



# MEMORANDUM CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Sherilyn Lombos, City Manager   
**DATE:** April 21, 2008  
**SUBJECT:** Work Session for April 28, 2008

---

**Work Session will begin at 5:00 p.m.**

There are five items to be discussed at this work session:

**1) 5:00 p.m. (30 min) – Utility Underground Master Plan.** The City Council has previously given the staff direction to work on a master plan for undergrounding utilities throughout the city. Mike McKillip will give an update of that issue tonight which includes an inventory of utilities, both above and under ground, how we current handle utility issues and options. Attached is a memo regarding this issue.

**Action requested:** No specific action is requested; this is an informational item however, staff would like Council's feedback on the issue.

**2) 5:30 p.m. (30 min) – Legislative Program Proposal.** The City of Tualatin currently has no structured legislative program that would clarify legislative priorities and mechanisms for communicating those priorities. Attached is a memo from Carina Christensen with a proposal for a more structured legislative program in Tualatin.

**Action requested:** Direction from the Council regarding pursuing a more structured legislative program.

**3) 6:00 p.m. (30 min) – Rental Housing Standards Ordinance.** The Council has previously given direction to create a rental house standards program and supporting ordinance. Attached is a memo from Brenda Braden along with a draft ordinance.

**Action requested:** Feedback from the Council regarding the proposed program and ordinance.

**4) 6:30 p.m. (15 min) – November 2008 Bond Measure Update.** This is an opportunity to discuss any outstanding issues

**Action requested:** No specific action is requested.

**5) 6:45 p.m. (10 min) – Council agenda review & Council communications.**

**Action requested:** Council review the agenda for the April 28<sup>th</sup> City Council and Development Commission meetings.

Other items of interest:

Upcoming Council Meetings & Work Sessions: Attached is a three-month look ahead for upcoming Council meetings and work sessions. If you have any questions, please let me know.

Dates to Note: Attached is the updated community calendar for the next three months. There are several key dates to note:

- *May 8 (Thursday), 5:30 pm* – Tualatin Tomorrow Community Event; The Vision Continues – Meridian Park Hospital
- *September 18 (Thursday), 5:00 pm* – Volunteer Recognition BBQ – Community Park

As always, if you need anything from your staff, please feel free to let me know.

Attachments:

- A. Underground Utility Master Plan Memo from Mike McKillip
- B. Legislative Program Proposal Memo from Carina Christensen
- C. Rental Housing Standards Memo from Brenda Braden
- D. Upcoming meeting and work session items (May – July).
- E. Tualatin Calendar of Events (May – July).



# MEMORANDUM CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager *[Signature]*

**FROM:** Mike McKillip, Engineering *[Signature]*  
Kaaren Hofmann, Civil Engineer *[Signature]*  
Stephen Ngai, Engineering Technician II *[Signature]*

**DATE:** April 28, 2008

**SUBJECT:** UTILITY UNDERGROUND MASTER PLAN

---

Attached is a draft of the Utility Underground Master Plan. This plan identifies existing overhead utilities in Tualatin that may be undergrounded in the future.

The estimated cost of this work based on the Boones Ferry Road Improvement Project is \$65 million.

The staff recommendation is to:

1. Leave the existing lines due to cost. If projects are developed that could convert some of the lines the conversion should be evaluated to see if it fits in the project budget.
2. As we plan for UGB expansion these conversions should be built into the plan from the very beginning.

Staff will provide a brief report and look for council feedback prior to finalizing the report.

**Attachments:** A. Report  
B. Slides

**City of Tualatin**  
**Utility Underground Master Plan DRAFT**

**April 28<sup>th</sup>, 2008**

## **I. Introduction**

This report addresses a request by the Tualatin City Council to explore the underground conversion of existing overhead utility wires. Underground utilities are desirable because of their aesthetic qualities and operational reliability. The Tualatin Development Code requires that all commercial and residential developments place new utility lines underground.

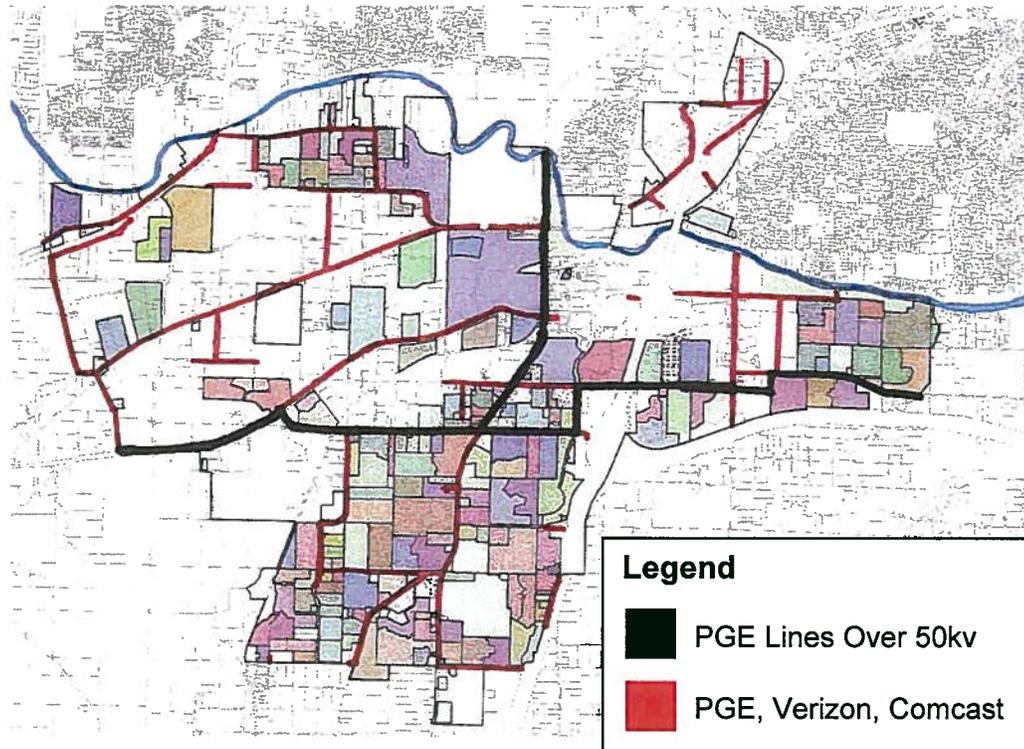
This report first explores background and information regarding Tualatin's ordinance and current inventory. It then explains the process for utility undergrounding. Other city undergrounding ordinances are presented in the third section. Fourth, it describes the associated costs. Finally, the report concludes with staff's recommendation.

## **II. Background and Information**

The Tualatin Development Code (Sec. 74.660) requires that all utility lines excluding electric lines operating at 50,000 volts or above must be placed underground. If an existing overhead utility line must be upgraded to serve proposed development, the overhead lines must be converted to underground at the applicant's expense. The applicant must also convert any existing structure served with existing overhead utility to underground (Sec. 74.670).

Over 29 miles of overhead utility lines exist in the City of Tualatin (COT). They range from single residential service drops, spans along greenways, to reaches that run parallel to large thoroughfares. Figure 1 is a map showing overhead utility lines in the COT. Much of the overhead utility lines run parallel to the many arterial streets that cross Tualatin, such as Boones Ferry, Grahams Ferry, Herman, Tualatin, Hazelbrook and Cipole Roads. A full inventory of overhead utility lines can be found in Appendix A. Ralph Reisbeck, a project manager from PGE for the Tualatin area reported that the overhead utility lines in the city are in good condition and nearly all failures are due to vehicle impacts and downed trees. PGE power lines that carry over 50 kilo-volts of electricity are not candidates for underground conversion because of heat problems.

**Figure 1. Map of overhead utility lines in Tualatin.**



### **III. Process for Conversion**

There are two processes used to underground existing overhead utilities, Normal Conversion and Forced Conversion.

#### Normal Conversion

According to Oregon Public Utility Commission Tariff Rules and franchise agreements, utility companies are required to relocate when required by a public project. This process is termed normal conversion and involves coordination between the municipality and utility companies to minimize impact on the community. The municipality has an option to require the utility companies to underground when relocating.

If the municipality requires the private utility to underground their lines without a public project requiring relocation, the municipality must pay the private utility the retirement cost of the existing overhead lines. Retirement costs is the estimated original cost of the electric overhead facilities being replaced less depreciation, salvage value and the expense of removing existing overhead facilities.

When undergrounding, the municipality is required to provide the utility company:

- Trenching path in the right-of-way or public utility easement,
- Notify and obtain customer commitment for necessary utility facility changes on the customer's premises for underground facilities,
- Costs associated with modification of existing overhead equipment and distribution facilities to accept new underground service including replacement of conduits and vaults,
- Notification and coordination of other franchised and non-franchised utilities and service providers.

The utility company is responsible for:

- Providing underground facilities system design and construction specifications,
- Preliminary and final cost estimate for the underground facilities project,
- Required infrastructure inspections,
- Installation of new underground facilities system, modification of existing overhead facilities system for underground conversion,
- Removal of overhead utility lines that have been replaced by underground facilities.

#### Forced Conversion

The second method to underground existing overhead utility lines is to use a forced conversion, as per OAR 860-022-0046. A municipality initiates a forced conversion by written order to the utility company. The municipality may direct the utility company to collect conversion costs from customers in the affected area or to all customers within the municipality's boundaries. In forced conversion, the utility company has the responsibility to notify and obtain customer commitment for necessary utility facility changes on the customer's premises for underground facilities. All other responsibilities of the municipality and private utility company remain the same.

The City of Sandy is the first municipality and the only example to take advantage of forced conversion. An urban renewal district was formed in the downtown commercial district. The original intent was to underground all the overhead utility lines in the 0.6 mile length of downtown Sandy. However, budget constraints dictated that only lower voltage power lines, telephone and cable television lines were converted to underground. Since many of the businesses that line the downtown couplet streets were small businesses, the City of Sandy paid for their private building conversions out of the urban renewal funds. The total cost to underground 1.2 linear miles of downtown Sandy was about \$3 million.

#### **IV. Other Research**

##### City of Tigard Underground Utility Ordinance

The City of Tigard Municipal Code (Sec. 18.810.120) requires that all utility lines, excluding electric lines operating at 50,000 volts, or above be placed underground. The exceptions to this are properties within the CBD zoning district. There is a fee in lieu of the undergrounding requirement if any one of the following requirements is met. If the development is proposed to take place on a street where existing utilities are not

underground and the approval authority determines that the cost and technical difficulty of the undergrounding the utilities outweighs the benefit of undergrounding in conjunction with the development.

The City Engineer shall establish utility service areas in the City. All development occurring in a utility service area shall pay a fee in-lieu of undergrounding for utilities if the development does not provide underground utilities. The in-lieu of undergrounding fee is determined by the City Engineer based on the estimated cost to underground utilities within each service area. This total cost is then allocated to each property on a front-foot basis. The funds collected will be used by the City Engineer to fund utility undergrounding projects in the City, subjected to review and approval from City Council. Since February of 2000, the City of Tigard has collected \$658,331.11 in in-lieu of fees. The in-lieu of fee is set at \$70 per linear foot of property frontage.

City of Beaverton Underground Utility Ordinance

The Beaverton Development Code (Sec. 60.65) requires that all existing and proposed utility lines, excluding electric lines operating at 50,000 volts, or above be placed underground. There is an optional fee in lieu of the undergrounding requirement if any of the following criteria are met:

- If the placement of private utilities underground would conflict with the current City of Beaverton Engineering Design Manual and Standard Drawings or Clean Water Service’s Design and Construction Manual.
- If the City of Beaverton has determined that utility undergrounding can be accomplished more efficiently as part of another improvement project.
- If the length of any one of the private utilities within or contiguous to the subject property to be placed underground is less than the corresponding threshold distance outlined in Table 1.

**Table 1.** Minimum thresholds for undergrounding utility lines in Beaverton.

<b>Class</b>	<b>Threshold</b>	<b>Electric</b>	<b>Telephone</b>	<b>Cable Television</b>
1	500 feet	Tap lines with at least two poles	0 to 300 conductors	Service Drops
2	600 feet	Sub-feeder with at least three poles	301 to 600 conductors	Feeder
3	800 feet	Feeder with at least five poles	601+ conductors or fiber optic	Trunk or fiber optic

The fees collected by the City of Beaverton in lieu of undergrounding are determined by the City Council. Fees of \$70, \$106 and \$190 per linear foot are charged for Class 1, Class 2 and Class 3 facilities, respectively. Since 1997, the City of Beaverton has collected \$105,459.54 in in-lieu of fees. All fees paid to the City are dedicated to offsetting the cost of future private utility undergrounding projects listed in the Capital

Improvement Plan (CIP). Collected in lieu fees must be spent on projects within 2,500 feet of the site that paid the in lieu fee.

**V. Costs**

The City of Tualatin SW Boones Ferry Road Phase 2 Utility Underground Project (Boones Ferry Road, from Tualatin Road to Martinazzi Avenue) completed in 2005 was used as a base to estimate the cost of undergrounding overhead utility lines. A cost of \$207.40 per linear foot of street was determined from contractor payments to underground overhead utility lines. It includes the cost of: mobilization and traffic control, erosion control, road work, permanent traffic control and illumination, right of way development control and private utility vaults and conduit. Costs that were not included in this number were design and inspection fees.

A cost of \$425.12 to underground utility lines per linear foot of street was estimated for the year 2009. This was determined from the 2005 cost and applying a 10% annual inflation rate, 10% contingency, and 30% allotment for engineering. The year 2009 was selected because lead-time would be needed to plan and design potential utility undergrounding projects. Table 2 outlines the estimated cost to underground all overhead utility lines and examples of more visible reaches of overhead utility lines.

**Table 2.** Estimated costs to underground reaches of overhead utility lines.

Reach	Length (ft)	Estimated Cost
Boones Ferry Road	19,260	\$8,187,811
Grahams Ferry Road	3,685	\$1,566,567
Herman Road	16,886	\$7,178,576
Sagert Street	9,681	\$4,115,587
Tualatin Road	6,754	\$2,871,260
Tualatin-Sherwood Road	11,811	\$5,021,092
All Overhead Utility Lines	153,120	\$65,094,374

Urban renewal districts, special tax assessment districts, special development bonds and general fund revenues can be used to fund utility undergrounding, often in conjunction with other public works projects. Franchise fees may also be used. The State of Oregon limits franchise fees to 5%. The COT can ask the utility company to charge its customers within the City’s boundaries the maximum 5% franchise fee on their monthly bills. Extra funds gleaned from the increase in franchise fees can then be used by the City to fund utility underground conversion projects. Franchise fees are a reliable revenue stream for the general fund in the COT. Table 3 outlines the current franchise fees and amounts paid to the City of Tualatin in fiscal year 2006-2007 by select utilities.

**Table 3.** Franchise fees and amounts paid by utilities in FY 2006-2007.

<b>Utility</b>	<b>Franchise Fee</b>	<b>Total Paid</b>	<b>Contract End Date</b>
PGE	3.5%	\$934,933.53	January 1, 2010
Verizon	4%	\$92,166.07	February 10, 2022
Qwest	4%	\$2,577.86	January 1, 2007

In Forced Conversion, the City has the option of distributing the cost of an underground utility conversion project to either all customers within the boundaries of the City or to just the customers in the project's vicinity.

All costs associated with converting a building to connect to an underground utility are the responsibility of the property owner. The cost usually ranges from \$1000 to \$5000 for residential customers and more for commercial building owners, depending on the complexity of their connections. The municipality may choose to use urban renewal or special tax assessment district funds as well as other funds to help owners pay for the utility conversions.

#### **VI. Conclusion and Recommendation**

Conversion of over 29 miles of overhead utility lines in the City of Tualatin to underground lines would require \$65 million based on 2009 estimates. The staff recommendation is to continue operating the existing overhead utility lines until underground conversions can be done in conjunction with future public works improvement projects. This will guarantee the success and reduce the cost of the underground utility conversion.

The City should also work on ensuring that future urban growth expansion areas (Tualatin-Wilsonville, SW Concept Plan, and Stafford Triangle) will include undergrounding of existing overhead lines. Development requirements will require underground utilities. The use of local improvement districts, fees or underground utility service development charges may also be used to pay for conversion of existing overhead lines to underground utilities in these areas.

## Appendix A Existing Overhead Utility Lines Inventory

### **Methodology**

This inventory was compiled through visual inspection of streets and neighborhoods in the City of Tualatin. Only the existence of overhead utility lines was noted, no differentiation was made between different forms of utility lines. The length of each segment of overhead utility line was measured using aerial photographs from Tualmap and Google Earth software.

