



CITY COUNCIL MINUTES

Tuesday, December 4, 2018

5:30 pm
Conference Room C113B&C

Work Session
150 E. Main Street

7:00 pm
Civic Center Shirley Huffman Auditorium

City Council Regular Session
150 E. Main Street

1. Work Session – 5:30 pm – Conference Room C113B&C:

- A. Business Recruitment – presented by Jim Riley, Economic Development Manager, Dan Dias, Economic Development Director, and Daniel Rittatore, Project Manager

The work session was held.

Community Services Grant Program Reception – 6:00 pm – Civic Center Lobby

Regular Session – 7 pm – Shirley Huffman Auditorium

Pledge of Allegiance – Council President Darell Lumaco

Call to Order – Roll Call

Present: Councilors Darell Lumaco, Olivia Alcaire, Kyle Allen, Anthony Martin, Fred Nachtigal, and Rick Van Beveren

Excused: Mayor Steve Callaway

Staff Present: Michael Brown, Robby Hammond, Aubrey Minear, Mark Jackson, Neha Subramanyam, Simone Brooks, Peter Brandom, Tami Cockeram, John Schmerber, Colin Cooper, Tom Arnold, Betty Pleasant, Steve Pleasant, Kristi Wilson, Jessica Stark, Andrew Bartlett, Sarah Bruce, Greg Mont, Andy Smith, Lindsay Jacques, Kelsey Parker, Dan Dias, and Shannon Walton-Clark

2. Presentations and Appointments:

- A. White Christmas – a Liberty High School Theater Arts performance
- B. Proclamation: 60th Anniversary of Valley West Refuse Disposal – December. Presented to Glen Kingsley and Jaci Clark, owners of Valley West Refuse Disposal

- C. Proclamation: Human Rights Day – December 10. Presented to Tami Cockeram and John Schmerber, Human Rights Council of Washington County representatives
- D. Presentation of the grant awards for the Community Services Grant Program for Fiscal year 2018-19: (Award amounts were approved at the November 20, 2018 City Council meeting)

<u>Agency</u>	<u>Amount</u>
Adelante Mujeres	\$10,000
Albertina Kerr	\$3,000
ASSIST	\$5,000
Assistance League	\$4,000
Bienestar	\$8,000
Big Brothers Big Sisters	\$8,000
Boys & Girls Aid	\$10,000
Boys & Girls Club	\$10,000
CASA For Children	\$5,700
Cascade Aid Project	\$10,000
Centro Cultural	\$2,000
Chess for Success	\$1,000
CODA, Inc.	\$2,500
Community Action	\$15,000
Domestic Violence Resource Center	\$5,000
Ecumenical Ministries	\$3,000
Financial Beginnings	\$6,000
Friends of the Hillsboro Senior Center	\$1,800
Girl Scouts of Oregon & SW Washington	\$2,000
Homeless Connect – Sonrise Church	\$9,000
HomePlate Youth Services	\$5,000
Impact NW	\$3,000
Lifeworks NW	\$3,000
Love, Inc.	\$6,000
Meals on Wheels People	\$5,000
My New Red Shoes	\$1,000
Open Door Counseling Center	\$5,000
Oregon Food Bank	\$6,000
Paws Assisting Veterans	\$6,000
Proud Ground	\$1,000
Rebuilding Together Washington County	\$3,000
Saving Grace Maternity Home	\$2,000
Street Roots	\$1,000
The Dougy Center	\$5,000
Village Without Walls	\$2,000
Virginia Garcia	\$4,000

Voices Set Free	\$2,000
Young Parents Dreamers and Achievers	\$9,000
Youth Contact	\$10,000

3. Public Comment Regarding Items Listed On The Agenda:

- A. Michelle Rush, Hillsboro; and Dave Hewitt, Hillsboro; expressed support for the data privacy resolution. They spoke of transparency and the importance of not selling information to private companies.

4. Consent Agenda:

- A. Approve minutes:
 - September 4, 2018
 - September 4, 2018 work session
 - September 18, 2018
 - September 18, 2018 work session
 - October 2, 2018
 - October 2, 2018 work session
 - October 15, 2018
 - October 16, 2018
 - October 16, 2018 work session
 - November 6, 2018
 - November 6, 2018 work session
 - November 20, 2018
 - November 20, 2018 work session

Motion was made by Nachtigal, seconded by Van Beveren, to approve the Consent Agenda as presented. The motion passed unanimously with Lumaco, Alcaire, Allen, Nachtigal, Martin, and Van Beveren voting in favor.

