Stage II Final Plan, a Waiver (setback), Tentative Subdivision Plat, Site Design Review and a Type 'C' Tree Plan. Those approvals are contingent on Council approval of the subject Comprehensive Plan Map Amendment.

Proposed Renaissance at Canyon Creek II Residential Planned Development is a private development, so the Applicant is responsible to make all public and private improvements, and pay City application fees and systems development charges for parks, storm sewer and streets. Construction of the subdivision is scheduled to begin in 2014.

The recommended action by the DRB would make the zoning and densities of this remaining parcel consistent with the surrounding properties contained within the same subdivision, as previously approved by the City Council.

On August 23, 2004, Development Review Board approved 03 DB 43 for a 79-lot residential planned development (i.e., Renaissance at Canyon Creek). A companion Comprehensive Plan Map Amendment and Zone Map Amendment was approved by the City Council on September 20, 2004. Four of the nine approved phases have been constructed; more partitions are enabled, in order to achieve full build-out of the project.

The subject site was not a part of the approval of Renaissance at Canyon Creek, although the parcel's development potential was accounted for during the review, illustrating compliance with code provisions in effect at that time. Despite the fact that some code provisions have been revised since then, the applicant proposes to implement most of the original concept for Tax Lot 5000.

On March 10, 2014, the Development Review Board considered the Applicant's proposal for an eight (8) lot residential planned development (DB13-0050 et seq). The Board approved the project, and recommended that City Council approve the proposed Comprehensive Plan Map Amendment and proposed Zone Map Amendment.

The density of the proposed development is the same as the surrounding properties. The Development Review Board and staff reports recommend approval of the Comprehensive Plan and Zone Map Amendment.

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Councilor Starr asked if the infill development will mirror the style and size of homes around it.

Mr. Wheeler responded the homes would be similar since they were being built by the developer who built the properties north and south. He clarified the homes would have ten-foot minimums between them.

Mr. Wheeler identified the errata noted in the Mayor's email has been included in the record for both of the ordinances and identified the documents containing the corrections. The project has CC&Rs that are the same as the north and south developments. The developer was not able to purchase this property during the earlier phases of development, but included in the agreements to sell the homes in those projects and within the structure of the CC&Rs his ability, if he acquired this, to have it be a part of that homeowners association.

Mayor Knapp invited the applicant to speak.

Ben Altman, SFA Design Group, spoke on behalf of Renaissance Development. Mr. Altman clarified the CC&Rs. In 2004-05 when the original Canyon Creek Development was built the developer tried to include this parcel however the owner did not want to participate at that time. The developer "shadow" platted the parcel and the CC&Rs were written in such a way to allow only Renaissance Development to acquire and build on this property and become part of the homeowner association. This limited other developers from developing the property. The Code changed subsequent to the original approval regarding open space requirements and the number of lots that could be accessed from a private street. These two things made it difficult for another developer to make it work. Once Renaissance Development was able to purchase the property they were able to fold it into the previous portions of development as if it was part of the original development.

Mayor Knapp wanted to be sure the open space would be available for the other homeowners and not become a private backyard. Mr. Altman indicated tract A and B would be owned by the homeowners association and included in the original CC&Rs.

Mayor closed hearing at 9:40 p.m.

Motion: Councilor Starr moved to approve the amended staff report that goes into the record. Councilor Fitzgerald seconded the motion.

Vote: Motion carried 4-0.

Motion: Councilor Starr moved to approve Ordinance No. 738 on first reading. Councilor Fitzgerald seconded the motion.

Councilor Starr expressed disappointment at how the shadow platting and CC&Rs allowed only one person to make development of the property viable, unworkable for any other developer.

Councilor Fitzgerald agreed with Councilor Starr's statements and thought the shadow platting was unfriendly to the seller and other buyers.

Vote: Motion carried 4-0.

E. **Ordinance No. 739** – 1st reading

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Residential Agricultural - Holding (Ra-H) Zone To The Planned Development Residential - 3 (PDR-3) Zone On 1.79 Acres Comprising Tax Lot 5000 Of Section 13BA, T3S, R1W,

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Clackamas County, Oregon. Renaissance Development Corp., Applicant.

Motion: Councilor Starr moved to approve the amended staff report that goes into the record. Councilor Fitzgerald seconded the motion.

Vote: Motion carried 4-0.

Motion: Councilor Starr moved to approve Ordinance No. 739 on first reading. Councilor Fitzgerald seconded the motion.

Vote: Motion carried 4-0.

Mayor Knapp read the LUBA appeal process.

F. **Ordinance No. 740** – 1st reading
An Ordinance Of The City Of Wilsonville Declaring A Moratorium On Medical Marijuana Facilities, And Declaring An Emergency.

Ms. Jacobson read the title of Ordinance No.740 into the record on first reading.

