



City of Durham
CITY COUNCIL MINUTES
April 29, 2025

A. OPEN REGULAR COUNCIL MEETING.

Mayor Joshua Drake opened the meeting at 7:38 PM at Durham City Hall.

B. ROLL CALL OF COUNCIL MEMBERS.

Councilors present: Mayor Joshua Drake, Council President Leslie Gifford Councilors Gary Paul, David Streicher, and Sean Lee

Councilors absent: None

Staff present: City Administrator Jordan Parente and Administrative Assistant Kait Garlick

Visitors: Washington County Commissioner Jason Snider and staffer Bryn Thomas; Kristin Lechner Representing Pride Disposal

C. COUNCIL MINUTES.

Council President Gifford moved to approve the minutes from the March 18, 2025, regular City Council meeting. Councilor Paul seconded the motion. The vote passed (5-0).

MO 042925-01

D. Mayor Drake read the CALENDAR OF MEETINGS.

- **Tuesday May 6, 2025** -Town Hall Meeting, Juanita Pohl Center at 6:00 PM
- **Tuesday May 6, 2025** - Regular Meeting of the Planning Commission, Juanita Pohl Center at 8:00 PM
- **Tuesday May 20, 2025** - City Council Work Session, City Hall at 6:00 PM
- **Monday May 26, 2025** - City Hall closed in observance of Memorial Day
- **Tuesday May 27, 2025** - City of Durham Budget Meeting, Juanita Pohl Center at 6:30 PM
- **Tuesday May 27, 2025** - Regular Meeting of the City Council, Juanita Pohl Center at 7:30 PM

E. PUBLIC FORUM. None.

F. PLANNING COMMISSION UPDATE. No Planning Commission meeting was held in April.

G. INTRODUCTION BY WASHINGTON COUNTY COMMISSIONER SNIDER.

Washington County Commissioner Jason Snider attended the meeting to establish an open channel of communication and offer support for whatever City concerns the Councilors may have. Commissioner Snider, a former Mayor of Tigard, expressed a desire to develop ongoing relationships with each city council in District 3, which includes Durham, Tigard, Tualatin, Sherwood, and King City, as well as several unincorporated areas. The Commissioner emphasized availability and transparency, distributing business cards with direct contact information, encouraging councilors to reach out periodically—suggesting biannual or annual check-ins—and shared examples of how other cities, such as Sherwood, have engaged with him.

He highlighted challenges currently faced at the county level, including a significant general fund shortfall—\$20.5 million in the current year—on top of previous years' reductions. Mr. Snider noted that cities often seek advocacy or coordination on funding issues, transportation projects, public safety levies, and regional collaboration, especially during budget season.

A notable portion of the conversation centered on the Supportive Housing Services (SHS) tax program. Mr. Snider gave an overview of the program, funded by personal and business income taxes within the

Metro region, and aimed at addressing homelessness and housing insecurity. He described mixed outcomes across counties, with Washington and Clackamas Counties seeing some success and Multnomah County facing scrutiny for lack of results. Declining revenue from the SHS tax has led to cutbacks, despite plans to spend over \$100 million this year. A decline in migration to the region, lower capital gains activity, and over-reliance on major employers like Intel and Nike were cited as contributing economic factors.

The Commissioner also discussed the complexities of county governance, noting the distinction between city and county responsibilities. He emphasized the vast scope of county services—ranging from public health and juvenile justice to elections, taxation, and urban policing for unincorporated areas—which dwarf the typical range of services managed by cities. Mr. Snider acknowledged past weaknesses in county financial planning, such as the absence of a capital improvement plan until recently, and shared candid reflections on internal reforms now underway.

In response to questions, the Commissioner encouraged city leaders to utilize county resources, particularly in the areas of behavioral health, addiction services, housing, and juvenile services—many of which were not well understood or accessed during his time as a city official.

Council members and the City Administrator expressed appreciation for the visit, recognizing the value of ongoing updates and information sharing from the County. They discussed setting an appropriate cadence for future check-ins, which will be coordinated by the City Administrator and Mayor. The Commissioner also noted the importance of the upcoming public safety levy on the ballot and encouraged the Council to support it, as it directly affects local law enforcement and jail operations even in cities with their own police services. The conversation concluded with an appreciation for the Commissioner's time and insights.