5. Public Hearings:

- A. Zone Change 004-18: Thomas (The ordinance will be considered as item 7A)

Colin Cooper, Planning Director, read the Oregon Revised Statue requirements and gave an oral staff report providing background information.

Councilor Lumaco opened the public hearing on item 5A and asked for any ex parte contacts the councilors have had. There were none.

Councilor Lumaco asked for testimony from the applicant, and following the applicant, any testimony in favor or in opposition. No testimony was provided. Councilor Lumaco closed the public hearing on item 5A.

- B. Annexation 003-18: JSR Micro (The ordinance will be considered as item 7B)
- C. Zone Change 006-18: JSR Micro (The ordinance will be considered as item 7C)

Colin Cooper read the Oregon Revised Statute requirements and gave an oral staff report providing background information.

Councilor Lumaco opened the public hearing on item 5B and 5C and asked for any ex parte contacts the councilors have had. There were none.

Councilor Lumaco asked for testimony from the applicant, and following the applicant, any testimony in favor or in opposition.

Steve Rose, Hillsboro, expressed concerns about the public road and not receiving a notice in the mail.

Colin Cooper clarified the notice requirements for annexations and zone changes versus potential future development.

Councilor Lumaco closed the public hearing on item 5B and 5C.

- D. Consider adopting a resolution establishing the Right-of-Way Use Fee and License Application Fees for utilities operating within the City's rights-of-ways, and repealing Resolution No. 2541. Resolution No. 2616 was available.

Councilor Lumaco opened the public hearing on item 5D. He asked for testimony in favor and in opposition.

Rick Wyola, representing Verizon, expressed opposition for the resolution. He said the change is unfair and referenced a written statement that was emailed to the Council earlier in the day.

Tim Goodman, representing Comcast, expressed opposition for the resolution. He asked for more notice in the future as the resolution creates an unequal playing field in the marketplace. He referenced a written statement that was emailed to the Council earlier in the day.

Councilor Lumaco closed the public hearing on item 5D.

Councilor Nachtigal said he was sympathetic to the notion that there wasn't much notice, he isn't sure he is fully informed; and procedurally it makes him concerned. He emphasized the importance of everyone having a voice at the table and said he is not sure procedurally enough time has been allowed for everyone to speak.

Michael Brown, City Manager, said if the Council desires to have more time, staff can accommodate, but issues regarding right-of-way have been a topic of conversation over the last several years.

Motion was made by Martin, seconded by Allen, to approve Resolution No. 2616. The motion passed 4-2 with Lumaco, Alcaire, Martin, and Allen voting in favor. Councilors Nachtigal and Van Beveren voted no. Resolution No. 2616 was adopted.

6. Unfinished Business:

- A. None.

7. Ordinances:

First Reading:

- A. Zone Change 004-18: Thomas: Consider Planning and Zoning Hearings Board recommendation to adopt an ordinance changing the zoning of a piece of property from Multi-family Residential 1 to Mixed Use Neighborhood, to implement the Mixed Use Comprehensive Plan designation. Ordinance No. 6287 was available.

Motion was made by Nachtigal, seconded by Martin, to approve the first reading of Ordinance No. 6287. Roll call on the motion was as follows: Martin, aye, Allen, aye, Alcaire, aye, Lumaco, aye, Nachtigal, aye, Van Beveren, aye. The motion passed unanimously and the first reading of Ordinance No. 6287 was approved.

- B. Annexation 003-18: JSR Micro: Consider Planning Commission's recommendation to adopt an ordinance annexing a property to allow for future development. Ordinance No. 6288 was available.

Motion was made by Nachtigal, seconded by Allen, to approve the first reading of Ordinance No. 6288. Roll call on the motion was as follows: Martin, aye, Allen, aye, Alcaire, aye, Lumaco, aye, Nachtigal, aye, Van Beveren, aye. The motion passed unanimously and the first reading of Ordinance No. 6288 was approved.

