APPROVED BY TUALATIN CITY COUNCIL
Date 2-28-11
Recording Secretary MSmith

Official Minutes of the Tualatin City Council Work Session for February 14, 2011

Present: Lou Ogden, Mayor, Joelle Davis, Councilor, Wade Brooksby, Councilor, Frank Bubenik, Councilor

Absent: Chris Barhyte, Council President, Monique Beikman, Councilor, Ed Truax, Councilor

Staff Present: City Manager Sherilyn Lombos,
City Attorney Brenda Braden,
City Engineer Mike McKillip,
Police Chief Kent Barker,
Operations Director Dan Boss,
Community Services Director Paul Hennon,
Acting Planning Manager Aquilla Hurd-Ravich,
Development Manager Eric Underwood,
Program Coordinator Becky Savino,
Management Intern Ben Bryant,
Executive Assistant Maureen Smith

1) Mayor Ogden called the Work Session to order at 5:44 p.m.

2) ***Community Enhancement Award Commendation Information***

Community Services Program Coordinator Becky Savino was present, along with Arts Advisory Committee members Richard Hager and Gary Thompson, and gave an update on the Tualatin Arts Advisory Committee's (TAAC) Community Enhancement Award. A brief background was given on the program. The first award was presented on September 13, 2010 to the "Lumiere Players" theatre group. This year TAAC is recommending Willowbrook Summer Arts Camp as the recipient, presented at the March 14, 2011 Council meeting. It was mentioned why the TAAC chose Willowbrook for the award. The TAAC is recommending to Council that the 2nd annual Community Enhancement Award be given to Willowbrook Summer Arts Camp. All Council present were in agreement.

3) ***Update on the Basalt Creek Planning Process and Related Transportation Planning***

City Manager Sherilyn Lombos gave an update on the Basalt Creek Planning process, and mentioned a meeting was recently held with Metro, Washington County, cities of Tualatin and Wilsonville elected officials and staff, primarily to discuss a transportation connection between 124th Avenue and I-5.

Acting Planning Manager Aquilla Hurd-Ravich continued with the update and said the cities of Wilsonville and Tualatin currently have a Memorandum of Understanding (MOU), outlining planning of the area that would not include plans for a new arterial road. Washington County and Metro had some concerns about that, and after some discussion, ending with Washington County offering to do an *alternative analysis.* Whatever the analysis generates is what Tualatin would put in the plan. The next meeting's goal is to formulate a revised MOU. Discussion followed.

City Manager Lombos said staff is looking at dates that will work for everyone to hold a joint meeting with Tualatin and Wilsonville Councils.

4) *Public Involvement for the Transportation System Plan*

City Manager Lombos updated Council on development of a public involvement plan for the Transportation System Plan (TSP), and distributed a schedule and interview list. City Manager Lombos reviewed the materials with Council, where the consultant would hold a series of workshops and exercises designed for the best way to involve targeted audiences, with the information that was gathered to be compiled. During that time, an online survey will be done to engage the broad citizenry, information will be announced in the City's March newsletter, and individual invites to the advisory committees and the Community Involvement Organization (CIO), and others will be done. Also have printed copies of materials around town, and in Spanish. It was mentioned about the small size of the groups, and benefitting from having a larger group of people in attendance.

Jan Giunta, CIO representative, in the audience was asked and she explained the purpose of the stakeholders, and that for the workshops the recommendation is not to have more than 20 people. The consultant has started meeting with the advisory committees and the CIO groups. Linda Moholt, Tualatin Chamber of Commerce said they hope to have a group from the Chamber be part of the stakeholder interviews. Discussion followed with suggestions to broaden the groups, include more Parent/Teacher Associations (PTA) from other schools, and the Chamber be a larger stakeholder group.

City Manager Lombos said they will also be looking for two to three councilors to take the lead with a group to bring back information to the rest of the Council.

5) *Council Meeting Agenda Review, Communications & Roundtable*

City Manager Lombos brought up additional issues for discussion.

