



TUALATIN CITY COUNCIL WORK SESSION MINUTES OF JULY 27, 2009

PRESENT: Mayor Lou Ogden; Councilors Chris Barhyte, Monique Beikman [*arrived at 5:05 p.m.*], Joelle Davis, Jay Harris, and Donna Maddux [*arrived at 5:23 p.m.*], 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; Eric Underwood, Development Coordinator; Colin Cortes, Assistant Planner; Maureen Smith, Recording Secretary

ABSENT: Councilor Ed Truax* [** denotes excused*]

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

A. CALL TO ORDER

Mayor Ogden opened the work session at 5:00 p.m.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

1. *Tualatin-Sherwood Road Enhancement Project (Development Commission)*

Development Coordinator Eric Underwood gave a brief introduction and background on where the Tualatin-Sherwood Road landscape and pedestrian improvements and gateway feature project is at this point. Policy considerations for Council/Commission are corridor landscaping, gateway/entry features, artist involvement, and future park utilization. The consultants, CH2M Hill and Mayer-Reed were also present.

Carol Mayer-Reed and Ryan Carlson, of Mayer/Reed began with a PowerPoint reviewing the corridor concept illustrations. The Traditional Boulevard Landscape is what they believe to be the intent of the Council/Commission. Also reviewed was the Ornamental Parkway Landscape and its components, and the Nature Greenway Landscape. The Ad Hoc Committee that was formed to review this project liked a combination between the Traditional Boulevard and Nature Greenway. It was asked if conifer trees could be included in the concept, and the consultant said that could be accommodated. It was asked and explained that the trees on the landscape would be planted to accommodate the roadway.

Ms. Mayer-Reed moved on to the gateway/entry features of the presentation. The analysis has previously been discussed and the Council/Commission needs to determine which of the four gateway/entry feature themes best represent Tualatin. From the Ad Hoc Committee discussions, four potential gateway/entry feature themes were produced; the Wapato Garden, which includes the native American "wapato plant", Stone Triangle, Waterline Columns and Architectural Colonnade concepts.

The Wapato Garden Gateway proposal was reviewed and in discussion with the Arts Advisory Committee they weren't sure if the gateway/entry was the place to have art displayed. It was asked about the eastbound lane that is unused and the current one-way traffic lane. Tualatin's character was reviewed in relation to how the gateway project should look.

The Stone Triangle Gateway uses large basalt columns. The Waterline Columns gateway was another idea encompassing large columnar basalt that could be illuminated, in working with artist Linda Wysong. Part of same idea of the Waterline Columns gateway, another stone could be carved and could treat the stormwater. The final concept is a granite colonnade gateway. It has more polish in using the granite; not basalt but rather clean lines that could have a light box on top,

A gateway summary was displayed to show the similar and differences in each. Ms. Mayer-Reed reviewed the project schedule/timeline of the project. It was asked about the initial gateway and additional mini-gateways throughout town and what would need to be done as far as costs, call for artists, etc.

Discussion followed on using basalt versus granite. Basalt is more rough, with warm tones and earthen material and can range from a variety of color depending on how it's cut. Using illumination and using a splash of water to take away the hard edge and tie into the Commons was mentioned by Councilor Harris.

Councilor Maddux said she is leaning toward the Colonnade Gateway, and wondered about the walkability. Ms. Mayer-Reed said if a project suggests pedestrian environment, it can evolve that way, and there are examples she could provide. Also questioned was the use of the acrylic, and Ms. Mayer-Reed said she can ask the artist, but it should be durable for a very long time. Councilor Beikman said she was also leaning towards the Colonnade Gateway.

