**Agenda**

**Bend City Council**

**January 17, 2018**

**City Council Chambers, Bend City Hall**

**710 NW Wall, Bend, Oregon**

Light Meal, 4:30 p.m.

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**City Council Work Session, 3:00 p.m.**

**1. Convene Work Session**

(Councilor Boddie excused)

**2. Quarterly Council- Board/Commission check-in (Planning Commission, Affordable Housing, BEDAB) including Neighborhood Association Roundtable (NART) and Performance Target/Metric Update; presentation by Damon Runberg, Regional Economist (2 hours)**

Damon Runberg, Regional Economist

Performance Target/Metric Update

<https://www.bendoregon.gov/government/city-council/performance-dashboard>

Planning Commission, Rex Wolfe

* Comprehensive Plan/zoning Map Alignment project
* 2018 Development Code Update
* Affordable Housing Code Update
* OSU Cascades Master Plan
* Gateway North Master Plan

BEDAB, Stephanie Senner

* Tourism Reserve Fund – need more time
* Heard from Kevney Duggan, Visit Bend

Affordable Housing, Kristin Chatfield

* Council to meet with Parks on SDCs
* Renter protections, revisit in the spring
* SDC exemptions, request for staff time to look at water & sewer
* Surplus properties

Work Group – Councilors Abernethy, Moseley and Livingston

* Increase housing in range of 200% adjusted gross income
* Increasing land supply, reducing building cost, increasing wages, weatherization and utility assistance, financing
* No more than 30% on housing expenses
* Council discussion on February 7

Neighborhood Associations

* Form Neighborhood Leadership Alliance to provide formal structure
* Presentation to Council 2nd meeting in April

**3. Executive Session under authority of ORS 192.660 (2) (d) to conduct deliberations with persons designated to carry on labor negotiations**

5 – 5:30 p.m.

**4. Return to Open Session**

**5. Leading Effective Applications and Processes (LEAP) Project implementation update by Plante & Moran (30 min.)**

Kevin Riper, Asst. City Manager, Denise Wallace, IT Business Analyst, Randy James, IT Manager

 Management Consulting Principal Mike Riffel and Senior Manager Nicole Simpkinson, Plante Moran

**6. City of Bend Standards and Specifications Update (30 min.)**

Ryan Oster, City Engineer, Lindsey Cromsigt, Project Engineer and Chris Henningsen, Principal Engineer

**7. Energy Service Company (ESCO) Procurement Process (20 min.)**

Gillian Ockner, Senior Policy Analyst

6:40 p.m. break

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**City Council Regular Meeting, 7:00 p.m.**

**1. Roll Call: Mayor Casey Roats, Mayor Pro Tem Sally Russell, Councilor Bill Moseley, Councilor Bruce Abernethy, Councilor Nathan Boddie, Councilor Justin Livingston, Councilor Barb Campbell**

**2. Pledge of Allegiance**

**3. Good of the Order**

**A. Forrest Cepeda Memorial, Don’t Text and Drive**

BPD Sergeant Eric Hagan, Bill Howiler (grandfather)

On Friday Jan. 12 the City of Bend installed a memorial sign on SE Reed Market Road near Pettigrew Road where in 2011, 16-year-old Forrest Cepeda was killed by a driver who was texting and hit the boy. In conjunction with a Bend Police Department effort to discourage distracted driving, the City installed the signs in Cepeda’s memory. The City Manager, acting as the City of Bend Road Authority, granted a one-time exemption to the City’s standards for road memorials to allow the Streets and Operations Department to install an educational sign about texting and driving, in memory of Forrest Cepeda.  Police Sgt Hagan will talk about  the dangers of texting and driving and how big of a problem it is here. He can recap Oregon’s new distracted driving cell phone law, which went into effect last October, brings tougher rules and fines and potential jail time for repeat offenders. Generally, it says it’s illegal to drive while holding or using an electronic device.