Information was distributed on the Joint Terrorism Task Force, an intelligence gathering partnership between local and federal law enforcement. Portland is rethinking its position on participation with the task force, and cities are weighing in on the matter. Brief discussion followed. Councilor Bubenik said he would not be in

favor of joining the task force, he has a mistrust of information from the federal level and local officials not being privy to certain information. Councilor Davis said she is in support, although she recognized Councilor Bubenik's concerns, believes it will happen whether we participate or not. Mayor Ogden said he has been in contact with Portland Mayor Adams about this issue. It was asked and Police Chief Barker said his stance is the City of Portland should be part of the "task force" and believes it is an important governmental team. Although he recognized the politics, Chief Barker said the issues expressed by Councilor Bubenik will likely be what will be discussed. Brief discussion followed. It was determined by Council members present, that City Manager Lombos contact councilors not present at this meeting, their position on this issue, and Councilor Bubenik meet with the City Manager to craft a letter on this matter that would be acceptable to all.

City Manager Lombos said another issue on the horizon is Tualatin High School's request for an electronic readerboard. The school could submit a plan text amendment (PTA) to allow for readerboards in residential areas. The Tigard-Tualatin School District (TTSD) has sent out some information and there have been concerns expressed by neighbors in the area. City Manager Lombos said electronic readerboards are allowed in industrial areas, and currently the City does not have standards in the Development Code for electronic readerboards, which staff will be looking at.

D . CONSENT AGENDA

Council reviewed and had no questions on the Consent Agenda.

G. GENERAL BUSINESS

1. Ordinance No. **1318-11** Relating to Solid Waste Management and Amending Franchise Territory with United Disposal Services, Inc. dba Allied Waste of Clackamas and Washington Counties; and Rescinding Ordinance No. 1140-03

   MOTION by Councilor Davis, SECONDED by Councilor Brooksby for a first reading by title only. MOTION by Councilor Davis, SECONDED by Councilor Brooksby for second reading by title only. MOTION CARRIED. The poll was unanimous. *[Barhyte, Beikman, Truax absent.]* MOTION by Councilor Davis, SECONDED by Councilor Brooksby to place adolption of the Ordinance on the Consent Agenda. MOTION CARRIED.

I. COMMUNICATIONS

Councilor Davis said there has been considerable discussion of cutting funds from the Community Action Organization (CA), and asked that everyone contact their local, state and federal officials to show support of the CAO, and the good work they do. It was suggested and Councilor Davis said she will bring back some information/language to put together a resolution or a letter of support.

Councilor Bubenik gave a brief follow-up on his first meeting of Washington County Commission on Children and Families, and radical changes proposed by the Governor's Office such as downsizing county programs and merging.

MOTION by Commissioner Joelle Davis, SECONDED by Commissioner Monique Beikman to approve the consent Agenda as read.

Vote: 7 - 0

1. Resolution Establishing Regular Meetings of the Tualatin Development Commission - the Urban Renewal Agency of the City of Tualatin.

2. Approval of the Minutes for the Meeting of December 13, 2010.

E. PUBLIC HEARINGS

F. GENERAL BUSINESS

G. ITEMS REMOVED FROM CONSENT AGENDA

Items removed from the Consent Agenda will be discussed individually at this time. The Chairman may impose a time limit on speakers addressing these issues.

H. COMMUNICATIONS FROM COMMISSIONERS

None.

I. EXECUTIVE SESSION

None.

J. ADJOURNMENT

MOTION by Commissioner Ed Truax, SECONDED by Commissioner Joelle Davis to adjourn the meeting at 8:25 p.m.

