



City of Tualatin

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Approved By Tualatin City Council

Date 10/27/2008

Recording Secretary J. Kirby

TUALATIN CITY COUNCIL WORK SESSION MINUTES OF JUNE 23, 2008

PRESENT: Mayor Lou Ogden; Councilors Chris Barhyte, Monique Beikman [*arrived at 5:05 p.m.*], Bob Boryska, Jay Harris, Donna Maddux, and Ed Truax; Sherilyn Lombos, City Manager; Brenda Braden, City Attorney; Mike McKillip, City Engineer; Doug Rux, Community Development Director; Paul Hennon, Community Services Director; Kent Barker, Police Chief; Clayton Reynolds, Acting Operations Director; Don Hudson, Finance Director; Eric Underwood, Development Coordinator; Carina Christensen, Assistant to the City Manager; Maureen Smith, Recording Secretary

ABSENT: None.

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

A. CALL TO ORDER

Mayor Ogden called the work session to order at 5:02 p.m.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

1. Rental Housing Standards

City Attorney Brenda Braden gave an update on the rental housing maintenance standards proposed ordinance which is under the General Business section of the regular meeting agenda. The effective date of the proposed ordinance is 30 days after adoption of the ordinance, with the fee portion effective January 1, 2009.

Discussion followed on how a complaint would be dealt with by staff once it is received. Also discussed was issues of overcrowding, etc. and how enforcement would be handled. Also discussed was how the actual term "occupant" is defined. It was asked that "occupant/occupancy" mentioned throughout the ordinance also be added to the list of terms.

City Manager Lombos concluded that the goal is to get all issues dealt with before passing an ordinance. Council will hear comments, etc. at the General Business portion of the regular Council meeting, following this work session.

2. Municipal Court

Police Chief Kent Barker and Finance Director Don Hudson presented information on providing municipal court services in-house. Chief Barker explained the City's current municipal court system. Other than minor code enforcement and graffiti cases the rest of the City's court-related services are handled through the County. An analysis was done to assess the feasibility of expanding municipal court services.

Finance Director Hudson reviewed the proposed implementation plan which would be to hire a court administrator by September 2008, purchase software, provide administrator training, and negotiate a contract for a judge. Estimated expenses, etc. were also reviewed.

After discussion, Council consensus of all present was to proceed forward with the implementation of an expanded Tualatin Municipal Court as presented by staff.

3. *Bond Measure 2008 Update*

****SEE ATTACHED VERBATIM MINUTES FOR THIS PORTION OF THE MEETING****

C. CITIZEN COMMENTS
N/A

D. CONSENT AGENDA
Item D-1 was removed from the Consent Agenda by Mayor Ogden.

E. PUBLIC HEARINGS – Legislative or Other
N/A

F. PUBLIC HEARINGS – Quasi-Judicial
N/A

G. GENERAL BUSINESS
None.

H. ITEMS REMOVED FROM CONSENT AGENDA
D-1. *Proclamation Proclaiming July 2008 as National Recreation and Park Month*
Mayor Ogden removed this item from the consent agenda to be heard at the Presentations portion of the Council meeting.

I. COMMUNICATIONS FROM COUNCILORS
Councilor Maddux noted the “Willamette Meridian marker” event held on June 20, 2008 had a great turnout.

It was noted on Wednesday, June 25, 2008 there is an open house regarding the I-5/99W Connector project, 6:30 p.m., at Tualatin High School. All citizens were encouraged to attend.

J. EXECUTIVE SESSION

Mayor Ogden noted an executive session pursuant to ORS 192.660 (2)(e) to discuss real property transactions will be held at the end of the work session.

K. ADJOURNMENT

The work session recessed at 6:41 p.m.

Sherilyn Lombos, City Manager

Recording Secretary





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PRESENT: Mayor Lou Ogden; Councilors Chris Barhyte, Monique Beikman, Jay Harris, Donna Maddux, and Ed Truax; Sherilyn Lombos, City Manager; Brenda Braden, City Attorney; Doug Rux, Community Development Director; Mike McKillip, City Engineer; Paul Hennon, Community Services Director; Carina Christensen, Assistant to the City Manager; and Maureen Smith, Recording Secretary

ABSENT: Councilor Bob Boryska* [** denotes excused*]

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

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

A. CALL TO ORDER

Councilor Beikman led the Pledge of Allegiance.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

1. I-5 / 99W Connector Update

City Engineer Mike McKillip gave a brief update on open houses held this week at various regional locations regarding the project. Anyone can attend any or all of the open houses, and more information and comments can be found on the website at www.I5to99W.org.

