

**MINUTES  
CITY OF FAIRVIEW  
CITY COUNCIL**

March 16, 2016

**Council Members**

Ted Tosterud, Mayor  
Dan Kreamier  
Steve Prom  
Natalie Voruz  
Brian Cooper  
Tamie Arnold  
Ed Bejarana

**Staff**

Nolan Young, City Administrator  
Gary Kirby, Sergeant  
Allan Berry, Public Works Director  
Lesa Folger, Finance Director  
Heather Martin, City Attorney  
Devree Leymaster, City Recorder

**WORK SESSION (6:00 PM)**

**1. BUDGET COMMITTEE CANDIDATE INTERVIEWS**

City Recorder Leymaster asked the same six questions of each candidate. (*Exhibit A*) Below is a brief summary of how each candidate answered.

George Lingelbach

1. I would like to participate.
2. Served on the Multnomah County Drainage District committee; reviewed a 15 million plus budget.
3. Would like to see the city work with other cities were applicable to create savings and make services more affordable.
4. No specific concerns.
5. Use of reserves? Depends on what it is for. Overall use should be kept minimal.
6. Has served on the Budget Committee and is willing to continue if needed.

Chris Rathgeber

1. I want to participate.
2. No prior experience.
3. Assist in formulating plan to help ensure the budget is efficient and prioritize where the money is spent.
4. No specific concerns.
5. Not a lot of experience. In general reserves should be used in case of an emergency or backup when there is a shortfall in tax revenue; less than expected.
6. Worked in the service industry. Works well with people and is empathetic. Would listen to the community and what their needs are.

**2. CIS COUNCIL TRAINING**

Council watched the CityCounty Insurance Services (CIS) training video, “Elected Officials Bonus Program Training – 2014”.

**3. RECREATION PROGRAM UPDATE**

Councilor Cooper shared that Troutdale is still discussing the proposal and that Wood Village is supportive and is engaging in discussions.

City Administrator Young remarked Fairview will cover the cost, as approved by Council, for Troutdale to mail their Spring/Summer Recreation Guide to all Fairview residents,

CA Young also noted that the budget will include funding proposals to implement a Recreation Program next fiscal year.

Councilor Voruz inquired about insurance requirements for recreation programs. CA Young answered insurance will have to be looked into.

Councilor Arnold asked about the status of the Ad Hoc committee. CA Young replied he will be sending out a notice soon. Councilor Arnold remarked she is interested in being on the Recreation Program Ad Hoc committee.

Councilor Bejarana commented he thought the program was in an early concept phase and queried how they can be discussing classes, insurance, fees, etc. Councilor Cooper replied they do not have a program structure yet. There is a small potential that they may be able to offer a few classes this fall.

Councilor Bejarana asked how they could have a budget if they don't have a plan yet. Councilor Cooper answered they have a concept plan with estimates. The plan and costs will become more definitive as they build the program.

Councilor Bejarana inquired how they could present user program costs, when they don't know what the program is. Councilor Arnold remarked she was concerned with numbers being presented when there wasn't a clear plan yet.

Councilor Voruz remarked she is supportive of the program but it needs to be well thought out and a transparent process. Need to ensure that individuals working with and providing training to the youth have the right skill levels and are provided the proper training.

Council President Prom commented he doesn't want to compete against private groups. There are a lot of good, private youth programs. Instead of reinventing what is already there, he proposed providing scholarships or other support options to connect youth to existing programs. Councilor Kreamier agreed; instead of recreating a whole new program, provide support programs i.e. grants for existing programs.

Mayor Tosterud requested CA Young put an ad out for two citizen committee members, preferably with recreation experience, to serve on the Ad Hoc committee.

#### 4. COUNCIL RULES

City Attorney Martin reviewed the proposed amendments to the Council rules: Communication with Staff and Legal Advice. She commented the proposed revisions are common in Council rules. The draft language encourages Council to work through the City Administrator. This often facilitates more efficient communication, reduces redundancy, and respects the separation of power. It recognizes the City Administrator as the Administrator of the City.

