



TUALATIN CITY COUNCIL WORK SESSION MINUTES OF NOVEMBER 23, 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; Don Hudson, Finance Director; Dan Boss, Operations Director; Paul Hennon, Community Services Director; Kent Barker, Police Chief; Carina Christensen, Assistant to the City Manager; Eric Underwood, Development Coordinator; Kaaren Hofmann, Civil Engineer; 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 5:00 p.m.

Council reviewed the Consent Agenda. Item D-1 was removed from the agenda in its entirety. Item D-6, Resolution Approving a Joint Position Statement, was modified to read "and/or Lake Oswego."

Mayor Ogden recessed the Council work session at 5:03 p.m. and reconvened at 5:04 p.m.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

1. *Central Urban Renewal District*

Community Development Director Doug Rux presented information and a financial analysis of extending the maximum indebtedness of the Central Urban Renewal District (CURD). Also present was consultant Jeff Tashman. The timeline of the process, next steps and needed Council action will be reviewed.

Community Development Director Rux began the discussion and distributed information on what is being covered at this meeting. Mr. Rux said there was also a supplemental memo that was distributed last week. It is a two step process and after the special work session on December 7, 2009, staff would then speak with the overlapping tax districts. A 75% agreement by the taxing districts would be needed to move forward.

The financial situation for the CURD is relatively good. The annual revenue is \$2.3 million and projected to increase next year. Mr. Tashman set up a model with spreadsheets associated with each, and look at what properties were likely to redevelop over the next 20 years. Some are ongoing now, others in the future, and others are a ways off. Mr. Tashman added it is important to know these projections and that redevelopment likely won't happen without certain investments in infrastructure and utilities, etc. Potential CURD redevelopment sites were reviewed and explained by Mr. Tashman.

Community Development Director Rux explained where the development assumptions came from, and said it goes back to the Town Center Plan, Memorandums of Understanding (MOU), Council goals, etc. Discussion followed on how the debt ratio, bond issues, and tax increment portion works.

Discussion continued on how maximum indebtedness would work over the next 20 years. Community Development Director Rux also explained some calculations in relation to the recent legislation that was passed. To extend and amend the maximum indebtedness is what is being determined, and Mr. Tashman said he aims to be especially accurate on assumptions. It was asked what might happen if funds are left after the end of the district, and Mr. Tashman said there could be pushback from the other taxing districts. City Manager Lombos said the Tigard-Tualatin School District (TTSD) is currently having a money crunch and it can be hard to look down the line 20 years at what would happen then, and what the other taxing districts would be willing to look at in the future.

Discussion continued on continuing the district and what the maximum indebtedness would need to be, and whether the other taxing districts would be amenable.

Community Development Director Rux said, in response to the question, that staff would like to have agreement for a reasonable maximum indebtedness number by the December 7, 2009 special work session. Mayor Ogden said the project list that has been done by staff does not give him a perspective of what that would entail, and is a long way in his mind as to what type of investments Tualatin is going to make.

It was explained what would happen if nothing is done about increasing the maximum indebtedness, and Mr. Rux said we would have to go through the whole process again, lose some of the \$2.3 million in revenue and up to \$180 million of redevelopment if there is not a decision. Councilor Harris said he is not comfortable making a decision yet and would like to discuss further. Councilor Maddux said it appears Council is at a point where there should be some type of agreement on maximum indebtedness. Discussion continued on what the length is of a typical district, which is 20 to 25 years. The Central Urban Renewal District (CURD) has been in existence since 1975. It was asked what if the district was extended to 30 years, and Mr. Tashman said he does not have those calculations at this meeting, but he could provide them.

Discussion concluded with Council asking staff for further calculations of what could happen in the next years, look at what might happen extending the district out 30 years, and what has happened since the Central Urban Renewal District has been in existence.

2. *Land Acquisition and Trails Update - POSTPONED*

3. *Tree Preservation Policy for Annexation of New Land - POSTPONED*

C. CITIZEN COMMENTS – N/A

D. CONSENT AGENDA

Council reviewed the Consent Agenda at the beginning of the work session with changes as noted.

E. PUBLIC HEARINGS – Legislative or Other
N/A

F. PUBLIC HEARINGS – Quasi-Judicial

N/A

G. GENERAL BUSINESS

3. Ordinance No. 1292-09 Relating to Building Codes; Amending TMC 4-1-040, 4-1-050, 4-1-070, 4-1-090, 4-2-020, 4-2-040, and 4-3-100; Adding Table 4-2A
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MOTION by Councilor Beikman, SECONDED by Councilor Barhyte for a first reading by title only. MOTION by Councilor Barhyte, SECONDED by Councilor Beikman for a second reading by title only. MOTION CARRIED. The poll was unanimous. MOTION by Councilor Barhyte, SECONDED by Councilor Beikman to place adoption of the ordinance on the Consent Agenda. MOTION CARRIED.

