



TUALATIN CITY COUNCIL WORK SESSION MINUTES OF APRIL 13, 2009

PRESENT: Mayor Lou Ogden; Councilors Chris Barhyte, Monique Beikman, Joelle Davis, Jay Harris, Donna Maddux, and Ed Truax, Sherilyn Lombos, City Manager; Brenda Braden, City Attorney; Doug Rux, Community Development Director; Dan Boss, Operations Director; Kent Barker, Police Chief; Don Hudson, Finance Director; Carina Christensen, Assistant to the City Manager; Paul Hennon, Community Services Director; Abigail Elder, Library Manager; Aquilla Hurd-Ravich, Senior Planner; Eric Underwood, Development Coordinator; Maureen Smith, Recording Secretary

ABSENT: None.

***[Unless otherwise noted, MOTION CARRIED indicates all in favor.]***

**A. CALL TO ORDER**

Mayor Ogden called the work session to order at 5:05 p.m.

**B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS**

1. *Urban / Reserves Local Aspirations*

City Manager Sherilyn Lombos said this is the third and last discussion of urban/rural reserves, Tualatin's growth and density aspirations, centered on the Stafford area as well as the Town Center, commercial areas and industrial areas. A final report will be done and distributed to Council prior to the Tualatin Tomorrow Community Event on April 30, 2009.

Senior Planner Aquilla Hurd-Ravich presented a PowerPoint and recapped what has previously been reviewed by Council, such as building trends, addressing capacity inside and outside the planning area, and identifying two potential candidates for urban reserves. A fifty year vision of an urban town center was reviewed by Ms Hurd-Ravich, and potential town center redevelopment. A variety of slides were viewed showing the square footage potential, the uses, such as retail, housing, office and existing buildings, etc. Also included is a "green boulevard", and another characteristic of buildings abutting the right-of-way, not set back.

Commercial/industrial was reviewed and staff explained how the calculations were arrived at. Policy considerations were then reviewed. North Stafford area was reviewed, and it was noted staff decreased the projections to reflect Council's request of less density. South Stafford was also reviewed. Draft conceptual sanitary and water system maps were reviewed, and a table summarizing the projected population growth. Policy considerations were reviewed for the Stafford basin.

Discussion followed on how the expansion of the City of Tualatin could happen in the future in relation to the Stafford area. Frustration was expressed by Council of being mandated by Metro on how and where the population and expansion area will happen. How other cities are handling their density issues were mentioned, and being able to get the data for the proposed density. It was questioned why Tualatin would need to create more density, as other surrounding cities are not considering that. Staff reiterated Council's desire to not have residential neighborhoods be more dense than they currently are.

There was considerable discussion on the designation of rural areas versus urban, designating land as "urban" and the public perception that goes along with that. Council struggled with why Tualatin has to answer the question of what happens in the north Stafford area and justify designating the area as urban reserves.

Council indicated they were all right with the Town Center concept, and commercial / Industrial Area as presented by staff. It was mentioned that the "green" boulevards in the downtown area should have low speeds and be pedestrian-friendly. Council also mentioned keeping housing away from the freeways. River development was also mentioned. Increased building heights were discussed, if designed correctly with good architectural design. Council asked to have a chart comparison on south Stafford, in addition to the north Stafford map chart that has been provided.

Council considered designating a portion of the Stafford area as "undesigned" but concerned whether it puts Tualatin at risk for Metro or other cities making the decision for Tualatin. Council discussed keeping urban reserves at least to the Washington County line (approximately 800 acres), and the area north of I-205 to Tualatin Road (600 acres) as urban reserve. The remaining is 65<sup>th</sup> to Stafford which is 1600 acres and what to designate for those acres remains. Connectivity and transportation is also a concern. Designating the land as urban reserves for now was determined. There is approximately 2900 gross acres in the Stafford basin.

***The work session recessed at 7:00 p.m. and reconvened at 8:50 p.m.***

***A break was taken from 8:50 p.m. to 8:59 p.m.***

Mr. Rux explained how the process has been done thus far, and what needs to take place to pass information on to Metro. Mr. Rux brought Council up to date on the local aspirations process.

Council continued review of discussion held earlier in the evening on the population and density issues in relation to transportation in the Stafford area. It was suggested urban reserve to south side of I-205, and east of I-5 would be enough land to protect the population base to keep current density. Councilor Beikman wanted to note for the record her concern that there will be transportation issues associated with this.