Location	Owner	Street	Start	End	Length (ft)	Notes
E	PGE	63	SW Rosewood St	SW Lower Boones Ferry Rd	912	Begins just south of Rosewood St.
E/W	PGE	65	SW Rosewood St	SW Lower Boones Ferry Rd	1265	Begins just north of Boones Ferry Rd
E	PGE	65	SW Lower Boones Ferry Rd	SW McEman Rd	192	N/A
E/W	PGE	65	Tualatin River	1205	4808	Length ends at last pole before 1205
W	PGE	84	End of SW 84 Ave	22500 SW Mandan Dr	1197	Line continues north of SW 84 Ave
E	PGE	93	SW Sagert St	20400 SW 93 Ave	997	Ends at the NW corner of 20400 SW 93 Ave
E/W	PGE	108	17220 SW 108 Ave	SW Hazelbrook	126	Ends at Tualatin city limits
W	PGE	108	SW Tualatin Rd	SW Herman Rd	2257	West-side
E	PGE	108	SW Tualatin Rd	SW Tualatin Rd	1372	East-side; Begins one tax lot south of 108 and Tualatin intersection.
E	PGE	112	SW Cowitz St	End of COT Limits	170	N/A
E	PGE	115	SW Hazelbrook	11490 SW Kalispell St.	827	N/A
W	PGE	118	SW Herman Rd	SW Myslony St	1192	Starts on first pole south of Herman Rd and end on last pole on 118 Ave
E	PGE	120	SW Tualatin Sherwood Rd	SW Irel St	662	SW 120 St continues past Irel St.; Unsure if utility posts are still public after Irel St
E/W/N	PGE	105/Blake/108	SW Avery St	22200 SW 110 PI	5213	Ends on the east property line of 22200 SW 110 PI
S	PGE	Avery	SW Tualatin Sherwood Rd	I5 Freeway	8533	From NW corner of Avery and Tualatin Sherwood Rd to beginning of Shalon Greenway west of I5
N/S	PGE	Blake	21370 SW Makah Ct	End of SW Blake St	674	Begins at the SW corner of 21370 SW Makah Ct; Utility lines continue after end of Blake St
E	PGE	Lower Boones Ferry	SW Martinazzi Ave	Tualatin River	530	N/A
N	PGE	Lower Boones Ferry	150 ft SW of Railroad Tracks	Railroad Tracks	150	North-side; Ends at NE Tualatin city limits
N/S	PGE	Lower Boones Ferry	Driveway to 17779 SW Boones Ferry Rd	SW 63 Ave	260	Crosses SW 63 Ave
N	PGE	Lower Boones Ferry	Driveway to 17779 SW Boones Ferry Rd	I5 Freeway	1196	Runs parallel to Boones Ferry across parking lots of commercial developments; Measurement ends at I5
W	PGE	Boones Ferry	SW Tualatin Rd	SW Norwood Rd	11802	Starts at first pole south of Tualatin Rd; Ends at first pole south of Norwood Rd; Line runs on west side of Boones Ferry from Tualatin Rd to Ibach St; Line runs on east side of Boones Ferry Rd south of Ibach St
E	PGE	Boones Ferry	Little Woodrose Nature Park	SW Arapaho Dr	652	East-side; Starts at the North corner of Little Wood Rose Nature Park; Ends at second house south of Boones Ferry Rd and Arapaho Dr intersection.
E	PGE	Boones Ferry	SW Sagert St	20340 SW Boones Ferry Rd	1248	East-side; Starts at south property line of the first house south of the Sagert St and Boones Ferry Rd intersection.
E	PGE	Boones Ferry	SW Tonka St	SW Sagert St	1952	East-side; Starts at south property line of the first lot south of the intersection of Tonka St and Boones Ferry Rd. Ends at first house north of the Sagert St and Boones Ferry Rd intersection.
W	PGE	Boones Ferry	SW Ibach St	Tualatin High School	598	West-side; Ends in front of Tualatin High School
N/S	PGE	Borland	SW 65 Ave	End of COT Limits	4987	N/A
N/S	PGE	Bridgeport	West COT Limits	Eastern tax lot border of 7410 SW Bridgeport Rd	490	Ends on SE corner of Bridgeport Rd and driveway of 7410 SW Bridgeport Rd
N/S	PGE	Childs	SW Boones Ferry Rd	End of SW Childs Rd	755	N/A
N	PGE	Childs	I5 Freeway	SW 65 Ave	1570	North-side; Is this in COT?
N	PGE	Chinook	SW Tualatin Rd	Railroad Tracks	623	Ends at pole immediately east of railroad tracks.
E/N/S	PGE	Cipolle	SW Pacific Drive	SW Tualatin-Sherwood Rd	6713	Length is of entire road section (may include sections of Cipolle Rd outside of COT)

Location	Owner	Street	Start	End	Length (ft)	Notes
N/W	PGE	Grahams Ferry	SW Ibach St	SW Helenius Rd	3563	Starts at pole east of the SW Columbia Dr and Ibach Rd intersection; Ends at first pole south of SW Helenius Rd and Grahams Ferry Rd intersection
N/S	PGE	Hazelbrook	HWY 99	Private Drive - Century Farms	4768	Ends at Tualatin city limits
N	PGE	Herman	90 ft West of SW 129 Ave	Pole east of intersection of Herman and Tualatin Rd	9860	North-side
S	PGE	Herman	SW 124 Ave	East side of Pacific States Industrial Park Driveway	7026	South-side
W	PGE	HWY 99	SW Pacific Drive	South Tualatin River Bank	3648	West-side
E	PGE	HWY 99	SW Cipole Rd	SW Pacific Drive	2108	East-side; Ends across junction of SW Pacific Drive and HWY 99
N	PGE	Ibach	SW 108 Ave	SW Boones Ferry Rd	3284	N/A
E	PGE	Jurgens	SW Tualatin Rd	End of Private Drive	250	Private Drive?
E	PGE	Jurgens	SW Hazelbrook	SW Tualatin Rd	1823	Includes crossing to sidewalk on other side of SW Tualatin Rd.; Temporary phone line crossing Jurgens for 17515 SW Jergens Ave. will go away by 11/2007
S	PGE	Killamey	SW Killamey Ln	SW Boones Ferry Rd	316	Starts at 9460 SW Killamey Ln
E	PGE	Killamey	9460 SW Killamey Ln	9440 SW Killamey Ln	190	Runs the length of first cul-de-sac west of SW Boones Ferry
S	PGE	Lower Boones Ferry	West COT Limits	SW Finlay St	3829	Lower Boones Ferry Rd becomes 72nd Ave. Ends at NW corner of Finlay and 72 streets.
W	PGE	Martinazzi	SW Sagert St	SW Avery St	1394	Includes crossings over Sagert and Avery Streets
S	PGE	McEwan	SW Corner of 17990 SW McEwan Rd tax lot	SW Boones Ferry Rd	2307	Ends on Boones Ferry Rd just West of the railroad tracks
N/S	PGE	McEwan	West Corner of TLID-2S113DD01500	Railroad Tracks	550	Ends at Tualatin city limits
S	PGE	Myslony	12080 SW Myslony St	End of Myslony St	1555	Starts at west edge of 12080 SW Myslony St.
S	PGE	Nonwood	SW Boones Ferry Rd	I5 Freeway	2602	N/A
S	PGE	Nyberg	SW 65 Ave	Driveway to Browns Ferry Park Community House	3047	N/A
S	PGE	Nyberg	I5 Onramp	SW Nyberg Ln	1250	Starts at first pole east of I5 onramp ends at pole SW of Nyberg Ln and Nyberg St intersection.
N	PGE	Old Tualatin Sherwood	SW Tualatin Sherwood Rd	SW Boones Ferry Road	868	Starts on first pole after crossing SW Tualatin Sherwood Rd
N	PGE	Pacific	SW Cipole Rd	HWY 99	2180	North-side; Starts at dirt drive before first pole SW of Cipole Rd and Pacific Dr intersection;
S	PGE	Pacific	SW Cipole Rd	HWY 99	1781	South-side; appears to be single cable
N	PGE	Sagert	I5 Freeway	SW 65 Ave	2581	Starts at first pole east of I5 overpass; Ends at pole west of Sagert St and 65 Ave intersection.
N/S	PGE	Sagert	SW 95 Ave	I5 Freeway	4515	Ends at first pole west of I5 overpass
S	PGE	Tonka	SW Boones Ferry Rd	Eastern tax lot border of 8386 SW Tonka St	320	Starts at first pole east of SW Boons Ferry intersection.
N	PGE	Tualatin	Rivercrest Meadows Apartments	Tualatin Woods Town Homes	724	Begins just west of Rivercrest Meadow's western driveway and ends east of Tualatin Woods Town Homes driveway.
N	PGE	Tualatin	17989 SW 110th Pl West Property Line	400 ft west of 90th Ave.	5166	N/A
N	PGE	Tualatin	SW Tualatin Rd	SW Chinook St	599	Begins about 450 ft east of Tualatin Rd and 90 Ave intersection.
N	PGE	Tualatin Sherwood	SW Cipole Rd	Old Tualatin Sherwood Rd	11371	N/A

Notes:  
 Length was measured using aerial images from Google Earth and Tualmap.  
 Location: Side of street utility lines are located on.  
 Owner: Assumed owner of utility poles.

Quadrant	Crossed Street		Intersecting Street			Length (ft)	Notes
	Street	Street Type	Quadrant	Street	Street Type		
SW	65	Ave	SW	Sagert	St	164	N/A
SW	65	Ave	SW	Borland	Rd	135	South of SW 65 and Borland intersection
SW	108	Ave	SW	Ibach	St	80	From pole to pole
SW	Boones Ferry	Rd	SW	McEwan	Rd	260	Ends at railroad tracks; in front of TLID 21E18CB00300
SW	Boones Ferry	Rd	SW	Old Tualatin Sherwood	Rd	233	Starts on pole west of railroad tracks and ends on first pole on SW Tonka St.
SW	Boones Ferry	Rd	SW	McEwan	Rd	184	Ends about 120 ft west of the railroad tracks, NE corner of TLID 21E1
SW	Boones Ferry	Rd	SW	65	Ave	140	N/A
SW	Boones Ferry	Rd	SW	Boones Ferry	Rd	55	in front of Byrom Elementary
SW	Cipole	Rd	SW	Cipole	Rd	60	Fourth tax lot on western side of Cipole Rd north of Tualatin-Sherwood Rd.; Maybe out of COT
SW	Cipole	Rd	SW	Cipole	Rd	40	Fifth tax lot on western side of Cipole Rd north of Tualatin-Sherwood Rd.; Maybe out of COT
SW	Grahams Ferry	Rd	SW	Grahams Ferry	Rd	64	Located at the NE corner of 10130 SW Luster Ct; From pole to pole
SW	Grahams Ferry	Rd	SW	Grahams Ferry	Rd	58	Located at the SE corner of 22350 SW 102; From pole to pole
SW	Hazelbrook	Rd	SW	108	St	57	N/A
SW	HWY 99	HWY	SW	Hazelbrook	Rd	173	Near mouth of Hazelbrook to HWY 99
SW	HWY 99	HWY	SW	Capital	Dr	170	At the junction of HWY 99 and Capital Dr.
SW	Jergens	Ave	SW	Fulton	Dr	48	Length is width of road. West side of Jergens St. is not in COT limits.
SW	Lower Boones Ferry	Rd	SW	Childs	Rd	70	N/A
SW	McEwan	Rd	SW	65	Ave	92	N/A
SW	Myslony	St	SW	118	Ave	98	From pole to pole
SW	Nyberg	St	SW	Nyberg	Ln	250	From pole to pole
SW	Nyberg	Ln	SW	Nyberg	Ln	110	in front of Brown's Ferry Park community house, length is from pole to pole.
SW	Nyberg	St	SW	Nyberg	St	104	in front of 7070 SW Nyberg St.
SW	Tualatin	Rd	SW	Tualatin	Rd	117	From pole to pole; Along railroad tracks leading into Tualatin Community Park
SW	Tualatin	Rd	SW	Tualatin	Rd	100	In front of 9555 SW Tualatin Rd to southern end of grass strip right of way
SW	Tualatin	Rd	SW	Tualatin	Rd	48	In front of 9721 SW Tualatin Rd
SW	Tualatin Sherwood	Rd	SW	Old Tualatin Sherwood	Rd	210	Ends at first pole on SW Old Tualatin Sherwood Rd
SW	Tualatin Sherwood	Rd	SW	Avery	St	120	Pole from NW corner of Tualatin Sherwood Rd and Avery St to pole on SW corner.
SW	Tualatin Sherwood	Rd	SW	Teton	Ave	110	SW of Tualatin Sherwood Rd and Teton Ave intersection.

**Notes:**

Length usually measured from pole to pole

Length was measured using aerial images from Google Earth and Tualimap.

Crossed Street		Start	End	Length (ft)	Notes
Quadrant	Street / Street Type				
SW	Tonka St	90 Degree Turn on Tonka St	United Rentals Building	75	N/A
N/A	N/A	N/A	SW Borland Rd	2136	Runs parallel to SW 65th Ave; on the eastern edge of the hospital property
N/A	N/A	N/A	Tualatin River	2200	Runs parallel to railroad tracks in Tualatin Community Park; Length begins on first pole north of Tualatin Rd
N/A	N/A	N/A	N/A	N/A	Runs parallel to the Shaniko Greenway.

**Notes:**

Length was measured using aerial images from Google Earth and Tualmap.

City of Tualatin



Utility Underground Master Plan

April 28<sup>th</sup>, 2008

---

---

---

---

---

---

---

---

Introduction



South on Boones Ferry Rd. and Seneca St.

Utility Underground Master Plan  
April 28<sup>th</sup>, 2008



---

---

---

---

---

---

---

---

Introduction



On Tualatin Rd. In Front Of Tualatin Country Club

Utility Underground Master Plan  
April 28<sup>th</sup>, 2008



---

---

---

---

---

---

---

---

## Introduction



Ibach St.  
&  
103<sup>rd</sup> Ct.



Tualatin Rd.  
&  
Sweek Dr.

Utility Underground Master Plan  
April 28<sup>th</sup>, 2008



---

---

---

---

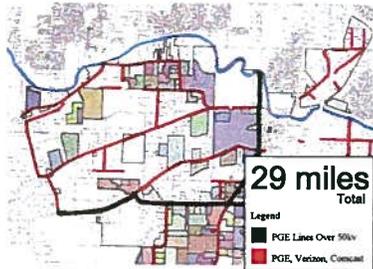
---

---

---

---

## Inventory



Utility Underground Master Plan  
April 28<sup>th</sup>, 2008



---

---

---

---

---

---

---

---

## Costs

•\$425.12 /ft  
Based on Boones Ferry Road Project in 2009 Dollars

•\$65 million  
To Underground 29 Miles of Overhead Utility Lines

•\$8.2 Million  
To Underground Boones Ferry Rd. from  
Tualatin-Sherwood Rd. to Norwood Rd.

Utility Underground Master Plan  
April 28<sup>th</sup>, 2008



---

---

---

---

---

---

---

---

## Processes For Undergrounding

- Normal Conversion
  - Similar to BF Rd., T-S Rd. to Martinazzi projects.
  - COT and Utilities cooperates and share costs.
- Forced Conversion
  - COT tells utilities to underground.
  - Utilities add costs to bills in City.

Utility Underground Master Plan  
April 28<sup>th</sup>, 2008



---

---

---

---

---

---

---

---

## Underground Ordinances

- City of Tualatin
  - New lines and services are required to be underground.
  - Require new lines and services underground.
  - No in-lieu of fee.
- City of Tigard
  - In-lieu of fee is \$70 per linear foot of property frontage.
  - \$658,331 in total fees collected since 2000.
- City of Beaverton
  - In-lieu of fee is up to \$190 per linear foot.
  - Fees must be spent on projects within 2,500 feet of site.

Utility Underground Master Plan  
April 28<sup>th</sup>, 2008



---

---

---

---

---

---

---

---

## Where to go next?

- Existing COT Lines
  - Leave as is
  - Forced Conversion
  - City funded conversion
- Urban growth expansion areas
  - Tualatin-Wilsonville Area
  - SW Concept Area
  - Stafford Triangle Area
- Work into planning for areas
  - Fees
  - LIDs
  - Forced conversion and bill for certain areas
  - Change development requirements to require underground utilities.

Utility Underground Master Plan  
April 28<sup>th</sup>, 2008



---

---

---

---

---

---

---

---



# MEMORANDUM CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager 

**FROM:** Carina Christensen, Assistant to the City Manager 

**DATE:** April 28, 2008

**SUBJECT:** LEGISLATIVE PROGRAM PROPOSAL

---

The City of Tualatin is exploring options for a legislative program. The purpose of this memorandum is to generate discussion around Tualatin's legislative priorities and to discuss creation of a legislative program for the City of Tualatin. This memorandum addresses the purpose in five sections. It first provides basic information on the Oregon State legislative process. It then presents a tentative list of legislative priorities for Tualatin. Third, this memorandum describes other city models. It then proposes a City of Tualatin legislative program. The memo concludes with a brief summary.