4. Ordinance No. 1293-09 Requiring Gutters and Downspouts be Maintained on Rental Properties and Amending TMC 6-13-040(4)(a)

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

5. Ordinance No. 1294-09 Relating to Bancroft Bonds; and Amending TMC 2-7-010

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

6. Ordinance No. 1295-09 Granting Portland General Electric a Franchise for Ten Years to Erect, Construct, Maintain and Operate Within the City of Tualatin, an Electric Light and Power System; Providing an Effective Date; and Repealing Ordinance No. 1038-99
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MOTION by Councilor Beikman, SECONDED by Councilor Barhyte for a first reading by title only. MOTION by Councilor Barhyte, SECONDED by Councilor Beikman for a second reading by title only. MOTION CARRIED. The poll was unanimous. MOTION by Councilor Barhyte, SECONDED by Councilor Beikman to place adoption of the ordinance on the Consent Agenda. MOTION CARRIED.

H. ITEMS REMOVED FROM CONSENT AGENDA – N/A

I. COMMUNICATIONS FROM COUNCILORS

Mayor Ogden attended the National League of Cities conference in San Antonio. Also in attendance were Councilors Beikman and Harris. It was a great conference, and he discovered Tualatin is actually ahead of the game in terms of public involvement and participation and mentioned some of the ongoing issues that are happening in Tualatin in relation to the rest of the United States.

Councilor Davis has been appointed to the League of Oregon Cities General Government and Human Resources Policy Committees. Also Councilor Beikman, although not yet official, will be appointed to the Metro Policy Advisory Committee (MPAC).

Mayor Ogden mentioned there has been some good discussion with meetings that have taken place with Tualatin and Metro councilors on regional issues.

J. EXECUTIVE SESSION

None.

K. ADJOURNMENT

The work session adjourned at 6:49 p.m.

Sherilyn Lombos, City Manager

Recording Secretary





TUALATIN CITY COUNCIL MEETING MINUTES OF NOVEMBER 23, 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; Paul Hennon, Community Services Director; Kent Barker, Police Chief; Carina Christensen, Assistant to the City Manager, Maureen Smith, Recording Secretary

ABSENT: None.

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

A. CALL TO ORDER

Mayor Ogden called the meeting to order at 7:01p.m.

The Pledge of Allegiance was led by Councilor Maddux.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

1. *Tualatin Tomorrow Presentation Key Focus Area - Health, Safety & Social Services*
Jay Wilcox, member of the Vision Implementation Committee and lead for the health, safety and social services key area, was present and gave an update. He mentioned various things that have been done, such as holding an annual "health fair", senior center name change, the food pantry making the move to Rolling Hills Church on Borland, and cold weather shelters have been established during the winter months. Mr. Wilcox concluded the update and thanked Council and staff for the help and support of the program.

Councilor Beikman mentioned the many hours of volunteer time Mr. Wilcox spends on this program, and her appreciation of his efforts.

2. *Presentation of 25 Year Service Award to Human Resources Director Nancy McDonald*
City Manager Sherilyn Lombos presented Nancy McDonald with a 25 year service award, and gave a brief background.

Mayor Ogden congratulated Ms. McDonald on her years of service and the work and dedication she has shown over the years with the city.

3. *Proclamation Declaring December 10, 2009 as "Human Rights Day" and the Week of December 7 – 13, 2009 as "Human Rights Week" in the City of Tualatin*

Councilor Davis began by noting she serves on the board of the Human Rights Council of Washington County, formed in 2006 and ten of the 14 cities in the county have presented a similar proclamation in support and show respect of the Human Rights Council.

In honor of "Human Rights Day" and "*Human Rights Week*" of December 7 – 13, 2009, Councilor Davis read the proclamation

4. *Tualatin Riverkeepers Presentation – Watershed Watch Coordinator Brian Wegener*
Tualatin Tomorrow Visioning Committee member Connie Ledbetter was present and introduced Brian Wegener, Tualatin Riverkeepers Watershed Watch Coordinator.

Mr. Wegener presented a PowerPoint presentation on low impact development in the Tualatin Basin.

Councilor Davis noted the "Riverkeepers" have good coverage on Facebook. Councilor Maddux also thanked the Riverkeepers for a canoe trip she took, and the importance of what the Riverkeepers have accomplished.

5. *Tualatin Studio Tour 2009 Presentation – Tour Coordinator Hamish Corstorphine*
Carl Switzer introduced Hamish Corstorphine, art studio tour coordinator, and also a member of the Library Foundation, who presented information on the upcoming artist tour. It is an opportunity for the public to get out and visit the various studios and view their work and meet the artists. The tour will be held Friday, Saturday, and Sunday, November 27-29, 2009. Also mentioned were the list of sponsors. Mr. Corstorphine said that Wine Styles has since closed their business, but wanted to thank them for being a sponsor.