She presented an additional revision to change the meeting start time rule. Currently, the rules state one regular meeting must begin at 7 PM and adjourn at 9 PM. Mayor Tosterud proposed starting work sessions at 6:15 PM to make it easier for Councilors to arrive at the start of the work session. To avoid losing fifteen minutes of meeting time, the proposal is to delay the start and end time of the regular meeting by fifteen minutes i.e. start at 7:15 PM and adjourn by 9:15 PM.

Council President Prom commented there may be circumstances when Council may feel the need to speak with the City Attorney directly and not go through the City Administrator. City Attorney Martin replied there are exceptions identified in the proposed Legal Advice language that would allow that.

Councilor Bejarana asked if there have been instances of Councilors contacting the City Attorney directly. City Attorney Martin answered yes.

Councilor Bejarana proposed a tracking, or log, system for Council requests to the City Administrator. What if the City Administrator does not forward Council requests to staff or the city attorney? City Attorney Martin remarked if the City Administrator did not respond to requests, it would be a performance issue that the Council would then address.

Councilor Voruz commented sometimes it feels some Councilors are more privy to information than others. She supported the rule amendment that Council members receive the same information submitted by staff at the same time.

## **COUNCIL MEETING (7:00 PM)**

### **1. CALL TO ORDER**

ROLL CALL  
PLEDGE OF ALLEGIANCE

### **2. CONSENT AGENDA**

#### a. Minutes of February 17 & March 2, 2016

Councilor Bejarana moved to approve the consent agenda and Councilor Cooper seconded. The motion passed unanimously.

AYES: 7  
NOES: 0  
ABSTAINED: 0

### **3. CITIZENS WISHING TO SPEAK ON NON-AGENDA ITEMS**

None.

### **4. PRESENTATIONS**

#### a. Walkability Program

Public Works Director Berry summarized our parks provide good opportunities for youth and young adults; this programs recommendation is for our older citizens, to provide benches in walkable areas. Staff will walk the trails and parks and identify locations for benches. Options for plaque donations will be researched and the current bench donation program will be evaluated. Ray Hanson, who recommended the program, will be the honorary project manager. The program will be presented to Council in April for approval.

Councilor Kreamier inquired how many benches would be added. Director Berry replied they will know the count once they scope it out. Councilor Prom suggested using materials for the plaques that are not desirable to thieves. Councilor Bejarana proposed granite or stone options.

#### b. Parks & Recreation Advisory Committee Quarterly Update

Rescheduled to April 6, 2016.

#### c. Economic Development Advisory Committee Quarterly Update

Rescheduled to April 6, 2016.

### **5. CITY ADMINISTRATOR AND DIRECTOR REPORTS**

City Administrator Young reported the following.

- Development Incentive Program information is available on the home page of the city website and on the economic development incentive program web page. Staff is developing a frequent asked questions (FAQ) handout that will be linked to the website. Ads for the incentive program have been purchased in the Daily Journal of Commerce (DJC) and Gresham Outlook.
- Police Chief Anderson is reviewing the Citizen on Park Patrol (COPP) volunteer program. There are two applications pending.
- Nominations for an outstanding youth and adult volunteer are being accepted. The winner will be recognized at the Volunteer Recognition Event on April 12. Citizens are encouraged to nominate community volunteers.

Councilor Bejarana inquired if an exposure analysis of the COPP program had been conducted. CA Young replied Chief Anderson is looking at safety and awareness training as part of his COPP review. Increasing safety will in turn decrease liability. Staff will follow up with CIS as they move through the review process. Councilor Cooper indicated CIS completed a review of the COPP program at the beginning. He was not sure of the specifics. CA Young noted he would look for the report and forward it to Council.

## 6. MAYOR/COMMITTEE REPORTS AND COUNCIL REPORTS

Councilor Kreamier shared at the recent Economic Development Advisory Committee (EDAC) meeting they discussed the Halsey Corridor project and City goals. EDAC indicated they would like to assist with the City branding objective.