2. Proclamation Proclaiming July 2008 as National Recreation and Park Month The Proclamation was read by Councilor Maddux.

C. CITIZEN COMMENTS

Marc Weinstein, 19905 SW Poplarwood Place, Tualatin, OR,

**** REFER TO THE ATTACHED VERBATIM MINUTES FOR THIS PORTION OF THE MEETING****

Brent Hamilton, 9350 SW Umiat Street, Tualatin, OR, said he has lived in Tualatin over 20 years. A problem has arisen with the house located directly behind his property regarding constant noise from a hot tub/motor. He spoke with staff and a hot tub is considered an outside appliance and is not addressed in the Development Code. Mr. Hamilton asked that this type of issue/noise be included in the Development Code in the future. Mayor Ogden suggested Mr. Hamilton contact the City Manager on this issue.

D. CONSENT CALENDAR

Item D-1 was removed from the Consent Agenda at work session by Mayor Ogden. MOTION by Councilor Harris, SECONDED by Councilor Barhyte to adopt the Consent Agenda as amended and read:

2. Approval of the Minutes for the Meeting of May 12, 2008
3. Resolution No. 4803-08 Approving and Authorizing the Provision of Workers' Compensation Insurance Coverage to Volunteers and Repealing Resolution No. 4693-07
4. Resolution No. 4804-08 Awarding Bid for the SW 108th Street and Storm Drainage Improvements – Willow Street to Nelson Street
5. Resolution No. 4805-08 Amending Water Rates Inside the City of Tualatin and Rescinding Resolution 4683-07
6. Resolution No. 4806-08 Setting Sewer Rates Inside the City of Tualatin

MOTION CARRIED.

E. PUBLIC HEARINGS – Legislative or Other

1. Resolution No. 4807-08 Adopting the City of Tualatin Budget for the Fiscal Year Commencing July 1, 2008, Making Appropriations, Levying Ad Valorem Taxes, and Categorizing the Levies

Mayor Ogden opened the public hearing.

Finance Director Don Hudson presented the City of Tualatin budget for fiscal year 2008/09 budget. Mr. Hudson said there is also more detailed information listed in the resolution.

PROPONENTS/OPPONENTS – None.

COUNCIL DISCUSSION

None.

Mayor Ogden closed the public hearing.

COUNCIL DELIBERATIONS

Councilor Harris commented during the recent budget meetings with the Budget Committee, there was a split vote on the addition of a new police vehicle, but he noted that Tualatin received a grant for a "Mini Cooper".

MOTION by Councilor Maddux, SECONDED by Councilor Harris to adopt the resolution and approve the 2008/09 fiscal year budget with additional changes as outlined in the staff report. MOTION CARRIED. [Vote: 6-0-1; YES – Ogden, Barhyte, Beikman, Harris, Maddux, Truax; Boryska absent.]

F. PUBLIC HEARINGS – Quasi-Judicial

None .

G. GENERAL BUSINESS

Item G-2 was moved first on the General Business agenda.

2. Ordinance No. ---- 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

Mayor Ogden said this issue is for Council to consider adopting a rental property maintenance ordinance.

City Attorney Brenda Braden said the ordinance is proposing to address the emerging overcrowding and inadequate property maintenance in some of the City's 6,000 rental properties. The Council has expressed an interest in addressing health and safety of the interior conditions of the properties and the exterior condition of the properties, taking into consideration of impacts on tenants, the neighborhoods, and community at large. The ordinance would be applicable to all residential rental properties in the city, with specific exclusions and provide specific maintenance standards.

Katie Bailey, 8700 SW Seminole Trail, Tualatin, OR, said there are many good points about the rental ordinance and she is generally in approval. Ms. Bailey mentioned concerns about overcrowding, and what is allowed or not allowed in low density/high density zoning areas. Ms. Bailey also said residential area parking needs to be addressed, especially in cul-de-sacs. She also asked that garage conversions for the purpose of increasing square footage not be allowed. She also questioned the square footage standard that applies to high density zoning.