Vote: 7 - 0

Sherilyn Lombos, City Manager

Maureen Smith

Maureen Smith / Recording Secretary

APPROVED BY TUALATIN CITY COUNCIL
Date 2-28-11
Recording Secretary

OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL FOR FEBRUARY 14, 2011

Present: Mayor Lou Ogden, Councilor Wade Brooksby, Councilor Frank Bubenik, Councilor Joelle Davis

Absent: Council President Chris Barhyte, Councilor Monique Beikman, Councilor Ed Truax

Staff Present: City Manager Sherilyn Lombos, City Attorney Brenda Braden, City Engineer Mike McKillip, Police Chief Kent Barker, Community Services Director Paul Hennon, Finance Director Don Hudson, Acting Planning Manager Aquilla Hurd-Ravich, Development Manager Eric Underwood, Project Engineer Dayna Webb, Program Coordinator Becky Savino, Volunteer Services Coordinator Victoria Eggleston, Management Intern Ben Bryant, Executive Assistant Maureen Smith

A. CALL TO ORDER

Pledge of Allegiance

Eagle Scout Tanner Ellenson led the Pledge of Allegiance.

Mayor Ogden called the meeting to order at 7:05 p.m.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

1. **Tualatin Youth Advisory Council Update**
   Members of the Youth Advisory Council (YAC) presented a PowerPoint giving an updatee on recent activities of the YAC.

2. **Eagle Scout Presentation - *Tanner Ellenson***
   Eagle Scout Tanner Elleson presented a brief PowerPoint on his hardscape butterfly garden project in Community Park. Tanner also noted fundraising was done for the bench placed along the walking path. Mayor Ogden thanked Tanner for his initiative, hours of work, and setting an example of what citizenship can look at at its highest level.

3. **Proclamation Recognizing the 2010 Employee of the Year**
   Operations Director Dan Boss introduced the "Employee of the Year" Jennifer Bach and gave a brief background on her. Ms. Bach is the Inventory Control Specialist for the Operations Department and noted her great attitude, going above and beyond, and is a good contribution from someone who cares what they do, and what that gives to the City of Tualatin.

Councilor Davis read the proclamation recognizing Jennifer Bach as the 2010 Employee of the Year.

4. **New Employee Introductions** - *Sara Singer, Administration; Travis Sperle, Vernon Bathke, and Bert Olheiser, Operations*

   City Manager Sherilyn Lombos introduced Sara Singer, Assistant to the City Manager, noting it is her first day on the job, gave a brief background, and is excited to introduce her to the Council and the community.

   Operations Director Dan Boss introduced new employees at Operations. Travis Sperle came from the city of Mt. Angel where he worked 15 years. He comes with the certifications needed for the position, and is a crew leader in the Water Division.

   Vern Bathke comes to Tualatin from the City of Dallas, Oregon, where he spent ten years and also comes with the needed certifications.

   Operations Director Boss said with the retirement of 30 year employee Street/Sewer/Storm Division Manager Ernie Rode, Bert Olheiser was placed as acting manager, and then promoted to the position as Street/Sewer/Sewer Manager. Bert has been with the City for 20 years.

5. **High Speed Rail Update** - *City Engineer Mike McKillip*
   City Engineer Mike McKillip gave a brief update of the status of high speed rail. The federal funding is coming slowly through the Federal Railway Administration (FRA) pipeline. No significant work is being done, and will be beginning the National Environmental Policy Act (NEPA) process. ODOT is working with a consultant on how the high speed rail would be implemented, governing structure, discussions, etc. City Engineer McKillip also mentioned staff recently met with the consultant and relayed Tualatin's issues and concerns. City Engineer McKillip said staff will be back for updates as more information becomes known. Brief discussion followed.

C. CITIZEN COMMENTS

This section of the agenda allows citizens to address the Council regarding any issue not on the agenda. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.

David Ney, 10235 SW Fulton Drive, Tualatin, OR 97062 proponent of the parks protection amendment, read from a prepared statement, and noted his displeasure of an article in the Tualatin Times authored by the mayor in opposition of the parks protection amendment. Mr. Ney noted the importance of voting Yes on Measure 34-186.

Dolores Hurtado, 8685 SW Chinook Street, Tualatin, OR 97062 proponent of the parks protection amendment, noted the work that was done to gather signatures needed to place the Charter amendment on the ballot. Voting for Measure 34-186 will be a process that gives residents a voice in making these types of decisions.