Director Berry noted Troutdale and Wood Village are in the process of reviewing the IGA's for the Halsey Corridor project. Feedback will be shared at the 3 city manager meeting on Friday.

Councilor Prom reported the meeting regarding the parking lot concerns went well. They plan to meet with the property owner to propose and negotiate a workable solution for both parties. He noted that he recently needed to call the police non-emergency line. Officer DelaTorre responded. He was impressed with his professionalism, his follow up and resolution to the issue. Councilor Prom commented how lucky we are to have this service and great response time.

Councilor Voruz announced the Easter Egg Hunt is Saturday, March 26 in Community Park.

Councilor Bejarana shared the Public Safety Advisory Committee (PSAC) is working on a simple to follow program focusing on five areas of concern for emergency preparedness. PSAC fully supports that Fairview needs to be self-reliant for up to five days while waiting for regional support services in the event of a disaster/emergency. They are also working on efforts to enhance the neighborhood watch program.

Mayor Tosterud reported that negotiations for potential Multnomah County law enforcement services will begin. He is working on coordinating a round table discussion regarding homelessness in East County and potentially recruiting local churches to assist in providing shelters.

Councilor Arnold read the following statement regarding the Vacant Land Development Incentive Program. "...funded by multiple sources. These include utility fees, property taxes, business taxes, shared revenue and state and other forms of government income. The one source of fees that under state law cannot be used for general city services are system development fees otherwise known as SDC's. SDC's exist for one reason, and for one reason only, and that is to make sure that development is solely responsible for increased capacity in the city system. In Fairview the SDC's we charge are for sewer, water, storm water, streets and parks. SDC's can only be used for projects that enhance the capacity of

the system. Not for routine maintenance, not for employees that are working on general routine maintenance. Only for small administrative fee can be assessed against these funds for city employees.

For many years now these SDC funds have been growing and haven't been spent on projects. One reason is that we are nearly completely built out. We are a land locked city. We have no future development in these areas. In other words, we are not using these and it is an unnecessary fee. The question becomes why do we continue to charge these fees in the first place? What is the effect of these total charges on our local economy? Again if we aren't using these funds it is pretty easy to conclude that we don't need them. If we don't need these funds it is simply punitive and unnecessary to charge them to anyone.

The effect on our local economy is a real problem. Over the past several decades we have seen our local economy fall well behind. As we have added these fees and charges along with competing cities in the west side and downtown Portland. Their economies have continued to grow faster than ours. In other words, by keeping up with the Jones' on fees we've given up our chance to be more competitive and to bring jobs to our own city. In other words, we have chosen to fall behind. Now from the 2010 federal census we know that East County in general, and in some areas of Fairview, have some of the lowest census income tracts in the entire state of Oregon. This simply is not acceptable to me and it should not be acceptable to any of you. So the next question is why are we doing this anyways? Why are we following the lead of downtown Portland and the west side? That obviously has not worked for us, as they continue to extend their economic lead beyond us and keep us slipping further into poverty. These funds aren't used and because we don't have a need for enhanced capacity projects it becomes almost antagonistic type of fee. I cannot make policy decisions based on preventing someone else to be profitable. Our economy is stronger when we are business profitable. When they are profitable they hire more people, prices of goods and services remain stable and the quality of life for our neighborhoods is improved. When businesses are not profitable they go bankrupt, they lay off workers, they fail to pay debts to other neighbors, and the quality of life goes down. I refuse to make policy based on fear. The business incentive program is the most aggressive in the metro region. The fact alone will entice more people to invest in our community creating construction jobs, permanent jobs, housing for new residents and customers. All of who pay taxes and fees to support the city. However simply supporting the city's best interest is not good enough either. The quality of life, the strength of its services, the programs is wholly tied the success of our local economy. When we support the local economy with an incentive program like this we set the proper foundation for the long term stability of the city as well.