Mayor Ogden said it appears Council wants a gateway at that location but questioned the costs, and to not spend a lot of money in something that should be pedestrian-friendly. He said he would like to know that it fits in the future and perhaps something simpler would be better. Councilor Beikman said that could be taken the other way and be looked at as a "start". Councilor Barhyte said he is leaning toward the waterline columns as he feels the colonnade is too hard of an urban edge feel. Ms. Mayer-Reed said the colonnade is a unique way to draw eye down to the Commons. She is open to all comments and suggestions by Council. Councilor Maddux commented that she did see Councilor Barhyte point of view on the hard edge of the colonnade, and said she was not sure if necessarily6 wanting to have a "row" of columns necessarily. Councilor Harris added he liked the basalt more than the granite.

Community Development Director Rux said one piece that came out of the Arts Advisory Committee is recommendations for art selection process, as well as the gateway/entry feature itself.

Discussion followed and staff will come up with a concept and take back to the Arts Advisory Committee. Discussion continued and it was suggested waiting until after the Crawfish Festival and open houses are held before moving forward. City Manager Lombos said in terms of a timeline, staff is looking to go out to bid next winter and begin construction in spring/summer.

Mayor Ogden added that a discussion on the Regional Transportation Plan (RTP) will be held after the break.

A break was taken from 6:00 p.m. to 6:10 p.m.

2. *Regional Transportation Plan (RTP) Update and I-5 to 99W Alternate 7 Update*
City Engineer Mike McKillip gave a brief update on the process of updating the RTP. The August 13, 2009 Metro JPACT meeting will have a discussion about each entity identifying their investment priorities.

On September 15, 2009, Metro's Chief Operating Officer (COO) will release a draft report on "Making the Greatest Places". This will include the Urban Growth Report, the Urban/Rural Reserves Report, and the RTP. There will be a 30 day public comment period on the report. At that time JPACT and others will evaluate the comments and decide what direction to go on them.

In the winter and spring of 2010 modeling and further analysis will be done. Air quality conformity, land use findings, and final amendments to the existing RTP will be finalized. In the Spring 2010 there will be another 45 day public comment period for the RTP.

Mayor Ogden reviewed the proposed Alternative #7 Implementation outline that Metro Policy Advisory Andy Cotugno discussed with the Mayor, Councilor Beikman, City Manager Sherilyn Lombos and City Engineer McKillip a few weeks back. Council had two areas of concern about the memo:

--Item A.2.g. involves connecting Herman Road through Sherwood to Highway 99W. *Council is concerned about providing a direct connection from 99W to I-5 along this route.*

--Item B.2.b. involves widening Tualatin-Sherwood Road between 124th and Teton. *Council would like this widening to stop at Avery.*

On the project list, staff will combine the Herman Road and Tualatin Road Bridge to Lower Boones Ferry Road projects into a project that is similar to the process outlined in *B.1.b.* of the Alternative #7 memo.

The Work Session continued after the regular Council meeting at 9:04 p.m.

3. *For Lease/Sale Sign Regulations*
Discussion on the issue of For Lease/Sale signs and the amount of commercial signage that is displayed. City Manager Lombos said staff took these issues back to the Tualatin Planning Advisory Committee (TPAC) and came up with ways to address those commercial signage issues. Community Development Director Rux said a meeting has been scheduled with the Chamber and looking to get feedback from Chamber and TPAC, and the business community and identify options.
4. *Clackamas County Library District*
City Manager Lombos began with the goals that Tualatin wants to provide to its citizens, particularly those in Clackamas County. Staff has been looking at options and has endeavored to work with Clackamas County officials on this issue. There are unanswered questions in contracting with Washington County Cooperative Library Service (WCCLS) as to what would be an appropriate rate. How to get feedback from residents on contracting with WCCLS was also mentioned, and if this were to get on the ballot, there would be a time crunch.

Considerable discussion continued on how to address library services and at what costs for Clackamas County residents. Whether to contract with WCCLS or remain with the current system was discussed and how funds are distributed by the Cooperative. After discussion, consensus by all Council present was to attend the Clackamas County "working group", with Councilors Barhyte and Harris the elected officials from Tualatin.