Annie Vigileos, 18230 SW Shawnee Trail, Tualatin, OR 97062 proponent of the parks amendment, Measure 34-186, said her special interest is children. She loves Tualatin's parks and wants to make sure they are safe and protected, and will be there for everyone. Ms. Vigileos urged everyone to vote Yes on Measure 34-186 for our children.

Reba Toby, 17815 SW Cheyenne Way, Tualatin, OR 97062 noted her support of Measure 34-186, and read a prepared statement on her concerns of protecting parks in Tualatin. Ms. Toby urged Tualatin voters to speak up and vote Yes on Measure 34-186.

Kathy Newcomb, 17515 SW Cheyenne Way, Tualatin, OR 97062 proponent of the parks protection amendment, read from a prepared statement (for the record) on various letters and "Soapbox" article in opposition of the measure that were published in the Tualatin Times newspaper. Ms. Newcomb felt there were inaccuracies, and inaccuracies of the Chamber's Government Affairs Committee opposition of the amendment.

George Vigileos, 18320 SW Shawnee Trail, Tualatin, OR 97062 proponent of the parks amendment, urged support of the amendment, and believes the measure is about a broken process, that will help bring Tualatin together. Mr. Vigileos also expressed concerns about the Mayor and City Manager as "ex-officio" full-voting members of the Chamber of Commerce Board, and asked for information on vote-taking on issues discussed at board meetings.

Richard Hager, 9050 SW Arapaho Road, Tualatin, OR 97062 has lived in Tualatin 35+ years, is a former city councilor, and has participated on numerous city committees and other advisory committees. Mr. Hager said he is remaining neutral on the park protection amendment issue, but wanted to comment that Tualatin has undergone signficiant changes since the 1970s, and programs such as urban forestry and street trees have enhanced Tualatin and it is something to be proud of.

Cathy Holland, 10740 SW Lucas Drive, Tualatin, OR 97062 first thanked staff for the hearing devices available for the meetings, and is present to note her support of the parks protection measure. Ms. Holland read from a prepared statement, and said many believe this is the best remedy to protect Tualatin's parks today and in the future. A legal analysis done was done, and they believe the measure is going to work how they believe it is. The Protect Tualatin's Parks group has been working with utilities and other entities on how to address being able to apply the parks measure without any ramifications of having to vote for any change to parks.

D. CONSENT AGENDA

The Consent Agenda will be enacted with one vote. The Mayor will first ask the staff, the public and Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under "Items Removed from the Consent Agenda." The entire Consent Agenda, with the exception of items removed to be discussed under "Items Removed from the Consent Agenda," is then voted upon by roll call under one motion.

Item No. G-3 was placed on the Consent Agenda at Work Session.

MOTION by Councilor Joelle Davis, SECONDED by Councilor Wade Brooksby to adopt the Consent Agenda as amended and read.

Vote: 4 - 0 CARRIED

1. Approval of the Minutes of the Special Work Session of January 11, 2011, and the Work Session and Meeting of January 24, 2011

2. Resolution No. **5017-11** Authorizing an Amendment to an Intergovernmental Agreement Between the City of Portland Police Bureau and the City of Tualatin Changing the Agency Participation with the Portland Police Data System (PPDS) from Inquiry-Only to Being a Full-Entry Partner Agency

3. Resolution No. **5018-11** Consenting to the Transfer of Control of the Solid Waste and Resource Recovery Franchise Granted to United Disposal, Inc., Rossman Sanitary Service, Inc., and Keller Drop Box, Inc., to United Disposal Services, Inc. dba Allied Waste Services of Clackamas and Washington Counties

4. Resolution No. **5019-11** Modification of the City Manager's Employment Agreement

E. PUBLIC HEARINGS – *Legislative or Other*

1. Establish a Zone of Benefit Recovery Charge for Street Improvements on SW 124th Avenue between SW Myslony Street and SW Tualatin-Sherwood Road

Mayor Ogden opened the public hearing.

Civil Engineer Kaaren Hofmann presented the staff report noting this is a public hearing for a Zone of Benefit Recovery Charge request for SW 124th Avenue, between Myslony and SW Tualatin-Sherwood Road. The request was made by the Tualatin Development Commission, represented by Development Manager Eric Underwood. The cost recovery would be for 10 years if Council adopts a resolution.