## **I. Oregon State Legislative Process**

The State of Oregon has a Citizen Legislature consisting of the Senate and the House of Representatives. Oregon has 30 senators who serve four-year terms and 60 members of the House of Representatives. The legislative assembly convenes every two years in regular session on the second Monday in January during odd-numbered years, a date set by statute. Most sessions last approximately six months even though there is no time requirement.

The current process allows for legislators to spend time during the off year meeting with constituents and working on state and local issues in preparation for the legislative session. If constituents wish to provide input during creation of bills for the legislative session, they generally should be in contact with legislators by July. However, constituents can endorse bills and connect with legislators at any time leading to, and during, the legislative session.

There is a possibility that the legislature will permanently add a short legislative session in the off year. In the event that this occurs, the proposed legislative program can adapt to this change. The program is structured in such a way as to allow growth and flexibility.

## MEMORANDUM: Legislative Program Proposal

Date: April 28, 2008

Page 2 of 23

### League of Oregon Cities (LOC)

The League of Oregon Cities is a statewide association of cities, with membership open to all incorporated cities. The League is an “advocate for city government and for city officials in their efforts to improve the quality of municipal services to citizens of Oregon” ([www.orcities.org](http://www.orcities.org)). The League has eight stated objectives. Objective number five directly relates to legislative activity. It is “to formulate and promote such legislation as will be beneficial to the cities of the state and the citizens thereof, and to oppose legislation detrimental thereto” (LOC, Oregon Municipal Policy).

To further the League’s legislative activities, it has developed policy committees. Nine policy committees currently exist: Community Development, Finance and Taxation, Energy, General Government, Legal Advocacy, Transportation, Water/Wastewater, Telecom/Cable/Broadband and Personnel. Any city employee or elected official can apply to sit on one of the policy committees. The role of the committees is to develop recommendations to the LOC Board of Directors on legislative policies and priorities for legislative action. The recommendations are generally accepted and compiled together as a legislative report, complete with official positions. The report and information on bills is ready by late November/early December. The League uses this document to lobby the state legislature.

### National League of Cities (NLC)

For Federal legislative priorities, Oregon city officials generally endorse the National Municipal Policy of the National League of Cities (personal communication, Linda Ludwig, 3-19-08). The National League of Cities lobbies at the federal level. It holds an annual legislative conference in March, which provides opportunities for city officials to lobby their respective congressional delegates.

The National League of City’s policy positions are developed by a committee of NLC members and can take one of two forms: Standing policy and resolutions. There are seven policy chapters, which are the standing positions of the organization. The wording of these policy chapters is permanent unless it is amended by the NLC membership ([www.nlc.org](http://www.nlc.org)). Standing policy are broad statements in which various specific issues can fall within. NLC has resolutions that act as their annual statements of position and address timely issues and specific pieces of legislation. For example, a position in opposition or support of a specific bill requires a Resolution. If the Resolution regards a specific transportation bill, then it falls under the transportation Standing Policy statement. Resolutions “are adopted at the annual Congress of Cities and sunset after one year unless action is taken to renew it for another year or incorporate it into permanent policy language” ([www.nlc.org](http://www.nlc.org)). Thus, Resolutions are created every year and act as a federal lobbying tool for local cities.

## **II. Tualatin Legislative Priorities**

When asked to provide input on issues of relevance to Tualatin, department directors stated many similar concerns. The list below is a starting point for further discussion

## MEMORANDUM: Legislative Program Proposal

Date: April 28, 2008

Page 3 of 23

around Tualatin's legislative priorities:

- Transportation Funding
  - Gas Tax
  - Street Utility
- Protection of Urban Renewal
- Protection of Local Control
  - Local Revenue Sources
  - Revenue Sharing
- Labor
  - Protecting City's Rights with Regard to Labor Issues
- Land Use
  - Big Look Task Force
  - Unincorporated Areas
- Quality of Life
  - Parking
  - Parks/Recreation

### III. Other Models

Research was conducted on various cities around the United States in order to gain a broader perspective on other legislative programs and processes. The majority of the cities researched possess some similar aspects in their legislative processes. Many cities adopt a legislative platform early in the year, which establishes their positions on each topic i.e. Housing, immigration, eminent domain. Some cities also call it a legislative agenda. Information was retrieved from the following cities:

- Tigard, Oregon
- Bend, Oregon
- Cottage Grove, Oregon
- Lynwood, California
- San Carlos, California
- San Mateo County, CA
- Enfield, Connecticut
- Clemson, South Carolina
- Gardner, Kansas
- Leavenworth, Kansas

#### Tigard, Oregon

Tigard, Oregon is building its legislative program. The City adopted its first-ever legislative agenda for the 2008 Supplemental Session. The Assistant City Manager has been assigned the legislative coordination duties. She monitors LOC newsletters on legislative issues for items of interest or concern. She then works with departments to gather information and submit materials to legislators as required. She works with staff to stay abreast of issues all year, but officially comes to Council starting in October. At this time, the City Council discusses likely issues that may come before the Legislature. This discussion may occur at either a Work Session or Council Meeting. The Council may use November to request further information from staff on issues or for further Council discussion. In December, the City Council officially adopts a resolution stating its legislative priorities.

## MEMORANDUM: Legislative Program Proposal

Date: April 28, 2008

Page 4 of 23

During session, the City Manager and Assistant City Manager meet once a month with the City's senator and representative. They take a list of issues with them to discuss. Legislators have said they appreciate the clarity from the City and the relationship-building aspect involved. Tigard has had more positive feedback and participation with legislators since the City became more organized and detailed with its legislative concerns. Instead of broad, loosely termed ideas, the City takes stances on specific bills and provides clear information to its legislators.

The City Manager and Assistant City Manager also meet once a month with Dennis Mulvihill, Washington County Government Relations Director. They meet throughout the year, regardless of whether the legislature is in session. They talk about legislative issues, but most of their time is spent on intergovernmental issues within Washington County. This has been a positive and helpful activity for Tigard. During preparation of this report, Tigard expressed interest in partnering with Tualatin on specific issues that affect both cities.

### Bend, Oregon

Bend, Oregon's legislative program consists of participation in the Central Oregon Cities Organization (COCO) as well as an in-house program. COCO has a contract with a lobbyist who tracks issues pertaining to Bend and Central Oregon. Bend's in-house program aligns closely with the League of Oregon Cities' legislative work. City staff monitors the LOC updates and pulls out specific bills that are of interest to the City. The Council and staff work from there, deciding to take action through letters or other legislative avenues. The City Recorder acts as the legislative liaison for the City. The Council approves more broad legislative goals and she operates within those boundaries, monitoring bills and activity.

### Cottage Grove, Oregon

Cottage Grove, Oregon convenes a City Hall Day. Cottage Grove invites public administrators and elected officials from neighboring small cities, typically Drain, Oakridge, Veneta and Sutherlin. Cottage Grove City Manager Richard Meyers reports that this event generally does not occur every year. It is normally held in conjunction with the League's Home Town Voices City Hall day in October or November before the regular legislative session. The meeting is kept informal and led by the Mayor of Cottage Grove. The goal is to keep it open and allow people freedom to ask questions of the legislators. It also provides an opportunity for legislators to understand the concerns of those cities in attendance.

### Other Legislative Activities

Cities also have a variety of legislative activities that include informal lunches, partnering with local universities to host annual breakfasts, writing to legislators, using a contract lobbyist and convening a City Hall Day.

Clemson, South Carolina, in addition to adopting a legislative agenda, invites its state legislative delegation representing the city area to a casual luncheon every six months. The federal delegation is also invited. Clemson also partners with Clemson University to

MEMORANDUM: Legislative Program Proposal

Date: April 28, 2008

Page 5 of 23

host an annual breakfast with the state and federal delegation representing the City and University areas. The University President and the Mayor present formal written positions on key legislation, key programs and priority funding requests.

In Gardner, Kansas, the local state representatives attend a City Council meeting or work session before the legislative session convenes but after the City adopts its position on issues. The Council can ask questions of the legislators and provide their thoughts on issues of concern to the City. Once the legislative session starts, the Assistant City Administrator acts as the primary connection to the legislature. She forwards weekly updates to the Council from the Kansas League of Municipalities and the Gardner Area Chamber. She also provides any necessary information for them, from her perspective. The Assistant City Administrator also keeps all the contact information for the legislators so that when Council needs it, they know she has the latest information.

Lynwood, California, once it has adopted its legislative agenda, submits annually to its federal and state delegation a list of projects they want funded. The City also attends the National League of Cities Conference in Washington D.C. in March, which encourages cities to meet with their US representatives.

#### **IV. Tualatin Legislative Program Proposal**

For sake of discussion, staff has developed a proposal for Tualatin. It involves Council adopting a legislative agenda and/or establishing positions on state and federal issues. A possible timeline of the process follows:

- October 2008
  - Council Work Session to discuss legislative agenda for the year
- November 2008
  - Council adopts legislative agenda and/or establishes positions on issues
- December 2008
  - Invite Legislators to attend Council Meeting/Work Session (or other forum) to discuss Tualatin's legislative agenda
- January-June 2009—Legislative Session Begins
  - City Staff Liaison monitors session and provides regular updates to Council
  - Local representative (Devlin/Bruun) is invited to attend a Council Work Session or Council Meeting at least once during legislative session to provide personal update to the City of Tualatin

~Off-Year~

- October 2009-April 2010
  - Establish an informal luncheon (or other activity) with City Staff, Council and Legislators with the purpose of developing relationships and providing a networking opportunity

## MEMORANDUM: Legislative Program Proposal

Date: April 28, 2008

Page 6 of 23

- Repeat the process

### Emerging Issues

Unexpected issues may arise during the course of the year that may require a letter of support or opposition on an issue that is not on the Council's legislative agenda. If this occurs, staff recommends that the issue proceed to the City Council for direction and action. City staff can then proceed as appropriate.

### Broader Legislative Input

The Tualatin City Council has opportunities for broader involvement in legislative issues at the state and federal level. If the Council seeks further involvement and action, some options arise for consideration. Councilors could apply for positions on the League of Oregon Cities' policy committees. Councilors could also apply for committee positions on the National League of Cities' policy committees. These committees, at both the state and federal level, have an impact on legislation and provide a strong voice for cities.

### Pros of Legislative Proposal

This program clearly articulates Tualatin's priorities. It also provides agreement and understanding of the priorities, giving clear direction on what is important to the City. The program creates a routine process that gives the City a voice in legislative issues and acts as a public relations tool or press release for the City. This program also allows the Council to know what the City's position is on issues so that the Councilors can discuss them with business and personal contacts to garner support for the City's priorities.

The proposed program provides a relationship building process with state legislators. As the City continues with this format, legislators will get familiar with Tualatin's City Council, staff and issues that concern the City. The City may also get more involved with legislative sessions as time progresses.

The proposal also provides a more flexible option during the year that the legislature is not in session. Assuming the State continues to hold session every two years, the City has the option of creating informal activities during the off year. If the legislature permanently adds a short session in the off year, this program can accommodate that change. The Council would adopt a legislative agenda each year instead of every two years. The proposed program allows Tualatin to have flexibility while also some structure in its legislative program. Ultimately this proposal aims to further Tualatin's agenda in the legislature.

### Cons of Legislative Proposal

The proposal requires more staff support than we are currently providing. It involves formal City Council action and requires the Council to establish positions for the City on legislative issues.

MEMORANDUM: Legislative Program Proposal

Date: April 28, 2008

Page 7 of 23

**V. Summary**

This legislative proposal aims to respond to the needs of the City, staff and the Council. It provides opportunities for the Council and city staff to create various informal activities with legislators. The proposal also provides structure from which the City can grow. However, it is not meant to be the only legislative program proposal option for Tualatin. If the Council does not wish to adopt a legislative agenda, then other options, such as convening a City Hall day, remain possibilities. In conclusion, this memo requests direction from Council on the recommendation of the legislative program.

MEMORANDUM: Legislative Program Proposal

Date: April 28, 2008

Page 8 of 23

**Attachments:**

- A. Tigard, OR: 2008 Resolution on Legislative Priorities (p.9)
- B. Sample Informational Report on Legislative Priority (p.10)
- C. Tualatin's Legislators (p.11)
- D. Metro Regional Government (p.13)
- E. Washington County Elected Officials (p.17)

**A. Tigard, OR: 2008 Resolution on Legislative Priorities**

CITY OF TIGARD, OREGON  
TIGARD CITY COUNCIL  
RESOLUTION NO. 07- 73

A RESOLUTION FORMALIZING THE CITY OF TIGARD'S LEGISLATIVE PRIORITIES FOR THE 2008 LEGISLATIVE SESSION.

WHEREAS, the Oregon State Legislature will hold a supplemental session beginning February 4, 2008; and

WHEREAS, one of the City Council's 2007 Goals is to increase involvement with the State; and

WHEREAS, on October 16, 2007 and November 27, 2007 City Council discussed likely issues that may come before the 2008 Legislature; and

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council the City Council consensus was to direct staff to advise the City's legislative delegation of the City Council's 2008 Legislative Session priorities.

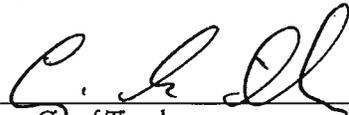
SECTION 1: The Tigard City Council identified the following priorities for the 2008 Oregon State legislature:

- **Affordable Housing/Document Recording Fee:** Take a proactive approach in support of the fee and for introduction of an implementing bill in the 2009 Legislative Session.
- **Transportation Funding:** Advocate for an increase in the state gas tax that is indexed to increases in population growth, cost of construction and inflation.
- **"Big Look" Funding:** Continue funding the project at the 2006-2007 level.
- **Urbanization Issues:** Status quo is unacceptable. Advocate for legislative action that directs study and drafting of legislation regarding state annexation and incorporation statutes, funding for infrastructure, and urbanization and governance conflicts between counties and cities.
- **Preemption of Local Revenue Sources:** Protect all current City revenue sources against reduction or pre-emption.

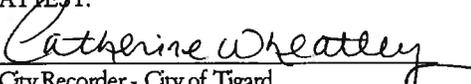
SECTION 2: The City Council hereby directs the City Manager provide a copy of this Resolution to the City's legislative delegation.

SECTION 3: This resolution is effective immediately upon passage.

PASSED: This 18<sup>th</sup> day of December 2007.

  
\_\_\_\_\_  
Mayor - City of Tigard

ATTEST:

  
\_\_\_\_\_  
City Recorder - City of Tigard

RESOLUTION NO. 07-73

**B. Sample Informational Report on Legislative Priority**

*City of Tigard  
2008 Legislative Agenda*

*November 8, 2007*

**Transportation Funding  
Tom Coffee**

**BACKGROUND/SUMMARY**

The City of Tigard's Capital Improvement Plan currently includes \$44,000,000 in street improvement projects needed over the next 5 years for which there is no funding source. Washington County's list of needed street improvements over the next 20 years totals \$2,500,000,000 of which \$1,200,000,000 can be funded. The funding shortfall locally, regionally and statewide has existed for years and continues to grow with each legislative session in which no action is taken. Public safety and convenience as well as the economy are negatively impacted to a greater degree as each year of inaction passes.

These projects are for adding capacity and safety to the street systems and do not include needed maintenance of the existing system. Failure to adequately fund needed maintenance increases the cost of eventual repairs and endangers public safety.

**OPTIONS (IF APPROPRIATE)**

**FISCAL IMPACTS**

**STAFF RECOMMENDATION**

Advocate that the State Legislature enact increases in the state gas tax that account for increases in inflation, population growth and costs of construction since the last gas tax increase sufficient to fund both needed capacity improvements and maintenance.