5. *Extension of Land Use Approvals*

Assistant Planner Colin Cortes presented information on land use approvals that are expiring or close to expiring. With the current economic conditions nationally, several local development and redevelopment projects have been delayed. Assistant Planner Cortes reviewed options Council could take on how to address this issue.

Community Development Director Rux said from staff's perspective, looking at going back to 2007 and extend out to 2012 on approvals within this time frame and believe it can buy some time for the land use approvals. Council asked what would be the easiest and best way to address this process, and Community Development Director Rux said extending the timeline, work with the applicants, and make any adjustments needed with Clean Water Services.

After discussion, it was suggested that staff determine how to best address the current list of applicants that have expired or about to expire. Also look at applying a "date certain" on the allowance of an extension. After discussion it was suggested that every applicant from January 1, 2007 through June 30, 2009 be allowed an extension through December 2012. Brief discussion followed. Staff will return with a modification to the Tualatin Development Code.

6. *Urban/Rural Reserves*

Community Development Director Rux began by noting this is the last round on urban/rural reserves discussions and a culmination of three previous work sessions regarding Local Aspirations and Urban Reserves. The Community Development staff requested the Council forward a recommendation to Washington and Clackamas Counties designating Knife River and Stafford Basin as an urban or rural reserve or areas or parts thereof to remain undesignated or a combination of those four choices. Staff prepared a memo with information about the processes Washington and Clackamas counties are using to analyze rural reserves, work done by the Clackamas County Business Alliance and the Stafford Hamlet, and finally an analysis of urban reserve factors prepared by staff.

After staff's presentation of the memo and PowerPoint, Council discussed the merits of the policy considerations. Some consideration was given to the recent actions taken by the cities of Lake Oswego and West Linn and their decisions to recommend the Stafford Hamlet as a rural reserve. Other considerations were given to the City's need to be flexible in the future by designating land urban or undesignated. However, this was counter with a wariness that land use and zoning controls will remain with the counties. Washington County and the cities in Washington County have urbanization agreements meaning that when land is eventually designated an urban reserve by Metro cities will have control over land use, zoning and development. Such an agreement does not exist in Clackamas County or with Clackamas County cities.

Council's direction was to recommend to the counties that the Knife River area be designated an urban reserve, the portion of Stafford Basin in Washington County an urban reserve, and the portion of Stafford Basin in Clackamas County a rural reserve.

C. CITIZEN COMMENTS – N/A

D. CONSENT AGENDA

Council reviewed the Consent Agenda with no changes.

E. PUBLIC HEARINGS – *Legislative or Other*

N/A

F. PUBLIC HEARINGS – *Quasi-Judicial*

N/A

G. GENERAL BUSINESS – N/A

H. ITEMS REMOVED FROM CONSENT AGENDA – N/A

I. COMMUNICATIONS FROM COUNCILORS

None.

J. EXECUTIVE SESSION

None.

K. ADJOURNMENT

The work session recessed at 6:59 p.m. and reopened at 8:55 p.m. for continued discussion, and adjourned at 11:26 p.m.

Sherilyn Lombos, City Manager

Recording Secretary





TUALATIN CITY COUNCIL MEETING MINUTES OF JULY 27, 2009

PRESENT: Mayor Lou Ogden, Councilors Chris Barhyte, Monique Beikman, Joelle Davis, Jay Harris, and Donna Maddux; Sherilyn Lombos, City Manager; Brenda Braden, City Attorney; Mike McKillip, City Engineer; Don Hudson, Finance Director; Kent Barker, Police Chief; Kent Barker, Police Chief; Carina Christensen, Maureen Smith, Recording Secretary

ABSENT: Councilor Ed Truax* [** denotes excused*]

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

A. CALL TO ORDER

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

Councilor Beikman led the Pledge of Allegiance.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

1. New Employee Introductions

Finance Director Don Hudson introduced new Accounting Supervisor Dave Peterson and gave a brief background on his qualifications and experience. Council welcome Mr. Peterson to the City staff.