On a final note, I would be remiss if I didn't mention the situation that initially encouraged me to run for office in the first place. I watched several years ago as a prior city council targeted and killed a multi-million dollar development that would have paid hundreds of thousands of dollars in property taxes to the city of Fairview for decades. The land sits today undeveloped. The city is deprived of hundreds of thousands of property tax revenue. Our neighbors have been deprived of the jobs it would have created and we still don't have a beautiful development with retail shops and amenities. How many times should we make the same mistake? How many times will we stand in the way of good jobs in our community and essentially decide through sheer stubbornness to be poor. I will not participate in that choice to be poor and I will not help drag our local economy further down the drain. Thank you."

## 7. PUBLIC HEARING

### a. Authorize Budget Transfers: Resolution 18-2016

Finance Director Folger summarized the resolution creates a capital improvement category and authorizes the transfer from the Administrative Excise Charge (AEC) line item to the capital improvement line item to allow these funds to be used towards capital projects as approved i.e. Hanson Plan. In addition, it allows the transfer of funds to the appropriate line item for general safety improvements.

Mayor Tosterud opened the public hearing. Hearing no comment, he closed the public hearing.

Councilor Bejarana moved to approve Resolution 18-2016 and Councilor Cooper seconded. The motion passed unanimously.

AYES: 7  
NOES: 0  
ABSTAINED: 0

## 8. COUNCIL BUSINESS

### a. Review and Prioritize FY2016-17 Council Goals

Council reviewed the goals and indicated that all of the goals were a priority. The objectives marked for increased priority were all the objectives listed under Goal #1 and #2, Goal#3B, and Goal #5A.

Council President Prom proposed moving researching PW shop options (Goal #4E) to the task list. Councilor Kreamier suggested adding developing a plan to address concerns regarding reservoir #1 as a high priority objective under Goal #4.

### b. Adopt FY2016-17 Council Goals: Resolution 19-2016

Councilor Cooper moved to approve Resolution 19-2016 and Councilor Kreamier seconded.

Councilor Bejarana moved to amend Exhibit A to strike Goal #4E and move to the task list and add develop a plan to address concerns regarding reservoir #1 under Goal #4 and Council President Prom seconded. The motion passed unanimously.

AYES: 7  
NOES: 0  
ABSTAINED: 0

The motion to approve Resolution 19-2016 passed unanimously.

AYES: 7  
NOES: 0  
ABSTAINED: 0

### c. Appoint Members to the Fairview Budget Committee: Resolution 20-2016

Council President Prom moved to approve Resolution 20-2016 as listed in Attachment B and Councilor Cooper seconded. The motion passed unanimously.

AYES: 7  
NOES: 0  
ABSTAINED: 0

### d. Amend Council Rules: Ordinance 5-2016

City Recorder Leymaster read the first reading of the title, which included the revision adding the meeting time change. Council had no questions.

### e. Sidewalk Request for Proposal – Review & Discussion

Engineering Technician Peter Armans reviewed the draft Request for Qualifications (RFQ) for sidewalk and storm water improvements, including the options to break the engineering and related services into phases. Because of the cost and associated work for a consultant to respond to the RFQ staff was requesting clear direction from Council to proceed.

Councilor Cooper asked if the project would be included in the budget. CA Young replied yes, if Council supports it. Staff would also include a Budget Issue Paper (white paper) on the subject. Councilor Cooper inquired what the funding sources would be. CA Young answered funding would be from reserves. Councilor Cooper proposed waiting to publish the RFQ until after the budget meetings.

Councilor Bejarana asked why there was an increased cost for phase 1. ET Armans replied he noticed that also. It is because of the additional scope of work necessary in phase 1.

CA Nolan summarized staff will include the project in the budget but will not advertise the RFQ until they receive clear direction from Council to do so.

Council President Prom commented on the sidewalk repair notices. He proposed spray painting the deficiencies at the time letters go out. He asked if the notice includes grant program information. Director Berry replied grant information is included in the notice and staff agrees it is more productive to paint the defects in coordination with the letters.

Councilor Bejarana noted he received comments concerning the 60 day clock. Director Berry commented staff will work with residents to grant extensions. Councilor Bejarana suggested letting citizens know that extensions are permissible.