## C. Tualatin's Legislators

### Federal Senators

---

***Sen. Gordon H. Smith (REP)***

District: 0S2

United States Senate

404 Russell Senate Office Building

Washington, DC 20510-0001

Phone: (202) 224-3753

Fax: (202) 228-3997

Email: <http://gsmith.senate.gov/webform.htm>

***Sen. Ron Wyden (DEM)***

District: 0S1

United States Senate

230 Dirksen Senate Office Building

Washington, DC 20510-0001

Phone: (202) 224-5244

Fax: (202) 228-2717

Email: <http://wyden.senate.gov/contact/>

### Federal Representative

---

***Rep. David Wu (DEM)***

District: 001

United States House of Representatives

2338 Rayburn House Office Building

Washington, DC 20515-0001

Phone: (202) 225-0855

Fax: (202) 225-9497

Email: <https://forms.house.gov/wyr/welcome.shtml>

### State Senator

---

***Sen. Richard Devlin (DEM)***

District: 019

MEMORANDUM: Legislative Program Proposal

Date: April 28, 2008

Page 12 of 23

900 Court Street NE

Suite S-316

Salem, OR 97301-4073

Phone: (503) 986-1719

Fax: (503) 986-1080

Email: [sen.richarddevlin@state.or.us](mailto:sen.richarddevlin@state.or.us)

State Representative

---

***Rep. Scott Bruun (REP)***

District: 037

900 Court Street NE

Suite H-477

Salem, OR 97301

Phone: (503) 986-1437

Fax: (503) 986-1158

Email: [rep.scottbruun@state.or.us](mailto:rep.scottbruun@state.or.us)

## **D. Metro Regional Government: Elected Officials**

<http://www.metro-region.org/index.cfm/go/by.web/id=28>

### **Meet the Metro Councilors**

Metro's seven councilors work cooperatively with the 25 cities and three counties that make up the Portland metropolitan area.



#### **Council President David Bragdon**

Under Council President Bragdon's leadership, the Metro Council has undertaken new initiatives to preserve natural areas and protect water quality, support thriving neighborhoods, create jobs and economic prosperity, and improve our transportation network...[More](#)

---



#### **Councilor Rod Park, District 1**

Rod Park brings to the Metro Council a background in natural resource and farm land protection. As a farmer and a native Oregonian, the conversion of prime farm land into urban uses is one of his top concerns. Park is vice chair of the Joint Policy Advisory Committee on Transportation and chairs the Solid Waste Rate Review Committee and the Regional Freight and Goods Movement Task Force...[More](#)

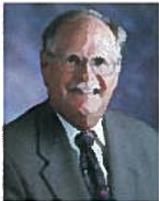
---



[Councilor Carlotta Collette, District 2](#)

Before her appointment to the Metro Council on Nov. 6, 2007, Councilor Collette served as a member of the Milwaukie City Council where she helped guide revitalization efforts including light rail planning and downtown redevelopment. Councilor Collette looks forward to continuing her work for the citizens of District 2 and the region to provide creative, sustainable and exciting new directions to accomplish Metro's goals. [More](#)

---



[Councilor Carl Hosticka, District 3](#)

As the lead councilor for Metro's Performance-Based Growth Management project, Councilor Hosticka is working to ensure that future growth management decisions are consistent with and reinforce the region's aspirations for compact development and urban revitalization. He also serves on the I-5 to Highway 99W Connector Project Steering Committee...[More](#)

---



[Councilor Kathryn Harrington, District 4](#)

Along with other assignments, Councilor Harrington is the lead council liaison on the Regional Reserves Steering Committee that will work to designate urban and rural reserves outside the existing urban growth boundary that may be suitable for growth over the next 40 to 50 years, while protecting valuable farmland and forest lands from expansion and development...[More](#)

---



**Councilor Rex Burkholder, District 5**

Elected for a second term in 2004, Councilor Burkholder chairs the Joint Policy Advisory Committee on Transportation and the Bi-State Transportation Committee, as well as other regional transportation committees. His goals include further aligning regional transportation spending with land-use goals and economic opportunities, pursuing regional affordable housing goals, and addressing issues around sustainability and climate change...[More](#)

---



**Deputy Council President Robert Liberty, District 6**

Councilor Liberty is an attorney with 25 years experience in land use planning issues, including serving as a staff attorney and Executive Director for 1000 Friends of Oregon, the nation's oldest statewide Smart Growth advocacy organization. During that time, he served as President and an officer for the Growth Management Leadership Alliance...[More](#)

When does the council meet?

The Metro Council usually meets at 2 p.m. Tuesdays for work sessions, and at 2 p.m. Thursdays for meetings, in the council chamber at Metro Regional Center, 600 NE Grand Ave., Portland. See Metro's online calendar for details...[View Metro calendar](#)

**E. Washington County Elected Officials**

<http://www.co.washington.or.us/cgi/electhom/electoff.pl>

Washington County, Oregon



**Elected Officials**

*last modified: January 22, 2007*

**Assessment & Taxation Department  
Elections Division  
Mickie Kawai, Manager**



contact information

local information

precinct #s

**Governor**

**Ted Kulongoski**

[www.governor.state.or.us](http://www.governor.state.or.us)

160 State Capitol; 900 Court Street,  
Salem, OR 97310

**1-503-378-3111**

[www.governor.state.or.us/Gov/contact\\_us.shtml](http://www.governor.state.or.us/Gov/contact_us.shtml)

contact information

local information

precinct #s

**Secretary of State**

**Bill Bradbury**

[www.sos.state.or.us](http://www.sos.state.or.us)

136 State Capitol,  
Salem, OR 97310

**1-503-986-1523**

[oregon.sos@state.or.us](mailto:oregon.sos@state.or.us)

contact information

local information

precinct #s

**State Treasurer**

**Randall Edwards**

[www.ost.state.or.us](http://www.ost.state.or.us)

350 Winter Street NE, #100  
Salem, OR 97310

**1-503-378-4329**

[oregon.treasury@state.or.us](mailto:oregon.treasury@state.or.us)

contact information

local information

precinct #s

**Attorney General**

**Hardy Myers**

[www.doj.state.or.us](http://www.doj.state.or.us)

MEMORANDUM: Legislative Program Proposal

Date: April 28, 2008

Page 18 of 23

Justice Building  
1162 Court St NE,  
Salem, OR 97310  
**1-503-378-4400**  
[doj.info@state.or.us](mailto:doj.info@state.or.us)

contact information local information precinct #s

**Commissioner of Labor & Industries**  
**Dan Gardner**  
[www.boli.state.or.us](http://www.boli.state.or.us)

800 NE Oregon St, #32  
Portland, OR 97232  
**1-503-731-4000**  
[boli.mail@state.or.us](mailto:boli.mail@state.or.us)

contact information local information precinct #s

**Superintendent of Public Education**  
**Susan Castillo**  
[www.ode.state.or.us](http://www.ode.state.or.us)

Dept of Education  
255 Capitol St NE,  
Salem, OR 97310  
**1-503-378-3600**  
[ode.frontdesk@state.or.us](mailto:ode.frontdesk@state.or.us)

contact information local information precinct #s

**State Senate District 13**  
**Larry George**  
[www.leg.state.or.us/george](http://www.leg.state.or.us/george)

16785 SW Parrett Mtn Rd  
Sherwood, OR 97140  
**503-925-9650**  
**503-570-2865 (fax)**

303 308 310 311 321 322 323 328  
347 397 398 410 424 425 426 427  
430 431 432 435 440 442 450 451  
454 457

900 Court St NE, S-215  
Salem, OR 97301  
**1-503-986-1713**  
[sen.larrygeorge@state.or.us](mailto:sen.larrygeorge@state.or.us)

contact information local information precinct #s

**State Senate District 14**  
**Mark Hass**  
[www.leg.state.or.us/hass](http://www.leg.state.or.us/hass)

OR

302 304 320 349 350 351 354 379  
380 381 382 383 384 385 386 388  
389 390 391 392 393 395 401 412  
418 429 434 445 446 452

900 Court St NE, S-219  
Salem, OR 97301  
**1-503-986-1714**  
[sen.markhass@state.or.us](mailto:sen.markhass@state.or.us)

contact information local information precinct #s

**State Senate District 15**  
**Bruce Starr**  
[www.leg.state.or.us/starrb](http://www.leg.state.or.us/starrb)

22115 NW Imbrie Dr #290  
Hillsboro, OR 97124  
**503-649-4391**

307 309 313 314 317 318 319 325  
327 329 330 332 333 335 336 337  
338 339 340 341 342 343 344 345  
346 356 358 369 370 374 394 422

MEMORANDUM: Legislative Program Proposal

Date: April 28, 2008

Page 19 of 23

453

900 Court St NE, S-205  
Salem, OR 97301  
1-503-986-1715  
[sen.brucestarr@state.or.us](mailto:sen.brucestarr@state.or.us)

contact information	local information	precinct #s
<b>State Senate District 16</b> <b>Elizabeth (Betsy) Johnson</b> <a href="http://www.leg.state.or.us/johnson">www.leg.state.or.us/johnson</a>	PO Box R Scappoose, OR 97056 <b>503-543-4046</b> <b>503-543-5296 (fax)</b>	301 305 312 316 324 326 334 456

900 Court St NE, S-314  
Salem, OR 97301  
1-503-986-1716  
[sen.betsyjohnson@state.or.us](mailto:sen.betsyjohnson@state.or.us)

contact information	local information	precinct #s
<b>State Senate District 17</b> <b>Brad Avakian</b> <a href="http://www.leg.state.or.us/avakian">www.leg.state.or.us/avakian</a>	17915 NW Lonerock Dr Portland, OR 97229 <b>503-531-9783</b>	306 315 331 352 353 355 357 359 360 361 362 363 364 365 366 367 368 371 372 373 375 376 377 378 387 407 439 444 447 448 449

900 Court St NE, S-305  
Salem, OR 97301  
1-503-986-1717  
[sen.bradavakian@state.or.us](mailto:sen.bradavakian@state.or.us)

contact information	local information	precinct #s
<b>State Senate District 18</b> <b>Ginny Burdick</b> <a href="http://www.leg.state.or.us/burdick">www.leg.state.or.us/burdick</a>	4641 SW Dosch Rd Portland, OR 97201 <b>503-244-1444</b> <b>503-986-1080 (fax)</b>	399 400 402 403 404 405 406 408 409 411 414 415 416 419 441

900 Court St NE, S-317  
Salem, OR 97301  
1-503-986-1718  
[sen.ginnyburdick@state.or.us](mailto:sen.ginnyburdick@state.or.us)

contact information	local information	precinct #s
<b>State Senate District 19</b> <b>Richard Devlin</b> <a href="http://www.leg.state.or.us/devlin">www.leg.state.or.us/devlin</a>	10290 SW Anderson Ct Tualatin, OR 97062 <b>503-691-2026</b>	348 396 413 417 420 421 423 428 433 436 437 438 443 455

900 Court St NE, S-316  
Salem, OR 97301  
1-503-986-1719  
[sen.richarddevlin@state.or.us](mailto:sen.richarddevlin@state.or.us)

contact information	local information	precinct #s
<b>State Representative District 26</b> <b>Jerry Krummel</b> <a href="http://www.leg.state.or.us/krummel">www.leg.state.or.us/krummel</a>	7455 SW Roanoke Dr Wilsonville, OR 97070 <b>503-570-8723</b> <b>503-570-2865 (fax)</b>	303 308 310 311 321 322 323 328 347 397 398 410 424 425 426 427 430 431 432 435 440 442 450 451 454 457

900 Court St NE, H-281  
Salem, OR 97301

MEMORANDUM: Legislative Program Proposal

Date: April 28, 2008

Page 20 of 23

**1-503-986-1426**

[rep.jerrykrummel@state.or.us](mailto:rep.jerrykrummel@state.or.us)

contact information	local information	precinct #s
<b>State Representative District 27</b> <b>Tobias Read</b> <a href="http://www.leg.state.or.us/read">www.leg.state.or.us/read</a>	PO Box 2101 Beaverton, OR 97075	379 380 382 383 384 385 386 388 389 390 391 392 393 395 401 412 418 445

900 Court St NE, H-489

Salem, OR 97301

**1-503-986-1427**

[rep.tobiasread@state.or.us](mailto:rep.tobiasread@state.or.us)

contact information	local information	precinct #s
<b>State Representative District 28</b> <b>Jeff Barker</b> <a href="http://www.leg.state.or.us/barker">www.leg.state.or.us/barker</a>	PO Box 6751 Aloha, OR 97007 <b>503-649-1767</b>	302 304 320 349 350 351 354 381 429 434 446 452

900 Court St NE, H-476

Salem, OR 97301

**1-503-986-1428**

[rep.jeffbarker@state.or.us](mailto:rep.jeffbarker@state.or.us)

contact information	local information	precinct #s
<b>State Representative District 29</b> <b>Chuck Riley</b> <a href="http://www.leg.state.or.us/riley">www.leg.state.or.us/riley</a>	250 NE Hillwood Dr Hillsboro, OR 97124 <b>503-579-8302</b>	318 336 337 338 339 340 342 344 346 422

900 Court St NE, H-472

Salem, OR 97301

**1-503-986-1429**

[rep.chuckriley@state.or.us](mailto:rep.chuckriley@state.or.us)

contact information	local information	precinct #s
<b>State Representative District 30</b> <b>David Edwards</b> <a href="http://www.leg.state.or.us/edwardsd">www.leg.state.or.us/edwardsd</a>	22115 NW Imbrie Dr Suite 328 Hillsboro, OR 97123 <b>503-880-1872</b>	307 309 313 314 317 319 325 327 329 330 332 333 335 341 343 345 356 358 369 370 374 394 453

900 Court St NE, H-373

Salem, OR 97301

**1-503-986-1430**

[rep.davidedwards@state.or.us](mailto:rep.davidedwards@state.or.us)

contact information	local information	precinct #s
<b>State Representative District 32</b> <b>Deborah Boone</b> <a href="http://www.leg.state.or.us/boone">www.leg.state.or.us/boone</a>	PO Box 637 Cannon Beach, OR 97110 <b>503-717-9182</b>	301 305 312 316 324 326 334 456

900 Court St NE, H-375

Salem, OR 97301

**1-503-986-1432**

**1-503-717-8518 (fax)**

[rep.deborahboone@state.or.us](mailto:rep.deborahboone@state.or.us)

MEMORANDUM: Legislative Program Proposal

Date: April 28, 2008

Page 21 of 23

contact information	local information	precinct #s
<b>State Representative District 33</b> <b>Mitch Greenlick</b> <a href="http://www.leg.state.or.us/greenlick">www.leg.state.or.us/greenlick</a>	712 NW Spring Ave Portland, OR 97229 <b>503-297-2416</b>	315 363 364 365 367 373 375 377 387 407 439 444 447

900 Court St NE, H-493  
Salem, OR 97301  
**1-503-986-1433**  
[rep.mitchgreenlick@state.or.us](mailto:rep.mitchgreenlick@state.or.us)

contact information	local information	precinct #s
<b>State Representative District 34</b> <b>Suzanne Bonamici</b> <a href="http://www.leg.state.or.us/bonamici">www.leg.state.or.us/bonamici</a>	PO Box 2146 Beaverton, OR 97075	306 331 352 353 355 357 359 360 361 362 366 368 371 372 376 378 448 449

900 Court St NE, H-374  
Salem, OR 97301  
**1-503-986-1434**  
[rep.suzannebonamici@state.or.us](mailto:rep.suzannebonamici@state.or.us)

contact information	local information	precinct #s
<b>State Representative District 35</b> <b>Larry Galizio</b> <a href="http://www.leg.state.or.us/galizio">www.leg.state.or.us/galizio</a>	PO Box 231161 Tigard, OR 97281	399 400 402 403 404 405 406 408 409 411 414 415 416 419 441

900 Court St NE, H-390  
Salem, OR 97301  
**1-503-986-1435**  
[rep.larrygalizio@state.or.us](mailto:rep.larrygalizio@state.or.us)

contact information	local information	precinct #s
<b>State Representative District 37</b> <b>Scott Bruun</b> <a href="http://www.leg.state.or.us/bruun">www.leg.state.or.us/bruun</a>	1980 Willamette Falls Dr; Suite 230, PMB 160 West Linn, OR 97068 <b>503-650-6958</b>	396 413 417 420 421 423 428 433 436 437 438 455

900 Court St NE, H-477  
Salem, OR 97301  
**1-503-986-1437**  
[rep.scottbruun@state.or.us](mailto:rep.scottbruun@state.or.us)

contact information	local information	precinct #s
<b>State Representative District 38</b> <b>Greg Macpherson</b> <a href="http://www.leg.state.or.us/macpherson">www.leg.state.or.us/macpherson</a>	322 Second St Lake Oswego, OR 97034 <b>503-635-2648</b>	348 443

900 Court St NE, H-385  
Salem, OR 97301  
**1-503-986-1438**  
[rep.gregmacpherson@state.or.us](mailto:rep.gregmacpherson@state.or.us)

contact information	local information	precinct #s
<b>County Commissioner At Large</b>	7630 SW Fir St	Serves all precincts in the county.