- C. Zone Change 006-18: JSR Micro: Consider Planning Commission's recommendation to adopt an ordinance approving a city initiated zone change from County Future Development 20 to City Industrial Sanctuary and Regulatory Floodplain Overlay upon annexation of the property to allow for future development. Ordinance No. 6289 was available.

Motion was made by Nachtigal, seconded by Martin, to approve the first reading of Ordinance No. 6289. Roll call on the motion was as follows: Martin, aye, Allen, aye, Alcaire, aye, Lumaco, aye, Nachtigal, aye, Van Beveren, aye. The motion passed unanimously and the first reading of Ordinance No. 6289 was approved.

- D. Hillsboro Comprehensive Plan Amendment 001-18: North Hillsboro Significant Natural Resource Sites: Consider Planning Commission's recommendation to adopt an ordinance approving minor text amendments to sections 23.5 and 30 of the Hillsboro Comprehensive Plan, to update the City's Significant Natural Resources Inventory for portions of the North Hillsboro area. Ordinance No. 6290 was available.

Motion was made by Nachtigal, seconded by Martin, to approve the first reading of Ordinance No. 6290. Roll call on the motion was as follows: Martin, aye, Allen, aye, Alcaire, aye, Lumaco, aye, Nachtigal, aye, Van Beveren, aye. The motion passed unanimously and the first reading of Ordinance No. 6290 was approved.

Second Reading:

- E. None.

8. New Business:

- A. Consider adopting a resolution consenting to the assignment of a solid waste franchise by Valley West Refuse Disposal to Pride Disposal. Resolution No. 2612 was available.

Motion was made by Nachtigal, seconded by Van Beveren, to approve Resolution No. 2612. The motion passed unanimously with Lumaco, Alcaire, Martin, Allen, Nachtigal, and Van Beveren voting in favor. Resolution No. 2612 was adopted.

- B. Consider adopting a resolution establishing data privacy principles that will guide City actions when collecting, storing, and using community member information. Resolution No. 2613 was available.

Councilors Allen and Nachtigal thanked those who expressed their support for the resolution.

Motion was made by Nachtigal, seconded by Van Beveren, to approve Resolution No. 2613. The motion passed unanimously with Lumaco, Alcaire, Martin, Allen, Nachtigal, and Van Beveren voting in favor. Resolution No. 2613 was adopted.

- C. Consider Transportation Committee's recommendation to adopt a resolution declaring a necessity to acquire needed right-of-way parcels and easements for the North Hillsboro High Technology Park, exempt these acquisitions from the City's Land Acquisition Policy, and authorize the City Attorney to proceed with the condemnation proceedings if the parcels can't be obtained through negotiations by March 1, 2019. Resolution No. 2614 was available.

Councilor Martin suggested looking into the land acquisition policy.

Motion was made by Nachtigal, seconded by Martin, to approve Resolution No. 2614. The motion passed unanimously with Lumaco, Alcaire, Martin, Allen, Nachtigal, and Van Beveren voting in favor. Resolution No. 2614 was adopted.

- D. Consider adopting a resolution recording the certified election results for the November 6, 2018 General Election. Resolution No. 2615 was available.

Motion was made by Nachtigal, seconded by Van Beveren, to approve Resolution No. 2615. The motion passed unanimously with Lumaco, Alcaire, Martin, Allen, Nachtigal, and Van Beveren voting in favor. Resolution No. 2615 was adopted.

9. Public Comment Regarding Items Not Listed On The Agenda:

- A. Merlin Bernardi, Hillsboro, spoke of traffic control and violations on 32nd Street.
- B. Devin Heard, Hillsboro, spoke of traffic control and violations on 32nd Street.
- C. Hal Ballard, Hillsboro, invited the Council to join him for a bike ride in the spring as a way to inform the Council of how bike riders get from one raised bicycle area to the next.
- D. Kevin Schmidt, Hillsboro, said he agrees with previous comments made about 32nd Street. He expressed concerns regarding a land acquisition, Resolution No. 2614.

10. City Manager Report:

No report was provided.

11. Advice/Information Items:

- A. None.

The meeting was adjourned at 8:25 pm.

Steve Callaway, Mayor

ATTEST: _____
Amber Ames, City Recorder