Councilor Bejarana commented sidewalks are a public safety issue. It is important for Council to come up with a design plan to implement safe sidewalks city wide. It is then up to the citizens to decide if they want to fund the construction of the sidewalks i.e. bond. Council briefly discussed the process to forward a bond to the voters at the November 2016 election. City Attorney Martin will gather more information regarding filing dates, etc.

Councilor Arnold proposed increasing funding for the sidewalk repair program so a city sidewalk bond would be more beneficial.

Councilor Cooper commented Council could discuss the city being responsible for street trees and sidewalks and how it would be funded.

Director Berry clarified county sidewalks are not included in the RFQ proposal. Staff is working with the County regarding sidewalk repair needs.

## 9. ADJOURNMENT

Councilor Bejarana moved to adjourn the meeting and Council President Prom seconded. The motion passed, and the meeting adjourned at 8:25 PM.

AYES: 7

NOES: 0

ABSTAINED: 0

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Devree Leymaster  
City Recorder

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Ted Tosterud  
Mayor

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Date of Signing

A complete recording and/or video of these proceedings is available.

Contact the City of Fairview City Recorder Office, 1300 NE Village St., Fairview, OR 97024, (503) 674-6224.



## Exhibit A

- 1) Please explain why you are interested in becoming a member of the Budget Committee for the City of Fairview.
- 2) Do you have any experience related to municipal finance or other public sector budgeting?
- 3) What specific contributions do you hope to make to the Committee?
- 4) Do you have any specific ideas or concerns related to the upcoming budget?
- 5) What is your opinion on the use of reserves?
- 6) Do you have any questions or other information you want to share with us about why you should be selected to serve on the Budget Committee?



## **CREATION OF RECREATION TASK FORCE**

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Meeting Date: April 6, 2016

Agenda Item Number: 2.b.

Staff Member: Nolan K Young, CA

Department: Administration

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### **REQUESTED COUNCIL ACTION**

Approve Resolution 21-2016 creating a three cities recreation task force.

### **RELATED CITY COUNCIL GOAL AND OBJECTIVE:**

Goal #3: Increase recreational opportunities for all residents of Fairview.

B- Develop a three cities recreation program.

### **ATTACHMENTS**

- A. Resolution 21-2016: creating a task force to investigate the creation of a three cities recreation program partnership.

### **BACKGROUND:**

Mayor Tosterud has appointed 2 councilors to serve with him on a three cities recreation committee (task force). There is a desire to also have two citizens on this task force. As City Administrator I will be serving as an ex officio member to provide support. We are also asking for 5 members from both Wood Village and Troutdale.

There is language about task forces in FMC2.14 and CCAC Rules. FMC2.14.020 C. All other council advisory bodies including task forces and focus groups that are temporary in nature and formed for a specific purpose, for a limited, stated duration shall be created by council resolution and must be dissolved upon completion of the stated purpose. Council Rules state, 3b. Open positions on commissions, committees, task forces, and other council created advisory committees shall be broadly noticed in the local newspaper, on the city webpage, and in the city monthly newsletter for no less than 30 days prior to council consideration of appointments.

Proposed Resolution 21-2016 creates this task force. The charge of the committee is to consider the formation of a new recreation partnership created through an Intergovernmental Agreement (IGA) and make a recommendation to the full councils of each of the three cities.

The tasks of this Task Force would as a minimum include:

- Revisit the proposed target population of youth in grades 1<sup>st</sup> through 8<sup>th</sup> in the Reynolds School District.
- Identify program Goals; the current thought is to develop an affordable and accessible program that provides needed exercise and structure for the targeted population.
- Review current programs and opportunities to support them or to fill voids where activities are lacking
- Develop an IGA with two phases: Phase 1: development of a program and Phase two implementation of the program
- Include in recommended IGA a developmental budget and a process for approval of an implementation budget.

Mayor Tosterud would like convene the Task Force's first meeting in May.

**BUDGET/FISCAL IMPACTS**

**Current Year Budget Impacts:**

None yet

**Future Fiscal Impacts:**             Yes  No

If a program is developed part of the committee's work will be to develop a program budget.