Mayor Knapp read the public hearing format and opened the public hearing at 9:45 p.m.

Ms. Jacobson presented the staff report. Senate Bill 1531c, passed by the Oregon Legislature during the short 2014 legislative session, allows for a one (1) year ban on registered medical marijuana facilities by local jurisdictions, provided that the ban is put into place no later than May 1, 2014. If the moratorium is put into place by the City of Wilsonville, the ban will remain in place until May 1, 2015. Earlier passage of an Oregon law (House Bill 3460 (2013)) that legalized medical marijuana dispensaries in Oregon was unpopular and controversial, with many local jurisdictions who, through a variety of legal measures, attempted to ban or restrict medical marijuana dispensaries within their respective jurisdictions. Along those lines, and as City Council is aware, the City of Wilsonville enacted Ordinance No. 734, which prohibits the issuance of a business license to any business that, by its very nature, is illegal under either state or federal law. Federal law still holds that any use or sale of marijuana is illegal. Due to the outcry from local governments, the Oregon Legislature reconsidered their action during the 2014 session and enacted Senate Bill 1521c, which establishes a clear process for local jurisdictions who wish to impose a ban on medical marijuana dispensaries, at least temporarily. In response to passage of this new legislation and the ongoing potential legal challenge to the City's business license Ordinance No. 734, legal staff recommends that it is prudent to adopt the ban, in the manner approved by the Oregon Legislature, as a safe harbor, rather than relying solely on our existing Ordinance No. 734, especially given the possibility it could be overturned by the courts if successfully challenged. As noted above, the ban allowed by the Oregon Legislature is temporary (May 1, 2014 to May 1, 2015), with the Legislature anticipating that a more permanent resolution will occur during the next legislative session.

The proposed Ordinance is expected to prevent medical marijuana dispensaries from locating within the City of Wilsonville City limits and will avoid potential legal challenges to doing so. Due to time constraints imposed by the Oregon Legislature for passage of this moratorium, the proposed Ordinance also declares an emergency to allow for immediate passage. Passage could help avoid potential costly legal challenges to the City's existing Ordinance No. 734.

The goal is that this Ordinance will prevent the location of medical marijuana dispensaries within the City

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of Wilsonville until clear and proper regulations can be promulgated to help prevent related crime and negative impacts to the community and neighboring businesses.

Mayor Knapp invited public testimony, hearing nothing he closed the public hearing at 9:48 p.m.

Motion: Councilor Fitzgerald moved to approve Ordinance No. 740 on first reading. Councilor Starr seconded the motion.

Vote: Motion carried 4-0.

NEW BUSINESS

A. Transportation for America (T-4 America)

Ms. Kraushaar indicated the topic had been discussed during work session, and presented the staff report.

The Council is being asked to consider endorsing the T4America platform that proposes stabilized funding for the Highway and Transit Trust Funds and identifying additional revenue for locally-driven transportation projects that spur economic growth and innovation.

T4America is an alliance of elected, business, and civic leaders from communities across the country, partnering to promote that states and the federal government step up to invest in efficient and locally-driven transportation solutions. They believe that:

- 1) In the interstate era, the federal government led major transportation investments.
- 2) Now, in the 21st century, the challenge is to promote local and regional initiatives, to stimulate innovation, and to ensure that reliable implementation funding is available.
- 3) These community investments will result in strong economies that benefit the business community and provide jobs for a wide range of professions.

T4America was established in response to declining reliability of the Highway Trust Fund as a resource for the enormous transportation needs at all jurisdiction levels. Their platform aims at resolving the gap between declining gas tax revenues and growing transportation needs and costs and recognizing the associated beneficial economic outcomes.

T4America goals include the following activities:

- 1) Investment. Help secure sufficient state and federal transportation funding for infrastructure to move freight to market and people to jobs.
- 2) Local Control. Advocate for federal and state policy changes that give local communities more authority and funding to spur innovation and strengthen their economies.
- 3) Innovation. Provide research and peer-to-peer information sharing to help communities develop and take advantage of new approaches to transportation planning, funding, and financing challenges.
- 4) Options. Help communities adapt to changing market preferences, technology, and consumer demand for a range of transportation options - from managed highway lanes to transit to walkable neighborhoods.
- 5) Access to Jobs. Advocate for transportation policies that help employers attract new talent and ensure that employees have access to travel options that can reduce costs and stress.

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ODOT, the U.S. Secretary of Transportation (Anthony Foxx), and others report that the federal Highway Trust Fund balances will be exhausted in summer 2014. If the fund becomes insolvent, the Federal Highway Administration (FHWA) will be unable to fully reimburse states (and local agencies) for projects funded under the federal-aid highway program. This will require ODOT to cancel or delay a large number of state and local transportation projects programmed for 2015 and beyond – such as the Kinsman Road extension (Barber to Boeckman) project.