City Engineer Mike McKillip introduced new Engineering Technician Laura Vierkandt and gave a brief background on her qualifications and experience. Council welcomed Ms. Vierkandt to the City staff.

C. CITIZEN COMMENTS

Linda Moholt, Tualatin Chamber of Commerce, 18791 SW Martinazzi Avenue, was present to promote the upcoming Tualatin Crawfish Festival on August 7 through 9, 2009. Ms. Molholt also noted she was present to discuss the sign policy being addressed by Council, and that the business community would like to take part in the process and any discussions with Council. Mayor Ogden said the discussion will be held after the regular meeting in continuance of the Work Session and an objective is that it does not impede businesses. Mayor Ogden also noted the work that is done not only by City staff but the Chamber for all the work they do putting on the annual Crawfish Festival.

Ms. Moholt also noted the Tualatin Schoolhouse Food Pantry will be moving to Rolling Hills Community Church on Saturday, August 15, 2009, and the community will be helping with the move. The church has given the pantry a wonderful opportunity to continue focusing on feeding families. The ribbon cutting will be Monday, August 17, 2009 at 2:00 p.m. and invited all to attend. Councilor Maddux also mentioned the school lunch program happening in Tualatin schools.

Joe Lipscomb, representing Juanita Pohl Center gave a monthly report for the Center, and noted he had spoken with Community Services and the Pohl Center will be open this Wednesday and Thursday evenings as a cooling center (due to the extreme heat weather). Mr. Lipscomb reviewed the past month's activities and events. Mayor Ogden noted his attendance at the Center's anniversary luncheon last month.

Kathy Newcomb, 17515 SW Cheyenne Way, Tualatin, OR, was present to note her disappointment in the discussion held earlier during the work session on the Regional Transportation Project (RTP) project listing, in particular the northern arterial project still being included in the listing. Ms. Newcomb pointed out that correspondence by Council does not support the Northern Arterial, but it is included in the list of projects. Ms. Newcomb said she was troubled by this and a decision such as this should be made within the Council. She thanked Councilors Harris and Davis for their concerns voiced.

Dolores Hurtado, 8685 SW Chinook Street, Tualatin, OR, was present and said she was impressed by the presentation given at Work Session on the various approaches presented for the gateway planning of the downtown area. The evaluation of the various groups that took part in the process seems the way that City business should be conducted and Ms. Hurtado said he does not appear the same approach was taken with the Northern Arterial project, and seems as though the welfare of the citizens were not factored into the decision-making process. Ms. Hurtado pleaded for Council's consideration and believes Tualatin is taking the brunt for two major connections in the region.

Mayor Ogden spoke on wanting it to be clear there is no decision that has been made on anything that has been alluded to by the two previous citizens that have spoken on the subject of the northern arterial project. He continued to say that all issues will need to be addressed and that there is only a "placemaker" in the Regional Transportation Plan (RTP).

Marcele Daegas, commercial real estate broker, 6700 SW 105th, Beaverton, OR, said she does a lot of work in Tualatin and was aware of the Council discussion on leasing signs, and noted it is an important part of their business to have the appropriate number and size of signs, and asked that commercial brokers and landlords be able to participate in the discussion. Ms. Daegas said in her opinion Tualatin does have a central business district, and although this is a separate issue from the signs, she wants to promote the district and reiterated to be included in the discussion and process.

Mayor Ogden acknowledged new Tigard-Tualatin School Board member Dana Terhune as present in the audience. Ms. Terhune said her term started on July 1, 2009, and she gave a brief background about herself.