MEMORANDUM: Legislative Program Proposal

Date: April 28, 2008

Page 22 of 23

**Tom Brian**

[www.co.washington.or.us](http://www.co.washington.or.us)

155 N First Avenue, Rm 300

Hillsboro, OR 97124

503-846-8681

[tom\\_brian@co.washington.or.us](mailto:tom_brian@co.washington.or.us)

Tigard, OR 97223

503-846-8681

503-846-4545 (fax)

contact information	local information	precinct #s
<b>County Commissioner District 1</b>	6105 SW 148th Ave	302 304 320 323 325 349 350 351
<b>Dick Schouten</b>	Beaverton, OR 97007	352 354 356 360 361 379 380 381
<a href="http://www.co.washington.or.us">www.co.washington.or.us</a>	503-846-8681	382 389 390 395 412 418 429 434
	503-846-4545 (fax)	442 445 446 451 452 453

155 N First Avenue, Rm 300

Hillsboro, OR 97124

503-846-8681

[dick\\_schouten@co.washington.or.us](mailto:dick_schouten@co.washington.or.us)

contact information	local information	precinct #s
<b>County Commissioner District 2</b>		306 319 331 333 353 355 357 358
<b>Desari Strader</b>	503-846-8681	359 362 363 364 365 366 367 368
<a href="http://www.co.washington.or.us">www.co.washington.or.us</a>	503-846-4545 (fax)	369 370 371 372 375 376 377 378
		383 385 386 387 392 393 407 439
		444 447 448 449

155 N First Avenue, Rm 300

Hillsboro, OR 97124

503-846-8681

[desari\\_strader@co.washington.or.us](mailto:desari_strader@co.washington.or.us)

contact information	local information	precinct #s
<b>County Commissioner District 3</b>	14429 SW Aynsley Way	348 384 388 391 396 397 398 399
<b>Roy R Rogers</b>	Tigard, OR 97224	400 401 402 403 404 405 406 408
<a href="http://www.co.washington.or.us">www.co.washington.or.us</a>	503-846-8681	409 410 411 413 414 415 416 417
	503-846-4545 (fax)	419 420 421 423 424 425 426 428
		431 432 433 435 436 437 438 441
		443 450 454 455 457

155 N First Avenue, Rm 300

Hillsboro, OR 97124

503-846-8681

[cao@co.washington.or.us](mailto:cao@co.washington.or.us)

contact information	local information	precinct #s
<b>County Commissioner District 4</b>	39848 NW Chalmers Ln	301 303 305 307 308 309 310 311
<b>Andy Duyck</b>	Forest Grove, OR 97116	312 313 314 315 316 317 318 321
<a href="http://www.co.washington.or.us">www.co.washington.or.us</a>	503-846-8681	322 324 326 327 328 329 330 332
	503-846-4545 (fax)	334 335 336 337 338 339 340 341
		342 343 344 345 346 347 373 374
		394 422 427 430 440 456

155 N First Avenue, Rm 300

Hillsboro, OR 97124

503-846-8681

[cao@co.washington.or.us](mailto:cao@co.washington.or.us)

contact information	local information	precinct #s
<b>County Sheriff</b>		
<b>Rob Gordon</b>	503-846-2604 (fax)	
<a href="http://www.co.washington.or.us">www.co.washington.or.us</a>		

MEMORANDUM: Legislative Program Proposal  
Date: April 28, 2008  
Page 23 of 23

215 SW Adams Avenue,  
Hillsboro, OR 97123  
**503-846-2700**  
[rob\\_gordon@co.washington.or.us](mailto:rob_gordon@co.washington.or.us)

contact information	local information	precinct #s
<b>County Auditor</b> <b>Alan Percell</b> <a href="http://www.co.washington.or.us">www.co.washington.or.us</a>	<b>503-846-8895 (fax)</b>	

155 N First Avenue, Rm 310  
Hillsboro, OR 97124  
**503-846-8798**  
[alan\\_percell@co.washington.or.us](mailto:alan_percell@co.washington.or.us)

contact information	local information	precinct #s
<b>Justice of the Peace</b> <b>James Shartel</b> <a href="http://www.co.washington.or.us">www.co.washington.or.us</a>		

3700 SW Murray Blvd, Ste. 150  
Beaverton, OR 97005  
**503-846-6607**  
[james\\_shartel@co.washington.or.us](mailto:james_shartel@co.washington.or.us)

contact information	local information	precinct #s
<b>Washington County</b> <b>Assessment &amp; Taxation Department</b> <b>Elections Office</b> 3700 SW Murray Blvd. Suite 101, MS 3 Beaverton, OR 97005	<b>Phone: 503-846-5800</b> <b>Fax: 503-846-5810</b> <b>E-Mail to: <a href="mailto:election@co.washington.or.us">election@co.washington.or.us</a></b> <input type="checkbox"/>	



## Legislative Program Proposal

Presented by:  
Carina Christensen  
City of Tualatin  
April 28, 2008

---

---

---

---

---

---

---

---

## Purpose of Today's Meeting

- ◆ To discuss and provide direction on the proposed legislative program
- ◆ Legislative priorities will be discussed at a later date

---

---

---

---

---

---

---

---

## Outline

- ◆ Oregon Legislative Process
- ◆ Tualatin Legislative Priorities
- ◆ Other City Models
- ◆ Tualatin Legislative Program Proposal
- ◆ Summary

---

---

---

---

---

---

---

---

**Oregon Legislative Process**

- ◆ Currently, legislative assembly convenes every two years in odd-numbered years.
- ◆ There is the possibility that a shorter Supplemental Session will be permanently implemented
- ◆ If this occurs, the Legislative Program is flexible and can accommodate this change

---

---

---

---

---

---

---

---

**League of Oregon Cities**

- ◆ Statewide association of cities with membership open to all incorporated cities
- ◆ Advocate for city government and for city officials
- ◆ 8 Stated objectives: Objective #5
  - “to formulate and promote such legislation as will be beneficial to the cities of the state and the citizens thereof, and to oppose legislation detrimental thereto”

---

---

---

---

---

---

---

---

**LOC Policy Committees**

- ◆ The League has 9 policy committees
  - Community Development, Finance and Taxation, Energy, General Government, Legal Advocacy, Transportation, Water/Wastewater, Telecom/Cable/Broadband and Personnel
  - The role of the committees is to develop recommendations to the LOC Board of Directors on legislative policies and priorities for legislative action

---

---

---

---

---

---

---

---

**LOC Lobbying**

- ◆ Policy Committee recommendations are compiled together as a legislative report
  - Includes official position statements & bills
- ◆ The League uses the report to lobby the state legislature

---

---

---

---

---

---

---

---

**LOC Participation**

- ◆ League solicits participation in policy committees in September/October of each year
- ◆ Any city staff or elected official can apply
- ◆ LOC President appoints members in November of each year
- ◆ LOC report and bills finalized by December

---

---

---

---

---

---

---

---

**Tualatin Legislative Priorities**

- ◆ Transportation Funding
- ◆ Protection of Urban Renewal
- ◆ Protection of Local Control



---

---

---

---

---

---

---

---

## Tualatin Legislative Priorities

- ◆ Labor: Protecting City's Rights
- ◆ Land Use
  - Big Look Task Force
  - Unincorporated Areas
- ◆ Quality of Life: Parking, Parks




---

---

---

---

---

---

---

---

## Other City Models: Tigard

- ◆ October: Council discusses likely issues that may come before the Legislature
  - Discusses City priorities
- ◆ November: Further discussion if needed; direct a preparation of a Resolution
- ◆ Adopts legislative agenda in December

---

---

---

---

---

---

---

---

## Other City Models: Tigard

- ◆ Staff
  - Tigard keeps a running list of legislative priorities all year
  - Assistant City Manager monitors LOC newsletters on legislative issues for items of interest or concern
  - Staff prepare informational reports for Council on likely legislative issues
    - Provide staff recommendation on legislative priority

---

---

---

---

---

---

---

---

## Other City Models: Tigard

### ◆ During Session

- City Manager & Assistant City Manager meet monthly with Tigard's legislators
- Legislators appreciate the clarity from the City and the relationship-building aspect involved.
- Tigard has had more participation with legislators since the City became organized and detailed with its legislative concerns.

---

---

---

---

---

---

---

---

## Other City Models: Tigard

- ◆ City Manager & Assistant City Manager meet monthly with Dennis Mulvihill, Washington County Government Relations Director
- ◆ Discuss legislative issues
  - Most of the time is spent on intergovernmental issues within Washington County
- ◆ Keeps Tigard involved and others aware of Tigard's priorities

---

---

---

---

---

---

---

---

## Other City Models: Bend

### ◆ Bend, Oregon

- Council loosely adopts legislative goals
- Participate in regional lobbying organization (Central Oregon Cities Organization)
- Use LOC legislative report and positions for many of their legislative priorities

---

---

---

---

---

---

---

---

## Other City Models

- ◆ Cottage Grove holds a City Hall Day with neighboring small cities
  - Informal discussion of issues
- ◆ Gardner, KS adopts a legislative agenda
  - Attends NLC conference
  - Holds informal luncheons with legislators
- ◆ Lynwood, CA submits letters to its federal and state delegation
- ◆ Clemson, SC partners with Clemson University on a breakfast and annual event

---

---

---

---

---

---

---

---

## Other City Models: Summary

- ◆ Legislative Agendas/Platforms
- ◆ City Staff Legislative Liaisons
- ◆ Luncheons
- ◆ City Hall Days w/ Neighboring Cities
- ◆ Writing to Legislators
- ◆ Partnering w/ Local Universities
- ◆ Attending Nat'l League of Cities Conference
- ◆ Contract Lobbyist

---

---

---

---

---

---

---

---

## Legislative Program Proposal

- ◆ October 2008
  - Council Work Session to discuss legislative agenda
- ◆ November 2008
  - Council adopts legislative agenda
- ◆ December 2008
  - Invite Legislators to Council Meeting/Work Session (or other forum) to discuss Tualatin's legislative agenda

---

---

---

---

---

---

---

---

## Legislative Program Proposal

### January-June 2009: Legislative Session

- City Staff Liaison monitors session and provides regular updates to Council
- ◆ Local representative (Devlin/Bruun) attends Council Meeting/Work Session
  - At least once during legislative session to provide a personal update to the City

---

---

---

---

---

---

---

---

## Legislative Program Proposal

### ◆ Off-Year

- October 2009-April 2010
  - Hold an informal breakfast or luncheon with legislators for purpose of developing relationships/networking



---

---

---

---

---

---

---

---

## Emerging Issues

- ◆ Unexpected issues may arise during the year, not contemplated by program but important to City
  - May require letter of support or opposition
- ◆ Issue proceeds to City Council for direction
- ◆ City staff then proceed as appropriate

---

---

---

---

---

---

---

---

## Pros of Proposal

- ◆ Clearly articulates Tualatin's priorities
- ◆ Provides agreement & understanding of the priorities
  - Giving City a structured voice in legislative issues & clear direction on city priorities
- ◆ Council is aware of the City's position on issues
  - Councilors can discuss them with business and personal contacts to garner support for the City's priorities.
- ◆ Can act as press release/public relations tool
- ◆ Flexible: Provides creativity in the off-year and structure to build from

---

---

---

---

---

---

---

---

## Cons of Proposal

- ◆ Requires more staff support than we are currently providing
- ◆ Involves formal Council action
- ◆ Requires Council to take public positions on issues

---

---

---

---

---

---

---

---

## Summary

- ◆ Program aims to respond to needs of the City, Council and staff
- ◆ Provides flexibility yet structure
- ◆ But other options exist if Council wishes
  - City Hall days, periodic luncheons (6 months)

---

---

---

---

---

---

---

---

Discussion

---

---

---

---

---

---

---



# MEMORANDUM CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager 

**FROM:** Brenda Braden, City Attorney 

**DATE:** April 28, 2008

**SUBJECT:** RENTAL PROPERTY MAINTENANCE INSPECTION PROGRAM

---

## **POLICY CONSIDERATIONS:**

On February 25, 2008, the City Council discussed property maintenance standards for rental properties and directed staff to bring back an ordinance to implement such a program. In that meeting, Council decided that it did not want required periodic inspections of each residential rental property but preferred the City of Corvallis's complaint-driven approach. Council also asked staff to look into creating a process that would allow the City, on its own initiative, to inspect a particular property without a complaint from the tenant.

Will establishing a January 1, 2009 effective date allow adequate time for landlords and tenants to be educated about the new program?

## **ISSUES TO BE DISCUSSED:**

The Council will consider the issues surrounding City-initiated inspections of rental properties, specifically, whether the rental housing program Tualatin will implement should provide a process for City-initiated inspections or to mirror Corvallis's process that requires all complaints to be tenant-initiated.

The United States Supreme Court has required that all administrative, unscheduled inspections of premises be (1) by consent of the landlord; (2) by consent of the tenant; or (3) pursuant to an administrative search warrant issued by a court. Such warrants must meet a probable cause standard.

Inspections of tenants' premises are protected "unreasonable searches and seizures" by the Fourth Amendment of the U.S. Constitution. Thus, to be able to lawfully inspect tenants' premises, the City must have either (1) the consent of the tenant, as required in the tenant's lease or freely given by the tenant upon request by the City or (2) obtain an administrative search warrant from a judge or magistrate. Such a warrant must be obtained by an affidavit of probable cause that a violation exists on the premises. See

MEMORANDUM: Rental Property Maintenance Inspection Program

April 28, 2008

Page 2 of 2

generally, Rozman v. City of Columbia Heights, 268 F.3d 588 (2001), Platteville Area Apt. Ass'n. v. City of Platteville, 179 F.3d 574 (1999). The consent of a tenant may be required under his or her lease with the landlord, but inspections done in accordance with such lease provisions can only be done with 24-hours advance notice.

Because of the complexities in creating a lawful, unscheduled administrative inspection process, the Council should discuss whether to implement the complaint-driven process in this initial phase without the City-initiated process at this time. If the Council decides to implement only the complaint-driven process, Council could evaluate the program in one or two years to decide whether the program is working adequately without the City-initiated inspections or whether a scheduled administrative process should be added.

If Council decides that a City-initiated, unscheduled inspection process should be implemented, there would be costs involved of either paying the Municipal Court Judge an additional amount for the time it takes for the Judge to decide whether a warrant should be issued and additional hours for the enforcement officer to write affidavits to establish probable cause. If the warrants issued through Washington County Circuit Court, rather than the Municipal Court, there would be filing fees.

An alternate approach, between no City-initiated inspections and a regularly scheduled inspection program for all rental residential properties might be as follows: If the City has received a complaint from a tenant in a multi-family unit that the landlord hasn't addressed and the City has confirmed, the ordinance could provide that in such cases, the landlord shall allow the City to inspect a certain number of other units on the same property within a certain period of time. This alternate approach would have to be carefully drafted to avoid the problems described above.

No decision has yet been made as to which City department will be responsible for performing the inspections. It may take some additional training to assure that whoever does the inspections has been thoroughly trained in these concepts, especially if the Council decides that it wants to proceed with unscheduled, City-generated inspections.

In addition Council should discuss whether the proposed effective date (January 1, 2009) of the ordinance allows sufficient time to educate landlords and tenants about the ordinance.

# Draft

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE RELATING TO RENTAL HOUSING MAINTENANCE STANDARDS; ESTABLISHING A RENTAL UNIT MAINTENANCE FEE; ADDING A NEW CHAPTER, 6-13, TO THE TUALATIN MUNICIPAL CODE; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF TUALATIN, OREGON ORDAINS AS FOLLOWS:

Section 1. A new section, 6-13-005, is added to the Tualatin Municipal Code to read as follows:

Purpose. The purpose of this code is to provide minimum habitability criteria for rental residential properties to safeguard the health, safety and welfare of the owners, occupants and users of residential rental buildings; and to protect the welfare of neighbors to these properties.

Section 2. A new section, 6-13-010 is added to the Tualatin Municipal Code to read as follows:

Oregon Residential Landlord and Tenant Act. This code is intended to supplement the habitability standards of the Oregon Residential Landlord and Tenant Act, ORS 90.100 et seq.

Section 3. A new section, 6-13-020, is added to the Tualatin Municipal Code to read as follows:

Applicability and Exceptions.

- (1) Except as provided in subsection (2) of this section, these standards apply to all buildings or portions of buildings that are legally used for human habitation, including manufactured dwelling units, and are covered by a rental agreement.
- (2) Unless created to avoid the application of this chapter, the following arrangements are not governed by this chapter:
  - (a) Residence at an institution, public or private, if incidental to detention or the provision of medical, geriatric, educational, counseling, religious or similar service;
  - (b) Occupancy of a dwelling unit for not more than 90 days by a purchaser prior to the scheduled closing a real estate sale or by a seller following the closing of a sale, as permitted under the terms of an agreement for sale of a dwelling unit or the property of which it is a part;
  - (c) Occupancy by a member of a fraternal or social organization in the portion of a structure operated for the benefit of the organization;

# Draft

- (d) Transient occupancy in a hotel or motel;
- (e) Occupancy by a squatter;
- (f) Vacation occupancy;
- (g) Occupancy by an employee of a landlord whose right to occupancy is conditional on employment on the premises;
- (h) Occupancy by an owner of a condominium unit or a hold of a proprietary lease in a cooperative.