2. *Central Urban Renewal District Capital Project Options*

Community Development Director Doug Rux said there has been a series of discussions on various projects in the Central Urban Renewal District (CURD), and a new issue is the train horn noise mitigation. \$4 million is left in the CURD to be spent in two to three years. Mr. Rux said there is not enough funds to do all the projects, and also if Council wants to allocate funds to the train horn noise issue.

City Manager Lombos said the possible scenarios for the train horn noise mitigation could cost anywhere from \$500,000 to \$1.3 million. Council discussion followed on what could be done with the remaining \$2.7 million after the assumption of the allocation of \$1.3 million to train horn noise.

After discussion Council decided to not put any funds towards the East Commons project, and to allocate up to \$1.3 million for the train horn noise mitigation. The remaining funds to go to the Tualatin-Sherwood Road project, and a gateway into the City. Any remaining funds not spent on the train horn noise project shall be directed to the Tualatin-Sherwood Road project.

3. *Clackamas County Library District Update*

Community Services Director Paul Hennon and Library Manager Abigail Elder were present to give an update on annexation into the Clackamas County Library District for the November 3, 2009 ballot. The next steps would be to negotiate Intergovernmental Agreements (IGA) with Clackamas County officials.

It was asked and decided that Councilor Harris will represent Tualatin in discussions with Clackamas County to negotiate the terms of an IGA. Mr. Hennon said there is voter information to be put together. Discussion followed and Mr. Hennon continued with the timeline and process of placing the issue on the November ballot. Timing on notifying residents of a service level change was also mentioned.

4. *Legislative Session Update*

Assistant to the City Manager Carina Christensen gave a brief update on Tualatin's 2009 legislative priorities. The League of Oregon Cities (LOC) is tracking approximately 1,000 of the 2,700 bills in the legislature. Ms. Christensen distributed a handout on various bills that are being tracked by staff. Staff opposes all of the land use and development bills, except for one as they will have negative impacts on the City's urban renewal districts. Community Development Doug Rux is tracking those bills.

HJR 42 restrictions on adult business bill is scheduled for a public hearing on April 24, 2009 at 1:00 p.m. and Councilor Monique Beikman will be representing Tualatin. There are other bills on local government liquor license renewals, sponsored by the House Committee on Rules.

Also reviewed were Tualatin's opposition to HB 2405 VoIP protocol bill, and HB 2701 prohibiting compensation to Photo Red Light vendors, which will likely die. HB 2229 "Big Look" Committee Recommendations dealing with land use system, amending regional planning regulations, etc. was also briefly reviewed.

Ms. Christensen said in response to Council's direction, to be notified on emerging issues as soon as known.

**C. CITIZEN COMMENTS**

N/A

**D. CONSENT AGENDA**

Council reviewed the Consent agenda.

D-1. Approval of the Minutes for the Work Session and Meeting of March 23, 2009

Councilor Beikman noted an error on page 2 of the March 23, 2009 Work Session minutes, during first and second reading of Ordinance No. 1280-09, the poll that was taken noted Councilor Truax absent, which should read *Councilor Harris*.

**D-8. Resolution No 4876-09 Accepting Public Improvements for Avery Partition**

Councilor Harris noted he will recuse himself from this item during the Consent Agenda portion of the regular meeting, as he was the engineer on the project.

**E. PUBLIC HEARINGS – *Legislative or Other***  
N/A**F. PUBLIC HEARINGS – *Quasi-Judicial***  
N/A**G. GENERAL BUSINESS**

1. Ordinance No. 1281-09 Relating to Public Contracts; Creating an Intermediate Procurement Process; and Amending TMC 1-21-070, 1-21-080, and TMC 1-21-110

MOTION by Councilor Maddux, SECONDED by Councilor Harris for a first reading by title only. MOTION by Councilor Maddux, SECONDED by Councilor Harris for a second reading by title only. MOTION CARRIED. The poll was unanimous. MOTION by Councilor Harris, SECONDED by Councilor Beikman to place adoption of the ordinance on the Consent Agenda. MOTION CARRIED.

2. Ordinance No. 1282-09 Delegating Authority for Special Events Parking to the City Manager; and Adding a New Section, 8-3-045 to the Tualatin Municipal Code

MOTION by Councilor Harris, SECONDED by Councilor Truax for a first reading by title only. MOTION by Councilor Harris, SECONDED by Councilor Barhyte for a second reading by title only. MOTION CARRIED. The poll was unanimous. MOTION by Councilor Harris, SECONDED by Councilor Beikman to place adoption of the ordinance on the Consent Agenda. MOTION CARRIED.