**B. Annual Financial Report Presentation**

James Lanzarotta and Kevin Mullerleile Moss Adams

**4. Visitor’s Section***– 3 minutes per person; when invited to the podium, please state your name and whether you live inside the City of Bend.*

Rondo – emergency cold shelter

David Paulson – concern with directly elected mayor, candidate should need 50% of votes to be Mayor

Diana Hopson – parking trap at Franklin and Wall, $50 ticket, nothing to indicate motorcycle parking only

Keith Scott – Council Chambers expansion

**5. Consider a Motion to approve the Consent Agenda**

**A. Approval of Minutes:**

* **November 15, 2017 work session**
* **November 15, 2017 regular meeting**

**B. Authorize the purchase of radios and other equipment for 12 fire departments in Jefferson, Deschutes, and Crook Counties in the amount not to exceed $592,000.00 from Communications Northwest through Houston-Galveston Area Council contract number RA0515, and $782,000.00 from Harris Corporation through Oregon state cooperative contract number 0491 using funds from a regional FEMA grant, City of Bend, and the other recipient fire departments**

**End of Consent Agenda**

Councilor Russell moved for approval of the consent agenda. Councilor Livingston seconded the motion.

Voice Vote – All those in favor: Yes 6 No 0

**6. Public hearing on declaration of surplus property (.10 acre irregular parcel of real property located off of NW 3rd Street on Roanoke Avenue, near NW Awbrey Road, River Terrace Lot 15, Block 4, Taxlot: 171232BA03800)**

**Recommended motion:** *I move to adopt the resolution declaring certain property surplus.*

Staff report by Lynne McConnell, Affordable Housing Manager

Councilor Moseley declared a potential conflict of interest because he lives near the property. He left the room at 7:38 p.m.

Ryan Oster answered questions about developing the property.

Mayor Roats opened public hearing.

Conan Daugherty commented on topography and the challenges of making the road improvements.

Max King shared concerns with realigning the road.

Eric Denzler has lived on the adjacent property since 1996. He was concerned with traffic and parking because of the narrow space available for a street.

Julian Saltan encouraged Council to take a walk in the area.

Barbara Rich noted the lot has been a problem for 20 years. 1/3 of the lot is currently covered by road.

Pat Mullen had a 4-plex built across from her home. She asked to get the neighborhood together for a community project such as a garden.

Lynn Larson commented on topography.

Mayor Roats closed the public hearing.

Councilor Russell moved to adopt the resolution declaring certain property surplus. Councilor Campbell seconded the motion.

Councilor Livingston didn’t support the sale because it caused additional problems. He would like staff to return with a recommendation on vacating the property and right of way.

Councilor Abernethy did not support the resolution.

Mayor Roats supported moving forward with requesting proposals because of fairness to others who have expressed similar sentiments. There are many opportunities to engage in the process.

Councilor Russell amended the motion to include in the RFP a broader look at cleaning up the right of way challenges. Councilor Livingston 2nd. Passed 4-1 (Abernethy opposed)

Lynne responded that the sale will include deed restrictions that stay with the property.

Voice Vote – All those in favor: Yes 4 No 1 (Abernethy opposed)

Councilor Moseley returned at 8:17 p.m.

**7. Resolution to approve an exemption from City property taxes for qualified rental housing for Azimuth 315**

**Recommended motion:** *I move to approve the resolution granting an exemption from City property taxes for qualified rental housing to Azimuth 315, LLC for the Azimuth 315 development.*

Staff report by Lynne McConnell, Affordable Housing Manager

Councilor Abernethy moved to approve the resolution granting an exemption from City property taxes for qualified rental housing to Azimuth 315, LLC for the Azimuth 315 development. Councilor Russell seconded the motion.

Voice Vote – All those in favor: Yes 7 No 0

**8. Authorize an agreement with M.A. Mortenson Company for Construction of the Water Reclamation Facility (WRF) Capacity Improvements Project**

**Recommended motion:** *I move to**authorize an agreement with Mortenson for construction of the WRF Capacity Improvements Project (1SCAP) in the amount of $7,551,749 and to authorize the City Manager to sign the contract in substantially the form presented to Council.*

Staff report by Josh Robertson, Principal Engineer

Councilor Livingston moved to authorize an agreement with Mortenson for construction of the WRF Capacity Improvements Project (1SCAP) in the amount of $7,551,749 and to authorize the City Manager to sign the contract in substantially the form presented to Council. Councilor Abernethy seconded the motion.