Section 4. A new section, 6-13-030 is added to the Tualatin Municipal Code to read as follows”

Definitions. As used in this chapter, the following definitions apply:

- (1) “Agent” means a person authorized by another to act on his or her behalf.
- (2) “Building Code” means the currently adopted edition of the State of Oregon Structural Specialty Code.
- (3) “ Dwelling unit” means a single unit providing complete independent living facilities for one or more persons including provisions for living, sleeping, eating, cooking and sanitation. For purposes of this chapter, where portions of a residential building are occupied under separate rental agreements, but tenants share eating, cooking, and/or sanitation facilities, each portion under a separate rental agreement shall be considered a dwelling unit.
- (4) “Habitable room” means a room used for sleeping, living, cooking or dining purposes, but excludes closets, pantries, bath or toilet room, hallways, laundries, storage spaces, utility rooms and similar spaces.
- (5) “Group SR Occupancies” means special residences where personal care is administered and that are licensed by, or subject to licensure by, or under the authority of the Oregon Department of Human Resources or other State agency.
- (6) “Mechanical Code” means the currently adopted edition of the State of Oregon Mechanical Specialty Code.
- (7) “Plumbing Code” means the currently adopted edition of the State of Oregon Plumbing Specialty Code.
- (8) “Rental Agreement” means all agreements, written or oral, concerning the use and occupancy of a dwelling unit and premises.

Section 5. A new section, 6-13-040 is added to the Tualatin Municipal Code to read as follows:

Standards. All rental units and buildings subject to this chapter shall meet the following standards:

- (1) Structural integrity.

# Draft

- (a) Roofs, floors, walls, foundations and all other structural components shall be capable of resisting any reasonable stresses and loads to which these components may be subjected.
- (b) Structural components shall be of materials allowed approved by the Building Code.
- (2) Plumbing.
  - (a) Plumbing systems shall be installed and maintained in a safe and sanitary condition and shall be free of defects, leaks and obstructions.
  - (b) Plumbing components shall be of materials allowed or approved by the Plumbing Code.
- (3) Heating.
  - (a) There shall be a permanently installed heat source with the ability to provide a room temperature of 68 degrees Fahrenheit three feet above the floor, measured in the approximate center of the room, in all habitable rooms.
  - (b) All heating devices or appliances shall be of an approved type.
  - (c) Ventilation for fuel-burning heating appliances shall be as required by the Mechanical Code.
- (4) Weatherproofing.
  - (a) Roof, exterior walls, windows and doors shall be maintained to prevent water leakage into the living areas that may cause damage to the structure or its contents or may adversely affect the health of an occupant.
  - (b) Repairs must be permanent, not temporary, and shall be through generally accepted construction methods.
- (5) No dwelling shall be overcrowded. To determine a dwelling unit's occupancy load, the City will divide the superficial floor area of the occupancy by 200 and round any fraction to the next higher number. For example, eight occupants would be allowed in a 1,500 square foot residence.
- (6) Interpretations.
  - (a) The City Manager shall be responsible for interpretations of this Chapter.
  - (b) Interpretations shall conform with the intent and purpose of this Chapter.
- (7) Enforcement. The City Manager or designee is authorized and directed to enforce this chapter.

Section 6. A new section, 6-13-050 is added to the Tualatin Municipal Code to read as follows:

## Complaint process.

- (1) Before the City will investigate a complaint, a tenant shall submit his or her written complaint to the landlord at least 10 days before the complaint is submitted to the City to afford the landlord the opportunity to

## Draft

- correct the problem. If the landlord does not respond or fails to correct the problem the tenant may submit the complaint to the City.
- (2) A complaint must be in writing and may be filed in person, by mail, by email, or fax. The complaint shall contain at least the following information:
    - (a) The name of the person filing the complaint. No complaints may be submitted anonymously;
    - (b) The name of the landlord and/or the landlord's resident agent;
    - (c) The address of the alleged violation;
    - (d) A complete description of the alleged violation;
    - (e) A copy of the written notice of the alleged violation that has been sent by the tenant to the landlord.
  - (3) The person who files the complaint must be a party to the current rental agreement covering the property or an agent of this party.
  - (4) The City shall process complaints using the following procedure:
    - (a) Confirm that the complainant has standing to file the complaint;
    - (b) Confirm that the allegation in the complaint, if proven to be true, would be a violation of this chapter;
    - (c) Confirm that the landlord has had seven days, plus three days for mailing in accordance with ORS 90.150, since the tenant mailed the written notice to the landlord, to respond to the complaint.
    - (d) Once the requirements in subsections (a), (b) and (c) are confirmed, notify the landlord that the complaint has been submitted to the City.
  - (5) Investigations.
    - (a) Upon confirmation that the requirements in subsection (4) have been met, staff will conduct an investigation to confirm the validity of the complaint.
    - (b) If the City determines that the complaint is not valid, the City will close the case and notify all parties of the closure.
    - (c) If the City determines that the complaint is valid, City staff will issue a notice and order.
  - (6) Inspection and Right of Entry When it may be necessary to inspect to enforce the provisions of this chapter, City staff may enter the building or premises at reasonable times to inspect or perform the duties imposed by this chapter as follows:
    - (a) If the building or premises are occupied, staff shall present credentials to the occupant and request entry.
    - (b) If the building or premises are unoccupied, staff shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry.
    - (c) If entry is refused, staff may follow the procedures to obtain an administrative warrant to inspect the premises.
  - (7) Notices and Orders.
    - (a) For valid complaints, staff shall issue a notice and order to the landlord. The notice and order shall include the following:

# Draft

- (i) The street address;
  - (ii) A statement that the City staff has found the premises to be in violation if this chapter as alleged in the complaint;
  - (iii) A thorough description of the violation;
  - (iv) Statements advising the landlord that if the required repairs are not completed within seven days, plus three days for mailing from the date of the notice and order, then staff will:
    - (A) Record the notice and order against the property;
    - (B) Coordinate the issuance of a citation to the landlord to appear in Municipal Court;
    - (C) Initiate action to recover all City costs associated with processing the complaint, investigation and the resolution of the issue.
  - (v) Statements that the landlord may appeal the notice and order to the City Council;
  - (vi) The date by which repairs must be completed and a reinspection scheduled.
- (b) The notice and order, and any amended or supplemental notice and order, shall be posted on the premises and shall be served on the landlord by first class mail.
- (8) Failure to comply.  
If the landlord does not comply with the notice and order by the specified date, staff will:
- (a) Issue a citation to the landlord to appear in Municipal Court;
  - (b) Record the notice and order against the property with all recording costs to the responsibility of the landlord;
  - (c) Initiate an accounting for all costs associated with processing the complaint, investigation and the resolution of the issue, then proceed with City procedures to collect these costs from the landlord.
- (9) Penalties.  
Any person violating a provision of this chapter shall, upon court conviction, be punished by a fine not to exceed \$250.00 per violation. Each day that a violation exists constitutes a separate violation.

Section 7. A new section, 6-13-060 is added to the Tualatin Municipal Code to read as follows:

## Appeals.

- (1) A person who has been served a notice and order under this chapter may appeal from the notice and order to the City Council. An appeal just be submitted to the Community Development Director within seven days, plus three days for mailing from the date of the notice and order.

# Draft

- (2) An appeal submitted under this chapter shall include a \$50 filing fee.
- (3) Appeals regarding notices, orders, interpretations and decisions may be filed with the Community Development Director.
- (4) An appeal must be in writing and include the following:
  - (a) The name of the person filing the appeal;
  - (b) A copy of the notice and order;
  - (c) A copy of the section of this chapter that is being appealed;
  - (d) A complete explanation of the appeal;
  - (e) What relief is being requested from the City Council.
- (5) The Community Development Director or designee shall confirm that the appeal meets the filing criteria.
  - (a) If the filing criteria have not been met, the person filing the appeal will be so notified. The Community Development Director, at his or her discretion, may extend the filing deadline by an additional three days to allow the appellant to resubmit an appeal that has been deemed incomplete. Only one extension may be granted.
  - (b) If the filing criteria have been met, the Community Development Director shall schedule a hearing to be held within 30 days of the filing of the appeal.

Section 8. A new section, 6-13-070, is added to the Tualatin Municipal Code to read as follows:

## Fees.

- (1) To offset the costs to the City associated with the enforcement of this code, an annual fee of \$10.00 per dwelling unit covered by a rental agreement is imposed.
- (2) Although the following are subject to the standards, enforcement procedures, and other requirements established in this Chapter, the following unit types are exempt from the fee payment requirements of the section:
  - (a) Rentals with a recorded deed restriction that requires units to be rented affordably to households at or below 50% of the Area Median Income;
  - (b) Rentals under contract with a public agency that requires the rental to be inspected at least annually and verifies that the dwelling is rented to a low income household; and
  - (c) Rentals designated as senior or disabled housing by a public agency.
- (3) The landlord is responsible for paying the annual fee upon written notice.

# Draft

- (4) Failure to pay the fee as required will subject the landlord to the following actions:
- (a) A penalty of \$100.00 will be assessed to the landlord for each unpaid per unit fee if the annual fee is not paid by the date specified in the written request for payment.
  - (b) The City will initiate appropriate action to collect the fees due and all costs associated with the collection process will be assessed to the landlord.
  - (c) Appropriate action may include placing a lien on the property.

Section 9. A new section, 6-13-080, is added to the Tualatin Municipal Code to read as follows:

This ordinance shall take effect January 1, 2009.

INTRODUCED AND ADOPTED this 28<sup>th</sup> day of April 2008.

CITY OF TUALATIN

By \_\_\_\_\_  
Mayor

ATTEST:

By \_\_\_\_\_  
City Recorder

**WORK SESSION ITEMS**

**PowerPoint?**

1. Photo Red Light Update – 45 minutes (*Police*)

---

2. Bond Measure Update (survey results) – 45 minutes

---

- 3.

---

- 4.

---

**PRESENTATIONS / ANNOUNCEMENTS / SPECIAL REPORTS**

**PowerPoint?**

1. Tualatin Youth Advisory Council Update

---

2. Student Visual Chronicle Presentation

---

3. Proclamation – Public Works Week

---

4. Proclamation – National Law Enforcement Memorial Week

---

5. Proclamation – Emergency Medical Services Week May 18 – 24, 2008

---

**CONSENT CALENDAR ITEMS**

1. Reso Accepting Easement – Killarney Lane (*Engr*)

---

2. Award of Bid ASR Pump Station (*Eng*)

---

3. Reso – Willowbrook Parking

---

- 4.

---

**PUBLIC HEARINGS – Legislative, Other, Quasi-Judicial**

**PowerPoint?**

1. ANN-08-01 B Level Reservoir Site Norwood Road (*Quasi*) (*Comm. Dev.*)

---

- 2.

---

- 3.

---

**GENERAL BUSINESS ITEMS (not consent)**

**PowerPoint?**

1. Ordinance (~~or Resolution?~~) – Bancroft Bonding – Killarney Lane moved to May 27

---

2. Development Agreement City of Tualatin/Trammell Crow Residential - **tentative** (*Comm. Dev.*)

---

3. Ordinance – Rental Housing Standards (*Legal*)

---

- 4.

---

**EXECUTIVE SESSION ITEMS**

- 1.

---

**WORK SESSION ITEMS**

**PowerPoint?**

1. Budget Committee – overview of 07/08 (*1<sup>st</sup> meeting held during work session*)
- 2.
- 3.
- 4.
- 5.

**PRESENTATIONS / ANNOUNCEMENTS / SPECIAL REPORTS**

**PowerPoint?**

1. Chamber of Commerce Update
- 2.
- 3.

**CONSENT CALENDAR ITEMS**

1. 108<sup>th</sup> Ave: Blake – Marilyn Bid Award – *tentative* (Eng)
2. Award of Bid Killarney Lane Sewer (Eng)
3. Award of Bid SW 124<sup>th</sup> Avenue (TDC) (Comm. Dev.)
4. Resolution Du Jour Bond CURD (TDC)
5. Resolution Du Jour Bond LTIP (TDC)

**PUBLIC HEARINGS – Legislative, Other, Quasi-Judicial**

**PowerPoint?**

1. PTA-08-01 Freeway Oriented Sign Regulations Phase 1 (*Legislative*) (Comm. Dev.)
2. PMA-08-01 RML to RL Boones Ferry Rd near Norwood Rd (*Quasi*) (Comm. Dev) **May get withdrawn**
3. PMA-08-02 Institutional B Level Reservoir Site Norwood Road (**Quasi**) (Comm. Dev.)

**GENERAL BUSINESS ITEMS (not consent)**

**PowerPoint?**

1. Consideration of Recommendation of Bond Measure Ad Hoc Committee
2. Ordinance Library/City Offices Parking Time Allocations (Comm. Dev.)
3. Ordinance (**or Resolution?**) – Bancroft Bonding – Killarney Lane - **tentative**
- 4.

**EXECUTIVE SESSION ITEMS**

- 1.

**WORK SESSION ITEMS**

**PowerPoint?**

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

**PRESENTATIONS / ANNOUNCEMENTS / SPECIAL REPORTS**

**PowerPoint?**

1. Tualatin Youth Advisory Council - Council Recognition
2. \_\_\_\_\_
3. \_\_\_\_\_

**CONSENT CALENDAR ITEMS**

1. Authorization to adjust management compensation plan (Admin)
2. Core Area Parking District Policy Update (Comm. Dev.) - **tentative**
3. \_\_\_\_\_
4. \_\_\_\_\_

**PUBLIC HEARINGS – Legislative, Other, Quasi-Judicial**

**PowerPoint?**

1. PTA-08-02 Floodplain Regulations (**Legislative**) (Engineering/Planning) - **tentative**
2. PTA-08-03 Historic Regulations (**Legislative**) (Comm. Dev.)
3. \_\_\_\_\_

**GENERAL BUSINESS ITEMS (not consent)**

**PowerPoint?**

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

**EXECUTIVE SESSION ITEMS**

1. \_\_\_\_\_

**WORK SESSION ITEMS**

*PowerPoint?*

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

**PRESENTATIONS / ANNOUNCEMENTS / SPECIAL REPORTS**

*PowerPoint?*

1. Chamber of Commerce Update
2. \_\_\_\_\_
3. \_\_\_\_\_

**CONSENT CALENDAR ITEMS**

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

**PUBLIC HEARINGS – Legislative, Other, Quasi-Judicial**

*PowerPoint?*

1. Public Hearing to Accept 08/09 Budget (*Other*)
2. \_\_\_\_\_
3. \_\_\_\_\_

**GENERAL BUSINESS ITEMS (not consent)**

*PowerPoint?*

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

**EXECUTIVE SESSION ITEMS**

1. City Manager's Annual Performance Evaluation

**WORK SESSION ITEMS**

**PowerPoint?**

1. Bond Measure Update

---

2.

---

3.

---

4.

---

5.

---

**PRESENTATIONS / ANNOUNCEMENTS / SPECIAL REPORTS**

**PowerPoint?**

1. Youth Advisory Council Update

---

2.

---

3.

---

**CONSENT CALENDAR ITEMS**

1.

---

2.

---

3.

---

4.

---

**PUBLIC HEARINGS – Legislative, Other, Quasi-Judicial**

**PowerPoint?**

1.

---

2.

---

3.

---

**GENERAL BUSINESS ITEMS (not consent)**

**PowerPoint?**

1. Tualatin Tomorrow VIC Annual Report (*Comm. Development*)

---

2.

---

3.

---

4.

---

**EXECUTIVE SESSION ITEMS**

1.