Councilor Maddux noted her participation in last year's tour and encouraged all to visit the artists' studios, and noted the support of "Wine Styles" over the past few years.

6. *Tonquin Trail Master Plan Open House – Carl Switzer, Community Services*
Parks and Recreation Coordinator Carl Switzer presented a brief PowerPoint on the Tonquin Trail and encouraged people to come to an open house. Three different open houses will be held, one in Tualatin, one in Sherwood, and one in Wilsonville. For more information visit www.oregon-metro.gov/tonquintrail.

7. *Starry Nights and Holiday Lights Update – Carl Switzer, Community Services*
Parks and Recreation Coordinator Carl Switzer gave a brief presentation on the upcoming event at the Commons Lake and encouraged all to attend, and to bring a non-perishable food item. There will be various activities, and the event is taking place on December 4, 2009, 6:00 p.m. – 9:00 p.m., rain or shine.

C. CITIZEN COMMENTS

Linda Moholt, present as a representative of the Tualatin Food Pantry, gave an update, and said the Kiwanis have put out food barrels, and she also thanked the Starry Nights Holiday Lights program for collecting non-perishable food donations.

Linda Moholt, present as Tualatin Chamber of Commerce CEO, expressed her views on the economic times, noting the recent closure of "Wine Styles," and the City's dealings with the recent nonconforming use issue.

Rene Willer, Verizon Community Relations Manager, presented a donation check to the Tualatin Youth Advisory Council's trip to San Antonio, Texas. Ms. Willer noted the importance of youth participation and Verizon supports the community. Ms. Willer noted that the original request was \$500, but Verizon was able to provide an additional \$500 for next year's conference. Mayor Ogden thanked Miss Willer, and said the conference was last week. Four youth representatives were able to attend and they will be presenting their report of the conference soon.

Gary Heitzman, citizen of West Linn, was present to speak on a "Consent Agenda" item, and noted his support of Ms. Moholt's comments on assisting with whatever the Council can do to support employment opportunities, etc.

D. CONSENT CALENDAR

Item D-1 was removed from the agenda in its entirety. Items G-3, G-4, G-5, and G-6 were added to the Consent Agenda at work session. Noted Item D-6 was modified and also removed from the Consent Agenda.

MOTION by Councilor Barhyte, SECONDED by Councilor Maddux to adopt the Consent Agenda as amended and read:

- ~~1. Approval of the Work Session and Meeting Minutes of November 9, 2009.~~
 2. Approval of a Change of Ownership Liquor License Application for Pinz's
 3. Community Involvement Committee Appointments
 4. Resolution No. 4939-09 Accepting Deed of Dedication and Easement Associated with the SW Leveton Drive Extension Project (L & T Properties LLC)
 5. Resolution No. 4940-09 Authorizing a Revocable Permit for Wall Signs on the Seneca Building Overhanging Public Right-of-Way of SW Seneca Street and SW Martinazzi Avenue
 7. Resolution No. 4942-09 Denying the Appeal of the July 23, 2009 Interpretation Answering "What is the Status of the Nonconforming Use Rights of the Land and Structure Located at 8250 SW Tonka Street?" (Tax Map 2S124CB Tax Lot 1700) (INT-09-01)
- G-3 Ordinance No. 1292-09 Relating to Building Codes; Amending TMC 4-1-040, 4-1-050, 4-1-070, 4-1-090, 4-2-020, 4-2-040, and 4-3-100; Adding Table 4-2A

- G-4 Ordinance No. 1293-09 Requiring Gutters and Downspouts be Maintained on Rental Properties and Amending TMC 6-13-040(4)(a)
- G-5 Ordinance No. 1294-09 Relating to Bancroft Bonds; and Amending TMC 2-7-010
- G-6 Ordinance No. 1295-09 Granting Portland General Electric a Franchise for Ten Years to Erect, Construct, Maintain and Operate Within the City of Tualatin, an Electric Light and Power System; Providing an Effective Date; and Repealing Ordinance No. 1038-99

E. PUBLIC HEARINGS – Legislative or Other

None.

F. PUBLIC HEARINGS – Quasi-Judicial

None.

G. GENERAL BUSINESS

1. Consideration of Installation of Stop Sign on SW Dogwood Street at SW 106th Avenue

Civil Engineer Hofmann said this is a request for installation of two additional stop signs at the Dogwood Street and SW 10th Avenue intersection, and noted the policies used to determine the placement of stop signs within the city. The City Engineer recommends against installing two additional stop signs at the SW Dogwood Street at SW 106th Avenue intersection.