3. Ordinance No. 1283-09 Prohibiting Trucks on Certain Streets to Protect Public Safety; Adding New Sections, 8-3-141, 8-3-142, 8-3-145, and 8-3-147 to the Tualatin Municipal Code

MOTION by Councilor Harris, SECONDED by Councilor Barhyte for a first reading by title only. MOTION by Councilor Harris, SECONDED by Councilor Barhyte for a second reading by title only. MOTION CARRIED. The poll was unanimous. MOTION by Councilor Harris, SECONDED by Councilor Maddux to place adoption of the ordinance on the Consent Agenda MOTION CARRIED.

**H. ITEMS REMOVED FROM CONSENT AGENDA**  
None.**I. COMMUNICATIONS FROM COUNCILORS**

Councilor Maddux thanked staff for the ordinance on truck routes and said it will be good thing for Tualatin.

**J. EXECUTIVE SESSION**

None.

**K. ADJOURNMENT**

The work session adjourned at 10:31 p.m.

Sherilyn Lombos, City Manager

Recording Secretary

*Maureen Smith*



TUALATIN CITY COUNCIL MINUTES OF APRIL 13, 2009

PRESENT: Mayor Lou Ogden, Councilors Chris Barhyte, Monique Beikman, Joelle Davis, Jay Harris, Donna Maddux, and Ed Truax; Sherilyn Lombos, City Manager; Brenda Braden, City Attorney; Mike McKillip, City Engineer; Doug Rux, Community Development Director; Dan Boss, Operations Director; Kent Barker, Police Chief; Maureen Smith, Recording Secretary

ABSENT: None.

Mayor Ogden called the meeting to order at 7:09 p.m.

**[Unless otherwise noted, MOTION CARRIED indicates all in favor.]**

**A. CALL TO ORDER**

Councilor Beikman led the Pledge of Allegiance.

**B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS**

1. *Vision Action Network Presentation – Karin Kelley-Torregroza, Executive Director*  
Executive Director Kelley-Torregroza gave a brief explanation of the Vision Action Network (VAN). It is a private non-profit organization founded to promote and support community-based problem solving through relationship building, planning and implementation processes that coordinate and optimize public, private and individual actions and resources. Ms. Kelley-Torregroza noted that over the past decade, Washington County has seen unprecedented growth and change – both in population and diversity. The Human Rights Council is the result of two years' work by the Vision Action Network and its community partners to respond to the needs of our growing community, and Councilor Davis will be part of the Human Rights Council soon. Ms. Kelley-Torregroza also said Council is invited to the VAN's annual celebration on June 2, 2009, and she thanked Council for their time.

**Mayor Ogden moved to the Citizen Comments portion of the agenda.**

**C. CITIZEN COMMENTS**

*David Farrell, 10064 SW Chickasaw Court, Tualatin, OR*, was present to express his views on the demolition of the old Tualatin Elementary School, and believes it is protected by the Tualatin Development Code. It is one of 25 designated historic sites in Tualatin, and he urged the City Council to reverse their decision.

*Jill Anderson, SW Wishram Court, Tualatin, OR*, voiced concerns about the I-5/99W Connector project, and expressed concern about the neighborhoods there, and whether citizens can have a say in how this project will look.

Mayor Ogden said much of the process is done in terms of the Regional Transportation Plan (RTP) and there is a long history on the "connector project", which is "dead" at this point. Ms. Anderson asked and Mayor Ogden said there will still be many more opportunities for public input and participation

*Frank Bubenik and Candice Kelly, co-chairs, Tualatin Tomorrow vision project, were present to get out to the community, the second annual "Tualatin Tomorrow" event is on Thursday, April 30, 2009, from 5:30 p.m. to 8:00 p.m. at Legacy Meridian Park Hospital Education Center. Mr. Bubenik and Ms. Kelly noted it gives people the chance to meet vision partners, city staff, and others, and to get feedback from citizens to pass back. The event is child-friendly and there will be more information that will be available to the community, and urged citizens to attend the event.*

*Bethany Wurtz, 11025 SW Wishram Court, Tualatin, OR, said she had an opportunity to meet with Mayor Ogden and Councilor Beikman regarding the I-5/99W connector project. Those that live off Tualatin Road are interested and have been following the project over time. Ms. Wurtz said the concern in the new plan is the addition of the northern arterial to Alternative 7. Ms. Wurtz wanted the City Council to know there are people concerned about that portion of the plan, and suggested that portion of Alternative 7 be revisited.*