**Staff Work Load Impacts:**         Yes  No

The City Administrator will serve as staff representative to this committee.

**NEXT STEPS**

Advertise for 2 citizens to serve on the committee, to be appointed on May 4, 2016.

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**FROM**

Nolan K Young, City Administrator

**FOR MORE INFORMATION**

Staff Contact: Nolan K Young, City Administrator

Telephone: 503-674-6221

Staff E-Mail: [youngn@ci.fairview.or.us](mailto:youngn@ci.fairview.or.us)

Website: [www.fairvieworegon.gov](http://www.fairvieworegon.gov)



**RESOLUTION**  
**(21 - 2016)**

**A RESOLUTION OF THE FAIRVIEW CITY COUNCIL CREATING A TASK FORCE  
TO INVESTIGATE THE CREATION OF A 3 CITY RECREATION PROGRAM  
PARTNERSHIP**

**WHEREAS**, per FMC 2.14.020(C) this task force is temporary, and is being formed for a specific purpose, and will dissolve upon completion of its charge; and

**WHEREAS**, the charge of the task force is to consider the formation of a new recreation partnership created through an Intergovernmental Agreement (IGA) and make a recommendation to the full councils of each city; and

**WHEREAS**, the task force will have five (5 members): Mayor Tosterud, two (2) appointed Councilors and two (2) appointed citizens; and

**WHEREAS**, the cities of Wood Village and Troutdale have been invited to participate and create their own task force.

**NOW, THEREFORE, BE IT RESOLVED BY THE FAIRVIEW CITY COUNCIL AS  
FOLLOWS:**

**Section 1** The Council hereby creates a Recreation Program task force to complete its stated purpose and dissolve upon completion.

**Section 2** This resolution is and shall be effective from the day of its passage.

Resolution adopted by the City Council of the City of Fairview, this 6th day of April, 2016.

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Mayor, City of Fairview  
Ted Tosterud

ATTEST

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Date

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City Recorder, City of Fairview  
Devree Leymaster





## Memorandum

**TO:** Mayor Ted Tosterud and City Council

**FROM:** Devree Leymaster, City Recorder

**THRU:** Nolan Young, City Administrator

**DATE:** April 6, 2016

**RE:** Amendments to Council Rules

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The proposed amendments to the Council Rules were presented at the workshop meeting on March 16, 2016. During discussion an additional item was presented to change the regular session start time 7:15 PM and adjournment time to 9:15 PM, unless extended. This change is to accommodate the change to the work session start time from 6:00 PM to 6:15 PM resulting in no loss of meeting time.

The proposed amendments, including the revised meeting times, were included in the first reading of Ordinance 5-2016 during Council Business at the March 16, 2016 meeting. .

The second reading and public hearing for Ordinance 5-2016 will be presented at the April 6, 2016 meeting.





**ORDINANCE**  
**(5 - 2016)**

**AN ORDINANCE OF THE FAIRVIEW CITY COUNCIL AMENDING THE CITY  
COUNCIL RULES CONCERNING COMMUNICATION WITH STAFF, OBTAINING  
LEGAL ADVICE AND MEETING TIMES**

**WHEREAS**, the Council has a duty under City Charter Section 12 to adopt and modify Council Rules by ordinance; and

**WHEREAS**, the City Council desires to amend the Council Rules to clarify the rules concerning communications with staff, obtaining legal advice and meeting times; and

**WHEREAS**, the Council desires to amend its' Council Rules as shown in attached Exhibit A.

**THE CITY OF FAIRVIEW ORDAINS AS FOLLOWS:**

**Section 1**      The Council hereby adopts Council Rule amendments as shown on Exhibit "A" attached hereto.

**Section 2**      This ordinance is and shall be effective thirty (30) days from its passage.

Ordinance adopted by the City Council of the City of Fairview, this 6th day of April, 2016.