H. APPOINTMENT OF MAYOR AND ALTERNATE TO WASHINGTON COUNTY COORDINATING COMMITTEE.

Council President Gifford moved to appoint Mayor Drake to the Washing County Coordinating Committee and Councilor Lee as the alternate. Councilor Streicher seconded. The vote passed (5-0).

MO 042925-02

I. RESOLUTION 674-25: A RESOLUTION OF DURHAM CITY COUNCIL CERTIFYING DURHAM'S ELIGIBILITY STATUS FOR THE RECEIPT OF STATE-SHARED REVENUES UNDER ORS 221.760.

Council President Gifford moved to adopt Resolution 674-25, a resolution certifying Durham's eligibility status for the receipt of state-shared revenues under ORS 221.760. Councilor Lee seconded. The vote passed (5-0).

MO 042925-03

J. RESOLUTION 675-25: A RESOLUTION OF THE DURHAM CITY COUNCIL GRANTING AN EXCLUSIVE FRANCHISE TO PRIDE DISPOSAL COMPANY, FOR SOLID WASTE COLLECTION AND TRANSPORT FOR THE CITY OF DURHAM, OREGON.

The passing of the resolution was postponed until the next regular meeting on May 27, 2025.

K. FIRST READING OF ORDINANCE 269-25 ESTABLISHING THE SOLID WASTE MANAGEMENT PLAN, STANDARDS AND RESPONSIBILITIES AND REPEALING ORDINANCES 184-96, 198-99, AND 267-22.

City Council conducted the first reading of Ordinance 269-25, which establishes updated standards and responsibilities for solid waste management within the City, and repeals prior ordinances 184-96, 198-99, and 267-22. Kristen Leichner, representing Pride Disposal, was in attendance for any questions the Council may have. A public hearing was opened for citizen comments; no comments were submitted.

The proposed ordinance maintains the City's 4% franchise fee, despite other regional cities such as Sherwood, Tualatin, West Linn, Lake Oswego, and Tigard receiving 5%. Council members reaffirmed their satisfaction with the current rate and emphasized that Durham uniquely receives an annual bulky waste pickup, a service not offered in neighboring cities. The Council consensus was to maintain the 4% fee, avoiding unnecessary administrative burdens or rate adjustments.

Council discussed language in Section 20, paragraph B-2, which allows the franchisee (Pride Disposal) to recover lost revenue from violators but directs liquidated damages of \$500 per violation to the City, not the franchisee. Councilor Streicher expressed concern that this disincentivized enforcement by the franchisee, comparing Sherwood's ordinance which awards the \$500 directly to the suing party. Ms. Leichner responded that maintaining exclusive service rights held more value than recovering monetary damages and stated they were comfortable with the current language. Council agreed to leave this provision unchanged.

The ordinance sets penalties for violations at up to \$1,000 per day. Concern was expressed that this may be excessive for small infractions, particularly for first-time or inadvertent violators. City Administrator Parente and other council members clarified that the ordinance caps the fine but allows the City discretion to apply lesser amounts. This flexibility was viewed as important for enforcing compliance while retaining appropriate enforcement authority. Council declined to further revise the language.

Council and Pride discussed the importance of public outreach regarding the exclusive service contract and proper disposal procedures, particularly as changes come with the Recycling Modernization Act. Council recommended that educational messaging come directly from the City to ensure residents read and trust the information. Mr. Parente agreed to include relevant details in the next City newsletter.

Discussion followed regarding bulky waste collection and the need to better inform multifamily residents about how to participate. Ms. Leichner noted that historically only single-family residences received collection, but future improvements could include coordination with apartment managers to facilitate centralized drop-off points. Pride agreed to work with the City on expanding this access next year. Pride will also provide historical tonnage and cost data for bulky waste collection to help the City evaluate service value and community benefit.