*Joy Basse, 9700 SW Tualatin Road, Tualatin, OR, was present and noted the upcoming Community Health and Safety Fair, on Saturday, April 18, 2009 at Tualatin Community Park Senior Center Building and wanted to make certain that rental information flyer will be part of the display.*

## **B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS [continued]**

2. *2009 Tualatin Crawfish Festival Update – Chamber of Commerce*  
Linda Moholt, Chamber of Commerce, was present to announce the 59<sup>th</sup> annual Crawfish Festival. The theme this year is in honor of Oregon's 150<sup>th</sup> anniversary is "Crawfish, the Wild, Wild Fest!" It is held the second weekend in August; this year the dates are Friday, August 7 through Sunday, August 9, 2009.
3. *"Fit City Challenge" Presentation – Linda Moholt, Chamber of Commerce*  
Linda Moholt, Chamber of Commerce, in coordination with the upcoming Community Health and Safety Fair, gave a brief explanation of the "Fit City Challenge", a community level initiative to encourage citizens to increase their physical activities and to eat healthy. An "inaugural walk" will be launched on Saturday, April 18<sup>th</sup>, 9:00 a.m. at ClubSport. Mayor Ogden will be participating and presenting a proclamation,
4. *Tualatin Youth Advisory Council Update*  
Representatives from the Youth Advisory Council (YAC) were present and reviewed past and upcoming activities and events. The YAC is also participating and assisting with the upcoming "Fit City Challenge" Walk. A short video was also presented on their Project F.R.I.E.N.D.S 2009, and the YAC presented *Earth Day* t-shirts to the City Council.
5. *Proclamation Declaring April 22, 2009 as "Earth Day" in the City of Tualatin*  
Councilor Davis read the proclamation declaring April 22, 2009 as "Earth Day" in the City of Tualatin.

10. *Community Health and Safety Fair Presentation – this item was moved up on the agenda*  
Joe Lipscomb and Candice Kelly, presented information on the second annual Community Health and Safety Fair on Saturday, April 18, 2009. Ms. Kelly explained some of what will be happening at the fair and said it spans all ages. Information on the fair is also available on the City's website. Mr. Lipscomb and Ms. Kelly thanked Council for the opportunity to appear before Council.
  
6. *Proclamation Declaring April 12 – 18, 2009 as “National Library Week” in the City of Tualatin*  
Councilor Harris read the proclamation declaring April 12 – 18, 2009 as National Library Week in the City of Tualatin. Mayor Ogden noted the sizeable increase in circulation from last year, and thanked staff for their effort, and also the volunteers that contribute their time in the library.
  
7. *Proclamation Declaring April 19 – 25, 2009 as “National Volunteer Week” in the City of Tualatin*  
Councilor Barhyte read the proclamation declaring April 19 – 25, 2009 as National Volunteer Week in the City of Tualatin. The Council acknowledged the great effort of its volunteers and the tremendous amount of time given to the community.
  
8. *Presentation by a Representative of “Our Ocean” Regarding Marine Reserves and Protected Areas*  
Diane Lynch, 8495 SW Tygh Loop, Tualatin, OR, volunteer representative from “Our Ocean”, a coalition of scientists, biologists, etc. working to preserve Oregon's coastal legacy. Ms. Lynch presented information on marine reserves and distributed information to the Council. Marine reserves are defined as ocean areas fully protected from activities that remove animals and plants or alter habitats, except as needed for scientific monitoring. Ms. Lynch asked Council to consider a resolution supporting this issue. It was asked and Ms. Lynch explained the types of restrictions and how marine reserves are protected. Mayor Ogden thanked Ms. Lynch for her presentation.
  
9. *Train Horn Noise Mitigation Update*  
City Manager Lombos gave an update on the train horn noise issue, and noted a regular update will be given at the first Council meeting of every month.

Ms. Lombos noted the funding that has been directed to Tualatin and TriMet's role in the process. A *wayside horn* demonstration was held on Wednesday, April 8<sup>th</sup> starting in the early morning hours at various locations in Tualatin. The data collected for a 24 hour time period will be available soon and will give information on possible locations for a wayside horn. Neighborhoods were given observation logs and staff has received a dozen or so and will follow up with a summary on the data collected.

