

**City of Durham**  
**CITY COUNCIL MINUTES**  
**June 26, 2018**

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- A. OPEN REGULAR COUNCIL MEETING.** Mayor Schirado opened the Durham City Council meeting at 7:30 PM at Durham City Hall.
- B. ROLL CALL.** *Council Present:* Gery Schirado, Chris Hadfield, Leslie Gifford, and Chuck Van Meter and Keith Jehnke  
*Staff Present:* City Administrator Linda Tate, Administrative Assistant Lynn Schroder
- C. MAY 22, 2018 COUNCIL MINUTES.** Councilor Gifford moved to approve the minutes of the May 22, 2018, City Council meeting. Councilor Van Meter seconded the motion. The minutes were approved unanimously (5-0). **MO 062618-1**
- D.** Mayor Schirado read the **CALENDAR OF MEETINGS.**  
**Tuesday, July 3, 2018,** Regular Meeting of the Planning Commission at 7:30 pm, Durham City Hall – canceled, no agenda items  
**Wednesday, July 4, 2018,** City Hall will be closed in observance of Independence Day  
**Tuesday, July 24, 2018,** Regular Meeting of the City Council at 7:30 pm, Durham City Hall
- E. PUBLIC FORUM.** None.
- F. PLANNING COMMISSION UPDATE.** Councilor Van Meter asked how the Planning Commission arrived at the fine for the illegal tree. Tate explained that the Planning Commission took into account that fact the homeowners knew they needed permits to cut down their trees but chose not to get them.
- G. BUDGET PUBLIC HEARING.** Mayor Schirado closed the regular meeting of the City Council and opened a public hearing on the use of state revenue sharing funds and the Budget Consent Agenda for FY 2018-2019. The Budget Committee approved the proposed FY2018-2019 budget on May 22, 2018. No members of the public were present to testify. Mayor Schirado closed the public hearing.
- H. BUDGET CONSENT AGENDA.** Mayor Schirado reopened the regular City Council meeting. The Council considered the Budget Consent Agenda:
- Minutes of Second Budget Committee Meeting (May 22, 2018);
  - Resolution 606-18, A Resolution of the Durham City Council Declaring the City of Durham’s Election To Receive State Revenues; and
  - Resolution 607-18, a Resolution Adopting a Budget, Making Appropriations, Categorizing, and Levying Taxes for Budget Fiscal Year 2018-19 for the City Of Durham, Washington County, Oregon.

Councilor Hadfield clarified the Budget meeting minutes to reflect that he did not think that the City Administrator needed to get the City Council’s permission before sweeping the streets. He said that additional street sweeping would be the City Administrator’s discretion.

No further comments were made about the Budget Consent Agenda.

Councilor Gifford moved to approve the Budget Consent Agenda as presented including the May 22, 2018 minutes of Budget Committee, Resolution 606-18, A Resolution of the Durham City Council Declaring the City of Durham's Election To Receive State Revenues and Resolution 607-18, a Resolution Adopting a Budget, Making Appropriations, Categorizing, and Levying Taxes for Budget Fiscal Year 2018-19 for the City Of Durham, Washington County, Oregon. Councilor Jehnke seconded the motion, and the Budget Consent Agenda was approved unanimously. **MO 062618-2**

- I. PROPOSAL FOR SOLE SOURCE PROCUREMENT FOR LIGHT INSTALLATION.** Tate stated that she would like to retain Frahler Electric under a sole source procurement contract to install street poles at two locations along Upper Boones Ferry Road because their previous work and knowledge of the lighting system makes them the best candidate for the job.

At the May 22, 2018 meeting, Tate requested that the Council consider pursuing a Sole Source Procurement with Frahler Electric for the light installation. The Council consented to consider the matter. Tate published a notice of intent in the June 7, 2018 edition of the Tigard Times. The City did not receive any objections during the 7-day comment period.