---

**WORK SESSION ITEMS**

*PowerPoint?*

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

**PRESENTATIONS / ANNOUNCEMENTS / SPECIAL REPORTS**

*PowerPoint?*

1. Chamber of Commerce Update
2. \_\_\_\_\_
3. \_\_\_\_\_

**CONSENT CALENDAR ITEMS**

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

**PUBLIC HEARINGS – Legislative, Other, Quasi-Judicial**

*PowerPoint?*

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

**GENERAL BUSINESS ITEMS (not consent)**

*PowerPoint?*

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

**EXECUTIVE SESSION ITEMS**

1. \_\_\_\_\_

# TUALATIN CALENDAR

## April

## 2008

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
		<b>1</b>	<b>2</b> 1:15p Tualatin Historical Soc 5:30p Chamber Alive After 5 @ Taste of Wine, 7590 SW Nyberg Street 7:00p ARB (if necessary)	<b>3</b>	<b>4</b> 7:30a Chamber Networking AM, Tualatin Senior Center, 8513 SW Tualatin Road 6:00p Community Partners for Affordable Housing Fundraiser, Country Club	<b>5</b>
<b>6</b>	<b>7</b>	<b>8</b> 9:30 & 10:30a Arbor Day Toddler Storytime 6p Special Council Work Session @ Police Sta.	<b>9</b> 10a Arbor Day Preschool Storytime 6:30p Tualatin Tomorrow VIC Steering Committee Meeting, Council Chambers 7p - Visual Chronicle Reception; Heritage Cntr 7:30p TT Vision Implementation Committee	<b>10</b> 10:30a Arbor Day Family Storytime 6:30p GO 08 Ad Hoc Committee Meeting @ Senior Center 7:00p TPAC	<b>11</b> 7:30a Chamber Networking AM, River Valley Landing, 19200 SW 65th Avenue	<b>12</b> 12:00p - 3:00p YAC Green Week Event, The Pointe at Bridgeport (across from Bridgeport Village)
<b>13</b> Green Week - YAC	<b>14</b> Green Week - YAC 5:45p Work Session 7:00p Council/TDC Mtg	<b>15</b> Green Week - YAC	<b>16</b> Green Week - YAC 5:30p Chamber Alive After 5 @ WineStyles 7009 SW Nyberg Street 7:00p ARB (if necessary)	<b>17</b> Green Week - YAC 5:30p Celebrate Tualatin @ Country Club 6:30p GolfTEC's Women's Night 7:00p Urban Renewal Advisory Committee, Council Chambers	<b>18</b> Green Week - YAC 7:30a Chamber Networking AM, Heritage Center, 8700 SW Sweek Drive	<b>19</b>
<b>20</b>	<b>21</b>	<b>22</b>	<b>23</b> 7:00p ARB (if necessary)	<b>24</b> 11:30a Chamber Luncheon @ Country Club	<b>25</b> 7:30a Chamber Networking AM, Tualatin Police Department, 8650 SW Tualatin Road	<b>26</b>
<b>27</b>	<b>28</b> 5:00p Work Session 7:00p Council/TDC Mtg	<b>29</b>	<b>30</b> 7:00p ARB (if necessary)			

# May

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				<b>1</b>	<b>2</b>	<b>3</b>
<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b> 9:30a - 12:30p Washington County Youth Summit Grant Culmination Event at Beaverton Four Square Church 1:15p Tualatin Historical Soc 7:00p TPAC	<b>8</b> 5:30p Tualatin Tomorrow Community Event - The Vision Continues, Education Building, Meridian Park Hospital	<b>9</b>	<b>10</b>
<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b> 5:30 - 7:30p YAC Annual Recognition Dinner 6:30p Tualatin Tomorrow VIC Steering Committee Meeting, Council Chambers 7:30p Vision Implementation Committee	<b>15</b>	<b>16</b>	<b>17</b>
<b>18</b>	<b>19</b> 5:00p Work Session 7:00p Council/TDC Mtg Crawdaddy Open Golf Tournament, Tualatin Country Club	<b>20</b>	<b>21</b> 12:00p Core Area Parking District Board, Council Chambers 7:00p ARB (if necessary)	<b>22</b> 6:30p GO 08 Ad Hoc Committee Meeting @ Senior Center 11:30a Chamber Luncheon @ Country Club	<b>23</b>	<b>24</b>
<b>25</b>	<b>26</b> Memorial Day Holiday Observed CITY OFFICES CLOSED LIBRARY CLOSED	<b>27</b> Note Council meeting date change 5:00p Work Session 7:00p Council/TDC Mtg	<b>28</b> 7:00p ARB (if necessary)	<b>29</b>	<b>30</b>	<b>31</b> 10a - 2p Spring Filing Event on Tualatin Commons

2008

# June

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
1	2 5:00p Work Session 7:00p Council/TDC Mitg	3	4 1:15p Tualatin Historical Soc 7:00p ARB (if necessary)	5	6	7
8	9 5:00p Work Session 7:00p Council/TDC Mitg	10	11 6:30p Tualatin Tomorrow VIC Steering Committee Meeting, Council Chambers 7:30p Vision Implementation Committee	12 7:00p TPAC	13	14
15	16	17	18 7:00p ARB (if necessary)	19	20	21
22	23 5:00p Work Session 7:00p Council/TDC Mitg	24	25 7:00p ARB (if necessary)	26 11:30a Chamber Luncheon @ Country Club	27	28
29	30					

2008

# July

2008

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
		1	2 1:15p Tualatin Historical Soc	3	4 Independence Day Holiday CITY OFFICES CLOSED	5
6	7	8	9 7:00p ARB (if necessary)	10	11	12
13	14	15	16 7:00p ARB (if necessary)	17	18	19
20	21 5:00p Work Session 7:00p Council/TDC Mtg	22	23 7:00p ARB (if necessary)	24 7:00p Urban Renewal Advisory Committee Meeting 24 11:30a Chamber Luncheon @ Country Club	25	26
27	28 5:00p Work Session 7:00p Council/TDC Mtg	29	30 7:00p ARB (if necessary)	31		



# MEMORANDUM

## CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager *SL*

**FROM:** Doug Rux, AICP, Community Development Director *DR*  
Brenda Braden, City Attorney *BB*  
John Stelzenmueller, Building Official *JS*  
William Harper, AICP, Associate Planner *WH*

**DATE:** April 28, 2008

**SUBJECT:** OXFORD HOUSE ON SW SEMINOLE TRAIL

---

### BACKGROUND:

In the first weekend of April, a property owner of a single-family residence located at 8705 SW Seminole Trail approached the neighbors to the property and informed them he was remodeling the house interior and was in the process of negotiating a lease with an alcohol and drug recovery housing agency to occupy the house as a recovery home. The neighbors learned that the house would be an "Oxford House" residence for 6-8 individuals who are in drug and alcohol recovery.

The property is a 1,595 s.f., single-family detached house in a RL (Low-Density Residential) Planning District located on a cul-de-sac portion of SW Seminole Trail (west of SW 86<sup>th</sup> Avenue) (Attachments A, B). The house has three bedrooms, two bathrooms and a two-stall garage. There are five single-family houses plus the Dvorak property on the cul-de sac bulb. The owner of the property is Dale Dvorak of Boring, Oregon.

Mr. Dvorak indicated to City Staff he is negotiating with Oregon Recovery Homes (ORH) to lease the house for alcohol and drug free housing for persons finished with alcohol and drug treatment and in recovery. ORH is a non-profit community service agency that has a current contract with the Oregon Department of Human Services (DHS) to provide community-based, affordable, alcohol and drug free housing. ORH uses the Oxford House model of volunteer based, resident managed, self-supporting recovery homes and currently has 172 homes operating in Oregon communities. ORH is associated with the Recovery Assistance Project (RAP) and the Oregon Oxford House for outreach and volunteer training staff.

The cul-de-sac street neighbors and abutting neighbors are concerned about the prospect of having the house occupied by individuals recovering from substance problems and raised concerns of criminal behavior, limited parking on a small cul-de-

sac street, mail and trash service problems, traffic safety for children and building code requirements. The neighbors contacted the City of Tualatin Building Division and the Community Development Department with questions about the remodeling work and about the use in a single-family residential Planning District. The neighbors presented information and their views on the matter to staff and a member of the Tualatin Planning Advisory Committee (TPAC) on April 10 and to the City Council "Open Mike" session at the Council's April 14 meeting. The neighbors presented a petition signed by 11 individuals requesting "a use permit and/or certificate of occupancy and/or license for a drug transition home at the end of the SW Seminole Trail cul-de-sac be disallowed..." with a list of 5 reasons (Attachment C).

In response to the neighbors' concerns discussed at the April 14 meeting, the Council directed staff to provide more information about the subject property and the owner's plans, the applicable Tualatin Development Code and Building Code standards, State law, the recovery home and Oxford House program. A community meeting on the matter is being scheduled for Tuesday, May 6 at 6:30 pm at the Heritage Center.

The following is a brief chronology of the matter:

- April 5-6 D. Dvorak informs neighbors of plans to lease 8705 SW Seminole Trail to a social service provider as alcohol and drug free recovery housing.
- April 7 SW Seminole Trail neighbors contact Building Division.
- April 8 Building Division staff visits Dvorak property, determines building permits are necessary for remodeling work, and posts Stop Work Order.
- April 10 Neighbors address CDD staff and TPAC member, present petition.
- April 11 CDD Director contacts D. Dvorak, property owner.
- April 14 CDD staff contact Oregon Recovery Housing, Recovery Association Project & Oxford House familiar with the SW Seminole Trail location.
- April 14 CDD Director briefs Council in Worksession.  
Neighbors address Council, present letters and petition.

## **GENERAL FACTS:**

### Oregon Department of Human Services.

The DHS Addictions and Mental Health Division (AMH) administers alcohol and drug free housing development funds for the state of Oregon. Copies of excerpt slides from a 2006 DHS/AMH Power Point presentation titled "Homelessness and Housing Initiatives for People with Addiction Disorders" are included in Attachment D as information about recovery housing and Oxford House model housing in Oregon.

### Oxford House

An Oxford House is described as a single-family residential use, occupied by 6-8 unrelated adults of the same gender. There may be up to 3 children per house for residents with families. The adults are in drug and alcohol recovery, have completed or participated in a treatment program, are in general good medical health, and range in

age from 19-58 years old. Residents are not mental health patients and no sex offenders are allowed as a resident of an Oxford House. There is no on-site treatment or counseling at the house and an Oxford House is not a residential facility by state definition and no State licensing is required or obtained.

Recovery houses are leased by Oregon Oxford House from the property owner. Each house is individually self-managed by the residents and part of the 19-Chapter, 172 houses of the non-profit Oxford House organization in Oregon. Oxford House of Oregon has 5 paid staff and is a primarily volunteer and participant based organization. Each house is represented and responsible at the Chapter and State organization.

Residents of an OH house are referred by social service agencies, churches, corrections, courts or are self or family referred. Candidates for an OH must be in a recovery situation, have a means of support to pay rent and living expenses and show they are and will remain sober and drug free. New residents are selected in interviews by the location residents. A majority of the residents have jobs. By contract, residents who break the basic rules of conduct or responsibility are evicted. Many do not have a driver's license, good employment or credit history, or rental history. Recovery housing such as the OH model gives a person an affordable and supportive situation to undergo recovery and reestablish themselves with family and society, and obtain the driving, credit and other credentials necessary.

The average OH house in Oregon has been in place for 7 years, many for 10-15 years. The average resident age is 29 years. At most, 1/3 of the residents may have a personal vehicle. Most do not have a car and rely on public transportation. Parking for OH residents usually is adequate for the house and does not present a problem for the neighbors. Other than weekly in-house meetings and an annual weekend meeting, there is no additional service or management traffic.

#### Tualatin Development Code (TDC).

The RL Planning District allows single-family dwellings as a permitted use [TDC 40.020(1)]. Single-family dwelling is defined in the TDC as:

Single-Family Dwelling. A single dwelling unit detached or separate from other dwelling units. A dwelling unit not having common walls with another dwelling unit. [TDC 31.060]

The RL Planning District allows Residential Homes and Residential Facilities for up to 15 residents, not including staff as permitted uses [TDC 40.020(6,7)]. Consistent with Oregon State Law definitions, Residential Homes and Facilities are defined in the TDC as:

Residential Home. A residential training home or residential treatment home for five or fewer individuals exclusive of staff, as defined in ORS 443.400. [TDC 31.060]

Residential Facility. Residential Facility. A residential facility providing residential care, training or treatment for six or more individuals exclusive of staff, as defined in ORS 443.400. [TDC 31.060]

### Building Code

The Oregon Structural Specialty Code lists this type of occupancy as either an R-2 (congregate residence) or an R-3 (single family dwelling), either way the code says that it is permitted to comply with the requirements for a group R-3 (which is the one and two family dwelling code). The only requirements that will be applicable will be the window (or door) egress (section R.310.1.1) from the bedrooms and the smoke detector placement in each bedroom and each floor (section R.313.1.1). Because the code allows this to be built to the residential code it makes sense to allow this occupancy to remain an R-3.

There is no requirement of the size of the bedrooms or the number of bathrooms for a single-family residence. We have heard they might be adding 3 or 4 refrigerators to the kitchen. If this is part of the submittal we will be checking the floor structure to be sure it can support this weight. The HVAC system will need to be evaluated to be sure all of the rooms are heated. Their submittal will determine the details of the plan review and permit requirements.

### Oregon Law

ORS 443.400-455 are State Law governing Residential Facilities and Homes and include the following definitions:

"Residential treatment facility" means a facility that provides, for six or more individuals with mental, emotional or behavioral disturbances or alcohol or drug dependence, residential care and treatment in one or more buildings on contiguous properties. ORS443.400(9)

"Residential treatment home" means a facility that provides for five or fewer individuals with mental, emotional or behavioral disturbances or alcohol or drug dependence, residential care and treatment in one or more buildings on contiguous properties. ORS443.400(10)

"Treatment" means a planned, individualized program of medical, psychological or rehabilitative procedures, experiences and activities designed to relieve or minimize mental, emotional, physical or other symptoms or social, educational or vocational disabilities resulting from or related to the mental or emotional disturbance, physical disability or alcohol or drug problem. ORS443.400(12)

### Federal Law

In 1995 the United States Supreme Court addressed the issues regarding the location of Oxford House group home in a single-family residential zone in the City of Edmunds, Washington v. Oxford House, Inc., 514 U.S. 725 (1995). That case provides Tualatin guidance on what the City can and can't do with regard to such facilities.

In that case, Oxford House had opened a group home for 10 to 12 adults recovering from drug addiction and alcoholism in a single-family neighborhood in Edmunds, similar to the one proposed in Tualatin. The Edmunds Code provided that occupants of a single-family dwelling must compose a "family." The Fair Housing Act, 42 USC §3601 et seq. prohibits discrimination in housing against persons with handicaps but exempts

any reasonable local, state or federal restrictions regarding the maximum number of occupants permitted to occupy a dwelling. 42 USC § 3601(b)(1) The Court ruled that the zoning restriction was not a maximum capacity restriction.

Most importantly for Tualatin, the Court did cite to maximum capacity restrictions that were exempt from the Fair Housing Act. Those restrictions are of the type Council will consider in the Rental Property Maintenance Standards scheduled for work session item April 28, 2008. If Council so chooses, that ordinance can be redrafted to make the maximum capacity restrictions effective upon passage while making the remainder of the ordinance effective on a later date.

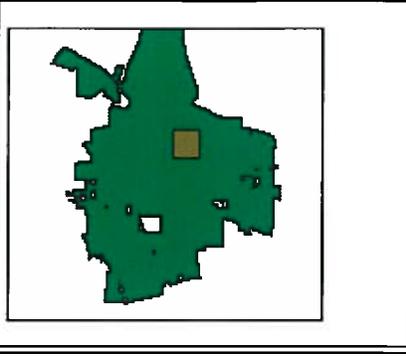
Therefore, Tualatin may not restrict Oxford House from putting a group home in a single-family residential planning district. However, the City may pass an ordinance that imposes a maximum capacity based upon square footage so long as it applies to all rental properties.

#### **CONCLUSIONS:**

- An Oxford House style home for men and women in alcohol and drug recovery in a single family residential structure is a single family residential use and permitted in a RL Planning District. It is not a residential facility or residential home by State or TDC definition. A DHS license for a residential facility or home is not required.
- Neighbors are objecting to having an alcohol and drug recovery home with 6-8 residents in a location next or near their residences and property. Neighbors have raised concerns of potential criminal behavior, drug use, and public safety associated with recovery home residents. The property is on a small cul-de-sac and neighbors believe there is a potential for interference with trash and mail service, and increased traffic and parking problems. These are civil or property issues and not determinant to the question of locating an Oxford House recovery home.
- The property owner's improvements to the house are required to comply with the Building Code and obtain appropriate Building Permits.
- The Federal Fair Housing Act prohibits housing discrimination against persons with handicaps and a US Supreme Court decision specifically ruled against a Washington State city's attempts to restrict an Oxford House from a single family residential neighborhood.
- Maximum capacity restrictions (number of persons per dwelling unit or 100 s.f. of house) were exempted in the US Supreme Court decision. Currently, the TDC does not restrict the number of persons in a residence or dwelling unit and does not restrict the number of unrelated persons in a residence. A maximum capacity of a residential unit based upon square footage so long as

it applies to all rental properties could be implemented as part of the proposed Rental Property Maintenance Standards.