D. CONSENT CALENDAR

MOTION by Councilor Barhyte, SECONDED by Councilor Davis to adopt the Consent Agenda as read:

1. Resolution No. 4912-09 Accepting Public Improvements Construction for SW 115th Avenue
2. Resolution No. 4913-09 Authorizing an Intergovernmental Agreement with TriMet and Washington County Regarding WES Train Horn Noise Mitigation Funding
3. Approval of a New Liquor License Application for Bambuza Vietnam Grill

4. Approval of a New Liquor License Application for The Grand Hotel at Bridgeport
5. Community Involvement Committee Appointments

MOTION CARRIED.

E. PUBLIC HEARINGS – *Legislative or Other*

None.

F. PUBLIC HEARINGS – *Quasi-Judicial*

1. Public Hearing to Consider a Resolution Extending a Conditional Use Permit for the Warehousing and Primarily Wholesale Distribution of Building Materials at 10700 SW Tualatin-Sherwood Road (CUP-09-03)

Mayor Ogden read language required by legislation before a comprehensive plan or land-use regulation [ORS 197.763(5) and (6)] and opened the public hearing. No bias or ex parte contact noted by Council.

Assistant Planner Colin Cortes presented the staff report and entered the entire staff report into the record. The matter before Council is a conditional use permit (CUP) that has expired. Due to the economic recession the applicant has not been able to move to a new location, and Council has the ability to extend the CUP.

PROPOSERS

Craig Olson, Mutual Materials Operations Manager, was present and said if the economy was better they would not be asking for an extension of up to two years. They hope things will turn around in the next year and be able to move forward with a new location.

OPPOSERS – None.

COUNCIL DISCUSSION

Mayor Ogden asked if anything has changed substantially in meeting the criteria in any regulations, etc. that could affect the decision by Council. Mr. Cortes said for all practical purposes the application is essentially the same as was last year.

Brief discussion followed.

Mayor Ogden closed the public hearing.

COUNCIL DELIBERATION

MOTION by Councilor Harris, SECONDED by Councilor Barhyte to grant CUP-09-03 extension for two years from July 14, 2009. MOTION CARRIED.

Resolution No. 4914-09 Extending a Conditional Use Permit for the Warehousing and Primarily Wholesale Distribution of Building Materials at 10700 SW Tualatin-Sherwood Road (Tax Map 2S1 27AA, Tax Lot 2100) (CUP-09-03)

MOTION by Councilor Harris, SECONDED by Councilor Barhyte to adopt the attached Resolution granting an extension of CUP-09-03. MOTION CARRIED.

G. GENERAL BUSINESS

1. Resolution No. _____ Approving the Proposed Formation of a Special Aquatic District
(Tigard-Tualatin Aquatic District)

Community Services Director Paul Hennon introduced the information on the proposed formation of a special aquatic district, and noted Pam Griffith was present with members of a citizen group proposing a new district to operate the two pools in the Tigard-Tualatin School District. Oregon law requires that cities must approve formation of all districts which is why the group is here tonight. They will also be going to the Tigard, Durham, and King City Councils, and are seeking placement on the ballot in May 2010. Mr. Hennon said the group is here to obtain the general consent of the City Council.

Pam Griffith, 14605 SW Rock Ridge Road, Tigard, OR, was present speaking on behalf of a group of citizens interested in preserving the pools in the community, and to ask the City Council to approve the formation of a special aquatic district, to be put on the ballot in May 2010. Ms. Griffith said the Tigard-Tualatin School District (TTSD) is not able to continue to operate the pools and are considering mothballing or shutting down completely, however voters in the district will continue to pay for the pools. The proposal is fairly simple. They want to preserve the status quo and services would be similar to what they are now. Pools are used primarily by the community, even during the school year.

The new district would be to just "operate" the pools, but would still be part of the TTSD, and would be operated at 0.9 per 1,000AV, approximately \$16/year for a \$300,000 house. Voters would need to approve the formation of the district, and they need the consent of all four cities and gather sufficient number of signatures to place on the ballot. Their hope is to have all they need by August 11th from all four cities.