A train horn waiver is also being submitted by TriMet to the Federal Railway Administration (FRA) for a reduction of the decibel level. However, the waiver would only be good for five years, but could be a “quick fix” until something could be done with the quiet zones issue.

Discussion followed on the amount of funding coming from TriMet. TriMet continues to be the lead and Washington County is working with Tualatin, as is Metro on this issue. Allocation of Stimulus Package funds was also discussed, and some concern was expressed by Councilor Harris that a point could be made of using those funds for something other than train horn noise, and he believes that Tualatin should not be putting anymore funding toward this.

Councilor Maddux thanked staff for incorporating this issue into the agenda on an ongoing basis.

Councilor Harris noted and Ms. Lombos said that even though citizens are not always present at every Council meeting on this issue, there is still much interest and providing the updates gives the opportunity to get information out from Council to the community.

**D. CONSENT CALENDAR**

Items G-1, G-2 and G-3 were placed on the Consent Agenda at Work Session. MOTION by Councilor Harris, (*Councilor Harris recused himself from Item 8*) SECONDED by Councilor Beikman to adopt the Consent Agenda as amended and read:

1. Approval of the Minutes for the Work Session and Meeting of March 23, 2009 (*as amended*)
2. Approval of a New Liquor License Application for El Ranchito Alegre
3. Approval of a New Liquor License Application for Ex Cathedra
4. Approval of a Change of Ownership Liquor License Application for Bush Garden
5. Approval of 2009 Liquor License Renewals Late Submittals
6. Citizen Involvement Committee Appointments
7. Resolution No. 4875-09 Accepting Public Improvements for Murphy Industrial Addition
8. Resolution No. 4876-09 Accepting Public Improvements for Avery Partition
- G-1 Ordinance No. 1281-09 Relating to Public Contracts; Creating an Intermediate Procurement Process; and Amending TMC 1-21-070, 1-21-080, and TMC 1-21-110
- G-2 Ordinance No. 1282-09 Delegating Authority for Special Events Parking to the City Manager; and Adding a New Section, 8-3-045 to the Tualatin Municipal Code
- G-3 Ordinance No. 1283-09 Prohibiting Trucks on Certain Streets to Protect Public Safety; Adding New Sections, 8-3-141, 8-3-142, 8-3-145, and 8-3-147 to the Tualatin Municipal Code

MOTION CARRIED.

**E. PUBLIC HEARINGS – Legislative or Other**

None.

**F. PUBLIC HEARINGS – Quasi-Judicial**

None.

**G. GENERAL BUSINESS**

***The following ordinances had first and second readings and were placed on the Consent Agenda at work session.***

1. Ordinance No. 1281-09 Relating to Public Contracts; Creating an Intermediate Procurement Process; and Amending TMC 1-21-070, 1-21-080, and TMC 1-21-110
2. Ordinance No. 1282-09 Delegating Authority for Special Events Parking to the City Manager; and Adding a New Section, 8-3-045 To the Tualatin Municipal Code
3. Ordinance No. 1283-09 Prohibiting Trucks on Certain Streets to Protect Public Safety; Adding New Sections, 8-3-141, 8-3-142, 8-3-145, and 8-3-147 to the Tualatin Municipal Code

**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. EXECUTIVE SESSION**

None.

**J. COMMUNICATIONS FROM COUNCILORS**

Councilor Beikman noted the upcoming Oregon Liquor Control Commission (OLCC) hearing on Stars on Thursday, April 16, 2009, 9:00 a.m. at their offices in Milwaukie. Councilor Beikman also noted the recent time she spent with the local Tualatin Valley Fire & Rescue (TVF&R) station in Tualatin, and was impressed with their professionalism and efficiency and the City is lucky to have them working for us. Mayor Ogden noted that TVF&R Fire Chief Johnson serves on the International Firefighters Association and the National Association Board.

Councilor Harris noted the Arbor Week activities that took place last week.

Councilor Truax said the recent "Million Doodle" fundraiser was a great success and raised more money for the local dog rescue organization.

Councilor Maddux said on March 24, 2009, funds were raised at a wine tasting event for the Tualatin Food Pantry.

Councilor Davis said she had the pleasure of attending *City Hall Day* at the State Capitol along with staff, and was a great day to get out and meet other government officials.

**K. ADJOURNMENT**

MOTION by Councilor Harris, SECONDED by Councilor Maddux to adjourn the meeting at 8:49 p.m. MOTION CARRIED.

Sherilyn Lombos, City Manager

Recording Secretary

  
\_\_\_\_\_