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Mayor, City of Fairview  
Ted Tosterud

ATTEST

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City Recorder, City of Fairview  
Devree Leymaster

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Date



## EXHIBIT A

(deletions in ~~strike through~~ and additions in *italics*)

### 2. MEETING OF COUNCIL

C. Regular sessions will convene at 7:~~00~~*15* pm. All regular sessions will be adjourned at 9:~~00~~*15* p.m. unless extended by consent of each and every Councilor present at that meeting.

### 10. COMMUNICATION WITH STAFF

A. *Council will respect the separation between policy making (Council function) and administration (City Administrator function) by:*

1. *Working with the staff as a team with a spirit of mutual respect and support.*
2. *Except in a Council meeting, not attempting to influence a City employee or the City Administrator concerning personnel matters, purchasing issues, the award of contracts or the selection of consultants, the processing of development applications or granting of City licenses and permits. However, the sharing of ideas on these matters is appropriate.*
3. *Limiting individual contacts with City staff to the City Administrator, or other designated staff so as not to influence staff decisions or recommendations, interfere with their work performance, undermine the City Administrator authority or prevent the full Council from having the benefit of any information received. To this end, Council members shall not request City staff to perform significant work without the prior approval of the City Administrator, so that workloads and work plans are not adversely impacted.*
4. *Respecting roles and responsibilities of staff when and if expressing criticism in a public meeting or through public electronic mail messages.*

B. *All written informational material requested by Council members will be submitted by staff to the entire Council with a notation stating who requested the information. In situations where staff provides a copy of an existing document previously provided to the Council, staff will advise the entire Council rather than providing the material to each Council member.*

C. *The Mayor will refer any comments or questions regarding City personnel or administration to the City Administrator. The Mayor may redirect other questions to a Council member or the City Administrator, as appropriate. Council members may also address questions directly to the City Administrator, who may either answer the inquiry or ask a staff member to do so.*

## **11. LEGAL ADVICE**

*Requests to the City Attorney for advice requiring legal research may not be made by a Council member without the concurrence of the Council. Before requesting research or other action by the City Attorney, the Council members are encouraged to consider consulting with the City Administrator to determine if the request or action can be accomplished more cost-effectively. Outside a Council meeting, a Council member should make requests of the City Attorney through the City Administrator. Exceptions to this are issues related to the performance of the City Administrator and unique or sensitive personal, yet City business-related, requests.*

**RESOLUTION**  
**(22-2016)**

**A RESOLUTION OF THE FAIRVIEW CITY COUNCIL APPROVING AND  
AUTHORIZING THE CITY ADMINISTRATOR TO EXTEND THE COLLECTIVE  
BARGAINING AGREEMENT WITH THE FAIRVIEW POLICE OFFICERS'  
ASSOCIATION, EXPIRING JUNE 30, 2017.**

**WHEREAS**, a portion of the staff within the Fairview Police Department belongs to the Fairview Police Officers Association (FPOA); and

**WHEREAS**, the Collective Bargaining Agreement between the City and the FPOA expires on June 30, 2016; and

**WHEREAS**, the City is considering a merger with the Multnomah County Sheriff's Office for police services; and

**WHEREAS**, the City and the FPOA reached a tentative agreement to extend the current collective bargaining agreement for one (1) year with a two percent (2%) Cost of Living Adjustment (COLA);

**WHEREAS**, the tentative agreement is effective July 1, 2016 and the term will extend to June 30, 2017.

**NOW, THEREFORE, BE IT RESOLVED BY THE FAIRVIEW CITY COUNCIL AS  
FOLLOWS:**

**Section 1**     The Fairview City Council hereby approves the extension of the Collective Bargaining Agreement with the Fairview Police Officers' Association attached hereto as Exhibit A and directs and authorizes the City Administrator to enter into the agreement.

**Section 2**     This resolution is and shall be effective from and after its passage by the City Council.

Resolution adopted by the City Council of the City of Fairview, this 6th day of April, 2016.

\_\_\_\_\_  
Mayor, City of Fairview  
Ted Tosterud

ATTEST

\_\_\_\_\_  
City Recorder, City of Fairview  
Devree Leymaster

\_\_\_\_\_  
Date