Dana Terhune, 5070 SW Greenwood Circle, Tualatin, OR, was present to offer her support for the pools. She said it is unfortunate that the pools were cut, and a huge group came to TTSD to look at a way to save the pools. If they are closed they can never be reopened again. She applauded the group, and would love to give them a chance to keep the pools open.

Evan Tam, 9250 SW Iowa Drive, Tualatin, OR, spoke that his family moved to Tualatin a decade ago, and in looking at a community to live, chose Tualatin. The pools are important now and for future residents.

Rosemarie Robeznieks, 15037 SW Scarlett Drive, Tigard, OR, although she lives in Tigard, but children attend Tualatin schools, and said it is important to keep the pools open, and will work hard for the community to do that.

Councilor Davis asked about how repair and capital expenses would be handled through this type of partnership. Ms. Griffith said she has done this type of costing in the past, and in the proposed budget there is a built-in figure for those types of costs. Also, because the new district and TTSD will be motivated to keep the pools open and in the agreement could have a provision to anticipate those costs. Almost everything should be covered by the proposed budget. Also asked was how the boundary of the school district would be address, and Ms. Griffith said it would be similar to how it is set up now. Councilor Davis asked what might happen if they are unable to get on the ballot, and Ms. Griffith said they haven't addressed that because they are confident they will be able to get the signatures needed.

Councilor Barhyte questioned the ongoing maintenance costs and issues.

Paul Mead, 17667 SW 80th Place, Durham, OR, accountant, addressed the issues of the ongoing maintenance costs that would be needed for the district. Mr. Mead said considerable anticipated costs were factored into the costing.

It was asked by Councilor Barhyte if this would preclude the City from having a park district in the future and City Attorney Braden said she is not certain on the specific question of overlapping districts and would have to research the answer. Councilor Barhyte said his question is to ensure that there isn't a problem later on.

Mayor Ogden commented that he thought this is a great thing the group is doing. He asked if this is only for the operation of the pools in the district, and questioned that it would not be the ability for this district, if approved, to be part of a future recreation district. Mayor Ogden then asked if a district could be "de-annexed". Ms. Braden said it may be possible to be done some way. It was noted that TTSD will keep open one pool and mothball another in the coming year, to enable this group to see what will happen.

Councilor Beikman said while she applauded the group, worried that this will get in the way of anything the City wants to do in the future, and also expressed concern about further fragmenting the City, what with the issue of the Clackamas County library district.

Councilor Harris asked why this issue was not brought to a work session discussion, and said Council is almost getting blindsided. Councilor Maddux agreed, but this is a "grass roots" effort, and is a timing issue, and the group cannot move forward without approval from Tualatin and three other cities and approval from the counties, and we don't have all the details because it is not the City's process.

Mayor Ogden asked what questions need to be answered to be able to bring this back on August 10, 2009 meeting. Discussion followed, and the particular issue Council wished to address is if it will impact any future districts the City would attempt in the future, if this can be de-annexed and how does it happen and work under state law. Also, look into the boundaries of the school district, and some answers on why we need to be coupled with TTSD. Also questioned were the details of the lease, but Ms. Griffith said they won't have that detail. Discussion followed.

City Manager Lombos said to address the work session issue, this recently came up about two weeks ago, but staff did not feel their proposal was refined enough to present to Council. This was handled much like the Clackamas County Extension Services district proposal awhile back. Although this is a bit of a different process, the group came wanting the City's support. City Manager Lombos suggested at the next Council meeting on August 10, 2009, the group come prepared to present and address Council's questions. Mayor Ogden agreed and trusts staff to at least evaluate this from the perspective of Council's concerns.

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

None.

K. ADJOURNMENT

MOTION by Councilor Maddux, SECONDED by Councilor Beikman to adjourn the meeting at 8:52 p.m. MOTION CARRIED.

Sherilyn Lombos, City Manager

Recording Secretary Maureen Smith