Voice Vote – All those in favor: Yes 6 No 0

**9. Council direction on Draft Resolutions to recommend Charter Amendments to the May 2018 ballot**

Staff report by Elizabeth Oshel, Associate City Attorney

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|  | **Council indicated preference** | **Alternate option** |
| Mayor – term | 4 year | 2 year |
| Mayor – first election | 2018 (gubernatorial schedule) | 2020 (presidential schedule) |
| Mayor pro-tem – term | 2 year | 4 year (aligned with mayoral election) |
| Mayoral qualifications | Same as councilors – Section 12 |  |
| Mayoral vacancy | Same as councilors – Section 22 |  |
|  |  |

Roats - Council indicated preference

Russell - Council indicated preference, except 2020

Moseley – Council indicated preference, 2 year term

Abernethy – Council indicated preference

Livingston - Council indicated preference

Campbell - Council indicated preference, except 2020

Support for Council indicated preference

|  |  |
| --- | --- |
| **Directly elected mayor ballot measure:** | **Compensation ballot measure:** |
| Council members receive $200 compensation per month. | Committee recommendation:Council members (councilor and mayor) compensation set by ordinance. |
| Alternate:Council members, except for mayor, compensated $200.Mayor compensation set by ordinance. |
|  |

Roats – remove from compensation from Charter

Russell - remove from compensation from Charter

Moseley – does not support changing pay for Council; being a councilor is a public service

Abernethy – remove from compensation from Charter; people need to know what the amount will be, proposed convening committee before May

Livingston – hesitant to remove

Campbell - remove from compensation from Charter

Committee to review make a recommendation before May. – unanimous support

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| **If sitting councilor declares candidacy for mayor in the middle of their term, must they resign their council seat?** |
| Some cities do not require resignation (i.e., League of Oregon Cities model charter, Redmond, Gresham, Eugene, Salem)Council would fill vacancy by appointment – voters do not have choice for seatIncentive for councilors to run for mayor | Some cities require resignation (i.e., Lake Oswego, Tigard, Florence, La Grande)Allows voters to fill vacated council seat – election would be for remainder of termRelationships between councilors after hard-fought race (see, Redmond) |

Roats – would not require resignation but could be swayed

Russell - would not require resignation

Moseley – would not require resignation

Abernethy – would not require resignation

Livingston – would not require resignation but could see the benefit

Campbell – would not require resignation

**10. Council Action and Reports**

**A. Committee Reports**

Councilor Campbell – COACT grant opportunities, MPO, Affordable Housing

Councilor Livingston – toured Overturf Butte site, Redmond Airport Committee, police ride-along, concern with radio system

Councilor Abernethy – LWV presentation on Charter, meeting with Bridge Meadow foster children/senior housing model, tobacco prevention, joint meeting with School District, housing affordability, Jim Long’s retirement party

Councilor Moseley – met with 1st graders, MPO new date 3rd Tuesday of each month at noon, end of term as chair, elected Sally

Councilor Russell – MPO work in Salem, Safe Routes to School, COACT, School District

Mayor Roats recommended reappointment of Landmark Commission members to their current positions.  Jason Offutt, Robin Vora and Bill Olson.  Jason is currently an alternate and the other two are voting members.  Campbell moved, Abernethy 2nd, passed 6-0

**11. Receive City Manager's Report**

**12. Adjourn**

9:30 p.m.

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**Accessible Meeting/Alternate Format Notification**

****This meeting/event location is accessible. Sign and other language interpreter service, assistive listening devices, materials in alternate format such as Braille, large print, electronic formats, language translations or any other accommodations are available upon advance request at no cost. Please contact the City Recorder no later than 24 hours in advance of the meeting at rchristie@bendoregon.gov, 541-388-5505, fax 541-385-6676, or TTY 541-312-8478. Providing at least 2 days notice prior to the event will help ensure availability.