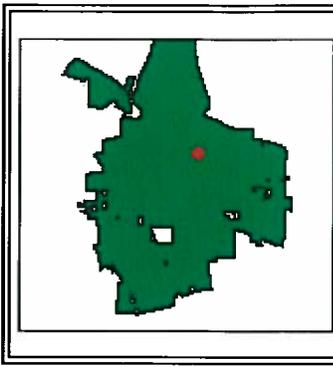
- Attachments:**
- A. Map of SW Seminole Ave. Vicinity
  - B. Aerial Photo of 8705 SW Seminole Ave. Property and Cul-de-sac
  - C. Neighbor Petition and Information
  - D. DHS/ADF 2006 Power Point Slides



**Legend**

Scale 1:3,900  
1 in = 325 ft

Attachment A  
Map of SW Seminole Avenue



8705 SW Seminole Trail

Legend

Scale 1:700  
1 in = 58 ft

Attachment B  
Aerial Photo of 8705 SW  
Seminole Avenue Property and  
Cul-de-sac

4-10-08

\* Don Hudson copy for licensing

### Petition to Tualatin Planning Advisory Committee and City Council and Licensing

The undersigned residents of Seminole Trail request that a use permit and/or certificate of occupancy and/or license for a drug transition home at the end of the Seminole Trail cul de sac be disallowed for the following reasons:

1. The recent unsightly garage conversion completed in one weekend without a permit was done by an owner in the construction business who must be well aware of permit law. A willingness to knowingly violate these codes should be grounds enough to disallow this project. This indicates a lack of regard for lawful operations as well.
2. The cul de sac residents have already received numerous complaints from trash collectors and U.S. mail delivery trucks about cars protruding even a short distance in to the public right of way due to access problems to trash cans and mail boxes. This is one of the smallest most dense cul de sacs in the city.
3. With the garage conversion, there are now only 2 off street parking places for the expected EIGHT adult residents and their guests. In addition to being a small cul de sac, it is also a short one. There will simply be too many cars on this street and too much traffic.
4. This use in this location violates the Tualatin Development code Sec 5.020 to "Provide housing opportunities for residents...that are aesthetically and functionally compatible with the existing housing stock"...It is very unsightly with yellow insulation visible thru the windows from the street, paint spills on the driveway, etc
5. It also violates Section 10.020 of the Development code (sub sec 5) whose goal it is "to improve property values and prevent blighted areas and thus increase tax revenues."

Please rule that such a use at 8705 SW Seminole Trail is neither appropriate nor permitted.

Jim Katschaw

Katie Barker

Richard Vessey

Kelly Vessey

Karen Jones

Amy Leibel

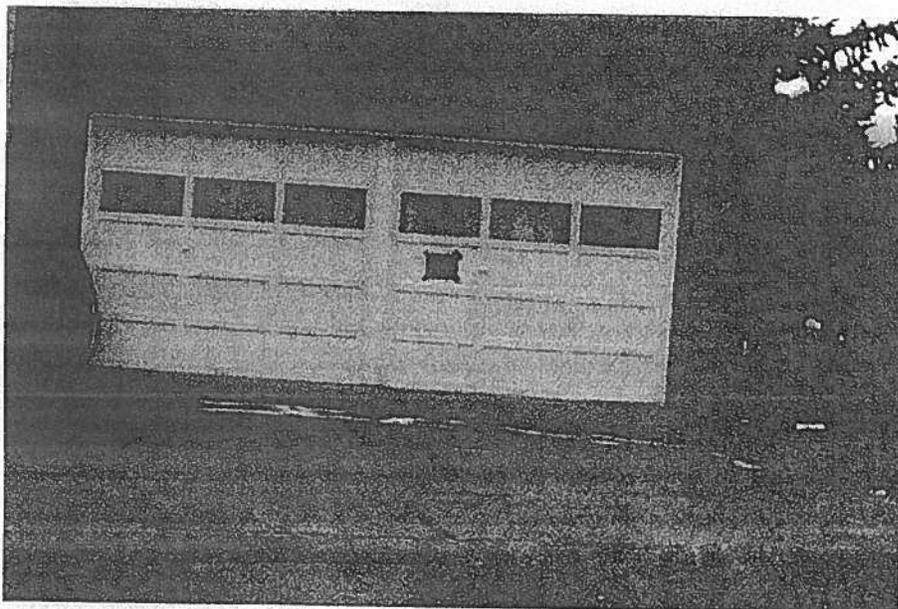
*[Handwritten signature]*

Debra Mardoch

Amy Shindgill

Debra Mardoch - 8775 SW Avery St. (behind house w/ adjoining backyards)

Jim Mardoch



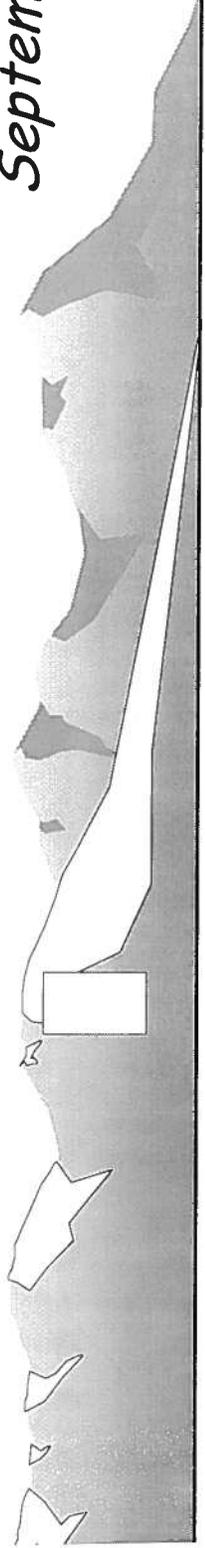
# Homelessness & Housing Initiatives for People with Addiction Disorders

Vicki Skryha, MSW

Manager, Housing & Homeless Services  
Addictions and Mental Health

Oregon Department of Human Services  
([vicki.skryha@state.or.us](mailto:vicki.skryha@state.or.us) or 503.945.9722)

*SAPT Site Visit  
September 2006*



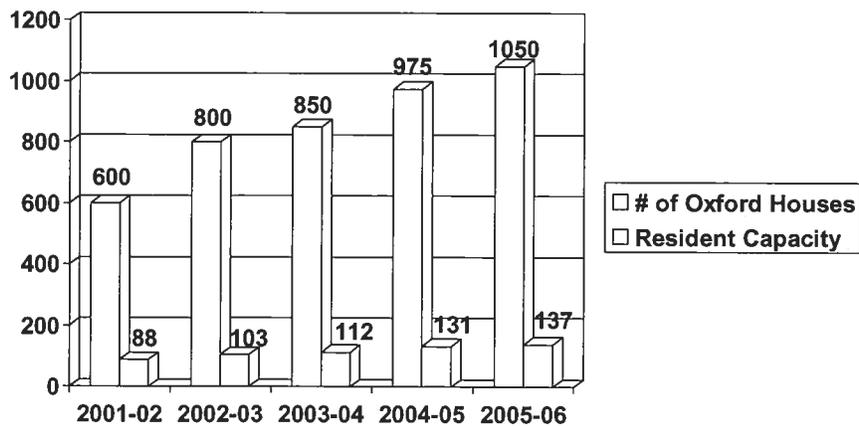
# Oregon Recovery Homes



- Contract for
  - Revolving Loan Fund
  - Outreach Coordinators
- Primarily supports "Oxford House" model
- Each loan dollar has been used to support establishment of 3-4 homes
- Currently over **137 Oxford Houses** in Oregon accommodating about 1,050 people in recovery

17

# Oregon Recovery Homes



18

# Oregon Recovery Homes

- Data from 2006 Resident Profile:
  - \*\*\* Representative sample of 14 homes (88 residents)
  - Average age: 35 years old
  - Sex: 73% Male, 27% Female
  - Education: 82.4% report high school diploma or GED
  - Primary Substance Used:
    - 69% Methamphetamine
    - 24% Alcohol
    - 3% Cocaine
    - 2% Heroin/morphine
    - 1% Marijuana

20

# Oregon Recovery Homes

- Data from 2006 Resident Profile (cont'd):
  - Residents with history of incarceration: 75%
  - Rate of prior participation in treatment: 90%
  - Past Homelessness: 65% have been homeless; of these
    - 72% less than 4 times (averaging 36 weeks)
    - 12% more than 4 times (averaging 171 weeks)
    - 16% report chronic homelessness
  - Prior residence:
    - 27% from homelessness;
    - 27% from rented apartment or room;
    - 20% from correctional facility;
    - 15% from treatment or halfway house;
    - 8% from family home;
    - 3% from owned home

21

## Oregon Recovery Homes

- Data from 2006 Resident Profile (cont'd):
  - Average amount of time in Oxford House: 9.5 months
  - Average clean-time: 1 year and 4 months
  - Employment Rate: 73.9%
  - Average Monthly Income:
    - Upon entering home: \$681
    - At time of survey: \$1533 for employed residents
    - At time of survey \$1132 for all residents
    - Income increased by 66% on average
  - Health Insurance: 42.5%

22

## Oregon Recovery Homes

- Data from 2006 Resident Profile (cont'd):
  - Primary Recovery Program:
    - 78% 12-Step
    - 10% Faith-based
    - 5% Cognitive-rational
    - 7% Other or None
  - Other Recovery Resources Used:
    - 60% use recovery centers or 12 Step Clubs;
    - 35% attend treatment center aftercare/alumni groups;
    - 10% are in mentor programs;

23



# Tualatin Recreation

## BOND MEASURE FEASIBILITY STUDY

### Schedule Overview

Draft 4/27/08

Color Key: Election, Bond Sale, Park Maintenance Fee, Jt. Use Agreement, Land Use Approval/AR, Voter Information, All Other

- April 28, 2008
  - Council Work Session
    - Review
      - Draft program (including update on community gardens, grand program, sports complex), locator map, site plans
      - TTSD deal points, process for jt. use agreement
      - Capital and operating cost estimates
      - Bond sizing, tax rate
      - Park maintenance utility fee
      - Review schedule through facility openings
        - Public opinion survey
          - 4/30-5/3 Administer survey
          - 5/6 or 7 Top line report delivered
- April 29 – May 11
  - Finalize Jt. Use and Development Deal Points with TTSD
- May 12, 2008
  - City Council Meeting
    - Survey results presentation by Su Midghall
    - Discussion and tentative direction:
      - Final program
      - Bond sizing, tax rate (est.)
      - Park maintenance utility fee purposes and amount (est.)
    - Review schedule through facility openings
- May 15, 2008 (Thu)
  - Final Ad Hoc Committee Meeting
    - Survey results presentation by Su Midghall
    - Discussion and feedback on tentative Council direction:
      - Final program
      - Bond sizing, tax rate (est.)
      - Park maintenance utility fee purposes and amount (est.)
    - Review schedule through facility openings
    - Next steps and thank you
- May 27, 2008
  - Council Work Session
    - Discuss Recreation Bond Measure Report and Ad Hoc Committee comments on tentative final direction
    - Determine final program, bond sizing, park maintenance fee
    - Review schedule through facility openings
    - Determine Councilor to prepare Voters Pamphlet statement

## RECREATION BOND MEASURE: Schedule Overview

Page 2 of 4

### Council Meeting

- Accepts Recreation Bond Measure Report and Ad Hoc Committee comments on tentative final direction
- Determine final program, bond sizing and direct staff to prepare resolution authorizing a measure election on 11/4/08 ballot
- Direct staff to prepare resolution of intent to establish a park maintenance fee effective 1/09, subject to passage of recreation bond measure on 11/4/08 ballot

- May 28, 2008

### Joint Meeting with TTSD/cities of Tigard and King City

- Review final program and jt. use deal points, election and construction schedule (impacts on school use)

### Begin Preparation of Voter Information Program

- June 9, 2008

### City Council Meeting

- Public meeting to hear comments on proposed bond measure
- Approve Ballot Title (Caption, Question, Summary) and Explanatory Statement for November 2008 election

### Publish Notice of Receipt of Ballot Title

- 6/10: Place add for Notice in Tualatin Times
- 6/12: Advertise Notice in Tualatin Times
- 6/23, 5:00 p.m.: Deadline to challenge ballot title (7 business days after publication)

- June 24, 2008

### First Day Can File Ballot Title and Explanatory Statement

- Begin land acquisition process
- Begin preparation of consultants (Architectural, Landscape Architectural, Project Management, CM/GC) RFQ/RFP's, timetable and documents

- July – Nov. 2008

### Voter Information Program

- Tualatin Tidings through November
- TTSD newsletter June, September, and October
- Newspaper articles: Times and Oregonian
- Bulletin for countertops, web, presentation handouts, newspaper inserts
- Info. tents for countertops, library to complement voter info. bulletins
- Links to our web page: Chamber, TTSD, youth sports groups, sr. center, Tualatin Historical Society, others?
- Project locator signs at all sites
- Direct mail informational cards (same day as ballots)
- Continuous display at library
- Presentations to Chamber, Rotary, Kiwanis, TTSD Back to School Nights, TTSD Ice Cream Socials, library story time, Council meetings, all advisory committees, Tualatin Tomorrow, sr. center, Tualatin Historical Society,

# RECREATION BOND MEASURE: Schedule Overview

Page 3 of 4

- PackBackers, all PSO's, TTSD football/soccer/lacrosse home games
  - Info. Displays @ Concerts/Movies on Commons, Summer Reading, Crawfish Festival, Pumpkin Regatta
  - Voter Information Open House (Sept., Oct)
  - TVCTV Informational Presentation: General broadcast, streamed off web site, DVD check out at library, piggybacked on end of Council meetings or show under Announcements if not allowed at end
  - Community Banner "tualatin\_recreation.ci.tualatin.or.us" (space filler all summer/fall)
  - Remember to Vote banner (10/16-11/4)
  - Election results on web (11/1 placeholder, 11/5 results posted 8:00 a.m. update until final)
- September 4, 2008 Deadline to File for November 4, 2008 General Election
  - Ballot Title (caption, question, summary)
  - Explanatory Statement
- September 8, 2008 Voters Pamphlet Statement
  - Deadline for Council submittal
- October 24, 2008 Target Date for Ballots to be Mailed
  - Verify, could be between 10/17-21
- November 4, 2008 Election Day
  - Simple Majority required
- November 10, 2008 Council Meeting
  - Authorize issuance of RFQ/RFP's, CM/GC RFQ/RFP's and CM/GC
- November 24, 2008 Council Meeting
  - Authorize staff to prepare for a GO bond sale 4/1/09
  - Adopt resolution implementing Park Maintenance Utility Fee effective January 1, 2009
- December 4, 2008 Deadline to Certify Election
  - Council adopt resolution canvassing election results
- December 8, 2008 Council Meeting
  - Resolution authorizing Jt. Use and Development Agreement with TTSD
  - Supplemental Budget to Establish Recreation Bond Fund
- December 22, 2008 Award Consulting Agreements
  - Architectural, Landscape Architectural, Project Management, and CM/GC
- January 2009 Begin Collecting Park Maintenance Utility Fee

## RECREATION BOND MEASURE: Schedule Overview

Page 4 of 4

- Jan 2009 – Winter 2012 Project Design and Development
  - Complete land acquisition purchase and sale agreement (closing after 4/1/09 bond sale)
  - TuHS artificial fields opens Fall 2009
  - Trails, park improvements opens Fall 2011
  - Community Center opens Spring 2012
    - Council adopts user fee schedule with FY 11/12 annual budget
  - Sports fields (fields completed Fall 2011, open for drop-in Summer 2012, leagues/schools use Fall 2012)
  - Note: Tualatin's 100-year anniversary of incorporation is 8/18/2013
  
- April 1, 2009 Sell 2009 Recreation Bonds
  
- July 2009 – Nov. 2011 Complete Park Maintenance Projects
  - FY annual budgets incorporate park maintenance projects funded through PMUF with funds received before they are required for maintenance of new facilities
  - This may continue into future years, if funding for "On-going Maintenance of Existing Facilities" is included in fee
  
- Fall 2009 First Year Bond Rate Assessed

### To Do:

1. *Finalize jt. use agreement deal points with TTSD*
2. *Recreation Bond Measure Feasibility Study Report and Staff Report*
3. *Prepare resolution calling an election to submit a general obligation bond authorization to the voters*
4. *Prepare ballot title (caption, question, and summary) and explanatory statement*
5. *Prepare park maintenance fee documentation and resolution authorizing implementation*
6. *Transportation study to support plan map amendment to allow community center siting*
7. *Plan Amendment to allow community center siting*
8. *Confirm Voters Pamphlet distribution and ballot mailing date*
9. *Prepare voter information logo, presentation materials (mount/laminate overview storyboards, maps, etc.) program and estimated budget (Cogan Owens Cogan can prepare some of this under current agreement)*