Eric Johnson, resides on the corner of Dogwood Street and 106th Avenue, was present and said he has lived at that location for five years. It is a great neighborhood, but said there is a line of sight issue, particularly on the corner of 106th Avenue, and believes it is a dangerous area and is really a safety issue.

Councilor Beikman said she has driven along Dogwood and there is a line of sight problem and suggested enforcement could be done there, but she is not in favor of installing a stop sign. Mr. Johnson spoke again and suggested perhaps a speed hump could be installed instead.

Councilor Maddux said she lives near the area in question and while she empathized with Mr. Johnson, there are policies used to determine placement, and a recommendation from the City Engineer.

Mayor Ogden said every neighborhood is different, and who better to know the needs of a neighborhood and how traffic flows than the people that live there. However there currently isn't a process in place in dealing with issues such as stop signs, and he doesn't want to have prolonged staff time taken either.

Councilor Truax said he recognized Mr. Johnson's concern, but a process really needs to be in place to fully address the issue. Councilor Barhyte said he wants to fix the problem and said it is important, particularly for the neighborhood making the request, and he wants to be able to adequately address these types of requests in the future.

After discussion Council directed that staff put together a process that will be able to address these type of requests. Staff will return to Council at a future meeting with more information.

2. Consideration of the Removal of Stop Signs at the SW Alsea Drive/SW 99th Avenue Intersection and at the SW Alsea Court/SW 100th Drive Intersection

Civil Engineer Kaaren Hofmann gave a brief background on the request of a neighbor to remove stop signs on Alsea Drive/99th Avenue intersection and SW Alsea Court/SW 100th Drive intersection. Other neighbors were contacted and the responses received were to keep the stop signs at both intersections. The City Engineer recommends the stop signs not be removed.

City Engineer Mike McKillip noted e-mails that are part of the record and distributed additional e-mails that were received. Brief discussion followed. Councilor Truax said he will be voting in favor of the City Engineer 's recommendation, and noted when Council has made hasty decisions in the past on this type of issue, it has turned out poorly.

Councilor Maddux commented on the amount of staff time that has been spent dealing with these issues from a single request by one citizen, and there may be a better way to approach this. Brief discussion followed. Council discussed various ways to deal with these type of requests, and directed staff to come back with a formal process of installation and removal of stop signs.

MOTION by Councilor Truax, SECONDED by Councilor Beikman to deny removal of the stop signs located at the SW Alsea Drive/SW 99th Avenue intersection, and the SW Alsea Court/SW 100th Drive intersection. MOTION CARRIED. [Vote: 7-0]

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.

6. Resolution No. 4941-09 Approving a Joint Position Statement by the Cities of Lake Oswego, Tualatin and West Linn and/or Lake Oswego Regarding the Future Urbanization of the Stafford Area North of I-205 and the Northern Portion of Pete's Mountain Along the Tualatin River [Amended]

Gary Heitzman, 2188 Clubhouse Drive, West Linn, OR was present, and said although he doesn't live in Tualatin he wanted to be able to mention his concerns regarding this issue, particularly West Linn's position.

Mr. Heitzman said the first sentence of the third paragraph, reads, "..... cities do not wish to discuss the process of urbanizing the Stafford area...." and said he would prefer it say "...Council only to consider a rural designation for the Stafford area..." Mr. Heitzman said he feels it better represents what the other cities have in mind and essentially removes Tualatin from the table. He said the City of West Linn recently went through a similar process and asked that Council reconsider the sentence in the position statement.

Mayor Ogden said Mr. Heitzman's point is well taken, and went on to explain the complexities of the process of determining the urban/rural reserves, and further explained how the cities of Tualatin, West Linn, and possibly Lake Oswego's purpose is to say "do not make this an urban reserve area." Council President Barhyte added this has been a long process and cities wanted to be sure they were being heard.

Mr. Heitzman thanked Council for their time.

MOTION by Councilor Beikman, SECONDED by Councilor Barhyte to approve a joint position statement by the cities of Tualatin and West Linn regarding the future urbanization of the Stafford Area north of I-205 and the northern portion of Pete's Mountain along the Tualatin River, and amend to include "...and/or Lake Oswego". MOTION CARRIED.

I. EXECUTIVE SESSION

None.

J. COMMUNICATIONS FROM COUNCILORS

Councilor Beikman wanted to publicly thank the Police Department for their work and professionalism during the recent tragic shooting incident in Tualatin. She also wanted to thank her family for "putting up" with the time she takes to be here at meetings, and the level of commitment that is given by all councilors for the good of the community.

K. ADJOURNMENT

MOTION by Councilor Harris, SECONDED by Councilor Barhyte to adjourn the meeting at 8:45 p.m. MOTION CARRIED.

Sherilyn Lombos, City Manager

Recording Secretary