Staff recommends Council direct staff to prepare a resolution granting the Zone of

Benefit Recovery Charge.

PROPONENTS/OPPONENTS - None.

COUNCIL DISCUSSION
It was asked and explained by Development Manager Underwood he personally spoke with property owners, and there have been no objections.

Mayor Ogden closed the public hearing.

MOTION by Councilor Joelle Davis, SECONDED by Councilor Wade Brooksby to establish a Zone of Benefit Recovery Charge for street improvements on SW 124th Avenue between Myslony and SW Tualatin-Sherwood Road, and direct staff to prepare a Resolution.

Vote: 4 - 0 Passed

F. PUBLIC HEARINGS – *Quasi-Judicial*

1. Sign Variance for Legacy Bridgeport Clinic in the General Commercial (CG) Planning District at 18010 SW McEwan Road (Tax Map 2S113DD, Tax Lot 1800) (SVAR-10-01)

Mayor Ogden opened the public hearing, and noted the request by the applicant for a continuance of the hearing to March 28, 2011.

MOTION by Councilor Joelle Davis, SECONDED by Councilor Wade Brooksby to grant the continuance of the public hearing to March 28, 2011.

Vote: 4 - 0 CARRIED

G. GENERAL BUSINESS

1. 2010 Annual Report of the Tualatin Arts Advisory Committee

Mayor Ogden moved General Business items to this point in the agenda.

Members of the Tualatin Arts Advisory Committee (TAAC) were present and gave a brief PowerPoint. Chair Buck Braden thanked former Councilor Maddux, staff program coordinator Becky Savino for their work, and thanked the Council for their continued support of TAAC. The committee was formed in 1990, and has successfully held several events on an annual basis - 15th year for ArtsSplash, with revenues increasing the past two years, 15th year of Concerts on the Commons, with 500+ attending each concert, and 900+ attending the concert during the ArtSplash event. Also noted is the disbursement of donations to local arts programs, 180 pieces of art as part of the City's "Visual Chronicle", and the fourth year of involvement with a Student Visual Chnronicle program at the high school.

Gary Thompson mentioned the recently established Community Arts Enhancement Award. The first award was given to the "Lumiere Players", and they were very excited to receive the award, and held a great after-party. The second award is upcoming.

2. 2010 Tualatin Heritage Center Annual Report

Community Services Director Paul Hennon noted this is the annual report of the 2010 Heritage Center.

Larry McClure, Tualatin Heritage Center Director presented a PowerPoint beginning with a background of the center, and noted it is the sixth year since the "church" structure was given to the Tualatin Historical Society (THS). and they are appreciative of the efforts along the way. The center continues to busy every day of the week, holding numerous events, classes, etc., over the past year. Mr. McClure concluded with new and upcoming event for the Center.

Councilor Davis noted she is a member of THS and has rented the Center. Everyone does a terrific job and thanked Mr. McClure for all his efforts with the Center.

3. Ordinance No. **1318-11** Relating to Solid Waste Management and Amending Franchise Territory with United Disposal Services, Inc. dba Allied Waste of Clackamas and Washington Counties; and Rescinding Ordinance No. 1140-03

The ordinance had first and second readings and was placed on the Consent Agenda by the City Council in Work Session.

H. ITEMS REMOVED FROM CONSENT AGENDA

Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.

I. COMMUNICATIONS FROM COUNCILORS

Mayor Ogden addressed comments made earlier in the meeting under the "Citizen Comments" portion regarding the parks protection measure. Mayor Ogden said he stands by his comments made in the Times newspaper, and noted the value and support of parks by the Council, as well as previous councils.

J. EXECUTIVE SESSION

None.

K. ADJOURNMENT

MOTION by Councilor Joelle Davis, SECONDED by Councilor Wade Brooksby to adjourn the meeting at 9:01 p.m.

Vote: 4 - 0 Passed

Sherilyn Lombos, City Manager

Maureen Smith / Maureen Smith, Recording Secretary