Items within the ordinance that Council asked to be clarified or amended:

- Business Recycling Requirements mandated by Metro were confirmed to be included.
- Language was included requiring new compactor equipment to be compatible with Pride's service vehicles.
- Council discussed franchise transfer provisions. The current rolling five-year term was viewed as too restrictive if a franchise transfer occurred and the new provider proved unsatisfactory. Council agreed to revise the ordinance to allow the City to issue a three-year termination notice in the event of a merger or acquisition. The City and Pride will consult legal counsel for appropriate language.
- A separate franchise agreement would be executed between the City and Pride following the second reading. The City Attorney will prepare a draft contract and resolution authorizing the Mayor to sign.
- Council also requested the removal of outdated permit language in Section 5C, which referenced a process the City no longer uses.

Council President Gifford moved to approve the resolution, with the following changes: Removal of outdated permit language in Section 5C; Inclusion of a provision allowing a three-year termination clause upon franchise transfer; Direction to City Attorney to prepare the franchise agreement for execution; and Codification of the ordinance into the municipal code. Councilor Paul seconded. The vote passed (5-0).

MO 042925-04

L. SWITCHING FROM WRITTEN MINUTES TO RECORDINGS; COUNCILOR STREICHER.

Councilor Streicher declined to open discussion on the proposed matter of written minutes and a possibly switch to recordings.

M. UPDATE ON SUBSCRIBER PORTAL.

The new email subscription feature is now live on the website. Councilor Streicher requested that it be added to the home page of the website so residents won't have to go searching for it. The goal is to advertise for this new digital option in the next quarterly newsletter that goes out for the summer.

Administrative Assistant Kait Garlick wanted to make the Councilors aware of some of the logistical challenges we may have in keeping an up-to-date distribution list, as Durham does not collect data or records of home sales, private transactions, or renters. The point being that unlike other cities, Durham does not have a way of knowing when resident information is updated and therefore residents may move in or move out and it won't be reflected in the newsletter distribution list. An idea was floated for a QR code being added to the paper newsletter for opting into a digital newsletter in addition to a paper copy. This option, however, will not save the City on printing costs and adds further administrative burden on the limited staff to manage multiple distribution methods. Councilor Lee suggested the best approach might be to have residents "opt-in" annually in January to receive digital newsletters. Then, each year the list of digital subscribers would reset. This would help ensure that each "household" would still receive a newsletter, but individual residents would have the option to receive the digital version instead. This would help save on paper, printing, and postage cost.

N. ADMINISTRATOR'S REPORT.

- City Administrator Parente reminded the Council of the upcoming Town Hall meeting to solicit community feedback regarding the tree ordinance updates that are being proposed. The meeting is to discuss the municipal code and not the development code, although this is being looked at separately by legal and will be addressed in the future.
- Mr. Parente wanted to bring attention to a recent issue brought to the City regarding a home-based business that is causing traffic issues and disturbances for the neighbors. It is a CPA firm that is running their business out of their rental home. Attempts have been made to handle the situation privately, without City involvement, but Mr. Parente wanted to make the Council aware of the problem and in the future may suggest that they look at some of the language in the home-based business agreement that the business owner signs when they apply for their license. It may be worth adding in additional language to deter violators or potentially establish fines.
- The Durham Estates project has recently recorded the original 9 lots that were planned. The project continues to move through the early building stages. The Ellman Lane project is moving forward, but not at the recording stage quite yet. They are still working on required public improvements.
- Lastly, Mr. Parente informed Council that the City's Chart of Accounts will soon be updated to better reflect the budget structure and to simplify the account list.

O. FINANCIAL REPORTS.

Council President Gifford moved to approve February vendor checks 17700-17711, debit charges, and ETFs totaling \$13,959.30. Councilor Paul seconded the motion. The vote passed (5-0).

MO 042925-05

Council President Gifford moved to approve March vendor checks 17719-17737, debit charges, and ETFs totaling \$15,105.37. Councilor Paul seconded the motion. The vote passed (5-0).

MO 042925-06

P. COUNCIL COMMENTS & MISCELLANEOUS INFORMATIONAL ITEMS. None.

Q. **ADJOURN.** Mayor Drake adjourned the meeting at 9:33 PM.

Approved:

JOSHUA DRAKE, MAYOR

Attest:

JORDAN PARENTE, CITY ADMINISTRATOR/RECORDER