ODOT reports that if additional resources are not provided for the Trust Fund, Oregon's future federal transportation funding would be cut by over \$150 million per year. Local governments would be impacted as they receive 25 to 30 percent of Oregon's federal highway funding. Revenues to local transit districts from the Transit Trust Fund would also be reduced if additional resources are not identified. SMART relies on federal funding for approximately 20 percent of its budget.

The Highway Trust Fund is primarily supported by the federal gas tax which is declining and currently is not indexed for inflation. In 2008, the General Fund started subsidizing the Highway and Transit trust fund spending. The General Fund is not considered an ongoing reliable funding source for transportation. T4America proposes to eliminate reliance on the General Fund subsidy by increasing transportation user fees. Several possible revenue sources could be used to raise additional revenues for the trust fund:

- 1) Index the gas tax to account for inflation and rising vehicle efficiency;
- 2) Place a fee of up to \$4 fee per barrel of oil;
- 3) Increase the existing 18.3-cent federal gas tax by 17 cents per gallon;
- 4) Phase in a user fee based on vehicle miles traveled;
- 5) Add a 5.5% federal sales tax to fuel purchases;
- 6) Replacing the existing 18.3-cent federal gas tax with an 11% federal sales tax on fuel purchases;
- 7) A combination of these or other dedicated revenue sources.

A Council motion to support the T4America platform does not signify support for any of the particular options above.

Staff has prepared a DRAFT letter that the Council may consider if they choose to endorse T4America and wish to send a letter of support.

Support for T4America is expected to stabilize funding for the MAP21 (Moving Ahead for Progress in the 21st Century) program that Congress adopted in 2012, protect all transportation modes from budget cuts, and raise additional revenue for locally-driven projects that spur economic growth and innovation.

In April, the Metro Council will be considering a resolution that endorses T4America's proposal to increase federal transportation user fees by \$30 billion or other funding options to displace the dependence of the Highway and Transit Trust Funds on the General Fund and support growth in federal transportation investment.

At their April 10, 2014 meeting, JPACT (Joint Policy Advisory Committee on Transportation) will be asked for their recommendation to the Metro Council on the T4America resolution. Lake Oswego Councilor Donna Jordan, the JPACT representative for the Cities of Clackamas County, is seeking input from the City Councils she represents to prepare for the JPACT meeting.

The C4 (Clackamas County Coordinating Committee) Metro Subcommittee will have discussed the topic at their April 3, 2014 meeting.

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The T4America platform and membership is being considered by the C4 (Clackamas County Coordinating Committee) Metro Subcommittee, Clackamas County, Washington County, Multnomah County and other cities in the Metro region to provide input to JPACT in their recommendation to the Metro Council.

The City of Wilsonville has received federal funding for SMART and many local projects in the past and hopes to continue to seek federal funding to leverage local funds for medium to large transportation projects (such as the Kinsman Road Extension (Barber to Boeckman). If the Highway Trust Fund becomes insolvent or if the General Fund no longer subsidizes the Highway and Transit Trust Funds, there will be less federal funding available for local agencies and transit districts. ODOT's reduced federal funds may result in the Kinsman Road project being cut or delayed.

Motion: Councilor Fitzgerald moved to endorse platform and send a letter of endorsement.
Councilor Starr seconded the motion.

Councilor Fitzgerald favored the proposal because it was important to have the City's voice heard at the federal and regional levels to keep highways and roads and bridges functional for freight traffic and commerce.

Mayor Knapp indicated those who traveled to Washington D.C. to talk with elected representatives heard from them their frustration over the lack of action on transportation issues and funding.

Councilor Goddard stated he would abstain from voting because he wanted additional information on collection of user fees and how they would be used.

Vote: Motion carried 3-0-1. Councilor Goddard abstained.

CITY MANAGER'S BUSINESS

A. Visitor Kiosks

Mr. Cosgrove distributed a letter from the Wilsonville Chamber of Commerce requesting \$6,000 to fund their kiosk program for an additional year. He noted there was no data provided by the Chamber explaining what the \$6,000 would purchase; but Council could provide direction to: fund the program for an additional year; request Mr. Gilmore come before Council to talk about that program and what the \$6,000 would buy the City, or tourism in general. Funding was available for the program.

After a brief discussion the Council agreed the Chamber should attend a Council meeting to discuss the kiosk program and prepare a written proposal about what services would be provided.

Motion: Councilor Fitzgerald moved to ask staff to contact the Chamber and arrange for a verbal presentation at the next meeting and a written description of the service.
Councilor Starr seconded the motion.

Vote: Motion carried 4-0.

LEGAL BUSINESS - There was no report.

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ADJOURN

The Mayor adjourned the Council meeting at 10:14 p.m.

Respectfully submitted,

Sandra C. King, MMC, City Recorder

ATTEST:

Tim Knapp, Mayor