Councilor Van Meter moved to accept the sole source procurement contract with Frahler Electric. Councilor Gifford seconded the motion. The Council unanimously approved the contract with Frahler Electric (5-0). **MO 062618-3**

- J. POTENTIAL CONFLICT OF INTEREST WAIVER.** Tate presented a notice of potential conflict of interest from the City's attorney firm. Beery Elsner notified Durham that it represents Tigard in a capacity limited to telecommunication franchises and that there may be a conflict of interest to represent Durham in the water agreement negotiations with Tigard. Beery Elsner sent a notice to Tigard as well. Durham can consent to allow Beery Elsner to represent the City in water negotiation with the City of Tigard but both parties would need to sign a waiver of potential conflict of interest. Tigard has signed the waiver. Tate recommended that the Durham sign the waiver as well.

Councilor Van Meter moved to sign the waiver of potential conflict of interest and allow Beery Elsner to represent Durham in the water negotiations with Tigard. Councilor Gifford seconded the motion. The Council unanimously approved the waiver (5-0). **MO 062618-4**

- K. RECOMMENDATION OF BID FOR RESURFACING AFTON LANE AND APPROVAL OF CONTRACT.** Tate stated that the City received a grant from ODOT to repave Afton Lane. The City received three bids to complete the work.

The City's engineering firm, Curran McLeod, reviewed each bid for compliance with the requirements of the procurement process and mathematical entries. Knife River submitted the lowest bid. In their recommendation letter, Curran McLeod stated that Knife River has a good record with the Construction Contractors Board. Curran McLeod recommended that the City award the contract to Knife River. Tate noted that Knife River did the paving on Upper Boones Ferry Road in 2016. Jehnke stated that Knife River has a good reputation.

Councilor Van Meter moved to accept the recommendation from Curran McLeod and approve the contract with Knife River to repave Afton Lane. Councilor Gifford seconded the motion. The Council unanimously approved the contract (5-0). **MO 062618-5**

**L. REQUEST FROM LEAGUE OF OREGON CITIES FOR TOP 4 AND BOTTOM 4 ISSUES FOR 2019 LEGISLATIVE AGENDA.** Councilors recommended that the OLOC address PERS reform, property tax reform, small area cell deployment, and right-of-way and franchise fee authority during the 2019 Legislative session. The least important issues for the OLOC to address for Councilors was auto theft, beer and cider tax increase, speed cameras, and waste water technical assistance program.

**M. DISCUSSION ON PORTLAND METRO AREA VALUE PRICING (TOLLING) FEASIBILITY.** Mayor Schirado presented the background on a proposal to toll portions of Interstate 5 and Interstate 205. He stated that the concept is gaining momentum. The goal is to mitigate traffic and pay for additional freeway construction. Mayor Schirado stated that tolling I-5 may result in increased traffic on Upper Boones Ferry Road through Durham.

**N. ADMINISTRATOR'S REPORT.** Tate presented information from the Regional Managers meeting on the 2018 Metro Housing Bond Measure and an update on the Regional Waste Plan.

Metro has placed a \$652.8 million general obligation bond to provide 7,500 units of affordable housing on the ballot in November. Also on the November ballot is a Constitutional amendment that would allow public entities to use general obligation bonds proceeds for affordable housing owned by private entities.

Metro is currently preparing the 2030 Regional Waste Plan. Metro will be implementing a food waste recycling program.

Tate reminded Councilors that two positions on the Durham City Council are expiring this fall. Residents interested in running for City Council have until August 24, 2018, to file a petition to be placed on the November Ballot. The General Election will be November 6, 2018.

**O. FINANCIAL REPORTS.** Councilor Gifford moved to approve the financial reports for May 2018, payroll checks 540 -541, vendor checks 16236 - 16257, and electronic fund transfers totaling \$5,154.10. Councilor Van Meter seconded and the motion passed (5-0).

**MO 062618-6**

**P. COUNCIL COMMENTS.** The Council discussed the Tigard Water IGA. The agreement should be completed by the end of the year.

Councilor Gifford requested that the August 2018 City Council meeting be canceled.

**Q. ADJOURN.** Mayor Schirado adjourned the regular meeting at 9:00 pm.

**Approved:**

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**GERY SCHIRADO, MAYOR**

**Attest:**

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**LINDA TATE, CITY ADMINISTRATOR/RECORDER**