STAFF RESPONSE

Various questions were asked regarding the regulation of residential zoning occupancy requirements, and City Attorney Braden said much is governed by the Federal Fair Housing Act. She also explained that there are the differences between land use laws versus federal housing laws. City Attorney Braden also responded to questions on parking standards, and noted that all standards are in the Tualatin Development Code (TDC). Changing the TDC is a different process than the Municipal Code, such as noticing requirements, comments periods, etc. and would not fit into this type of ordinance.

Ms. Bailey distributed an excerpt from the City's Development Code Chapter 73 referencing parking requirements in residential areas. *Jim Bailey, 8700 SW Seminole Trail, Tualatin, OR*, cited a legal opinion e-mail from the Baileys and submitted a hard copy for the record.

COUNCIL DISCUSSION

Council discussion followed on the various aspects of the proposed ordinance.

Leslie Ross, 8555 SW Seminole Trail, Tualatin, OR, said when this issue first came up suggested by consulting a land use attorney that is an expert in this field, some of these questions might have been answered.

David Nelson, 9712 SW Alabama Street, Tualatin, OR, said it appears similar to Gresham's ordinance and City Attorney Braden said it would be complaint-driven, with a small fee per dwelling unit. It was noted that Council has been working on an ordinance for a long time, even before the Seminole Trail issue arose.

Mayor Ogden said there are three issue on the table - prohibition on garage conversions for rentals, different occupancy for single family and rentals, and requirement of additional off street parking requirements for rentals only.

Mayor Ogden closed the hearing.

COUNCIL DELIBERATIONS

Council deliberated on the various issues raised ranging from garage conversions, which could be difficult to regulate, parking requirements, density requirements. The ordinance is a good start and with some changes to definitions, etc. that could be addressed, an ordinance could be passed. Staff has enough direction from Council to return with more information at a future meeting.

MOTION by Councilor Truax, SECONDED by Councilor Harris to continue the issue to July 14, 2008. MOTION CARRIED.

1. Resolution No. 4808-08 Calling an Election to Submit a General Obligation Bond Authorization to the Voters

****SEE ATTACHED VERBATIM MINUTES FOR THIS PORTION OF THE MEETING****

H. ITEMS REMOVED FROM CONSENT AGENDA

None.

I. EXECUTIVE SESSION

An executive session pursuant to ORS 192.660(2)(e) to discuss real property transactions was held at the end of the work session.

J. COMMUNICATIONS FROM COUNCILORS

None.

K. ADJOURNMENT

MOTION by Councilor Harris, SECONDED by Councilor Beikman to adjourn the meeting at 10:11 p.m. MOTION CARRIED.

Sherilyn Lombos, City Manager

Recording Secretary

Maureen Smith

VERBATIM Transcript from portions of the June 23, 2008 Work Session

SL = Sherilyn Lombos
BBR = Brenda Braden
PH = Paul Hennon
DH = Don Hudson
LO = Lou Ogden
BB = Bob Boryska
CB = Chris Barhyte
JH = Jay Harris
DM = Donna Maddux
ET = Ed Truax
MB = Monique Beikman

3. Recreation Bond Measure Update

SL: Bond measure update...so...we don't have any specific action requested on this. We wanted to get a sense for, I guess if there were any "oh crap" or "ah-has" that you wanted to talk about or work through.

LO: Just so we're all on the same sheet of music. There have been conversations going around about the size of the bond measure. Concerns about the maintenance fee, etc., etc., etc. So, I guess your gonna report this Paul but what I'm interested in is...of the work that's been done in the last couple of weeks, where are we now in terms of the scope of the bond, the size of the bond, the maintenance fee, what it covers, what it doesn't cover, just broadly what's been chiseled out and what's slipped off, if anything. And then kind of go around the room, when we get everybody in the room, and make sure that we have issues or not or what. I mean, so, is that what you had in mind, or not?

SL: Yes.

LO: Can we do that in 7 or 8 minutes?

SL: Yes. So let's talk about where it's chiseled down to. Do you want me to...I can pull up this...uh...

LO: Has Donna been...(unintelligible)...or shall we wait 'til she gets here...I'd just as soon we all be singing from the same hymnal.

(talking while waiting for PowerPoint to come up)

LO: Okay – we're on...real quick, recap Donna...we're gonna talk about what the bond measure is now, what's been snipped out, what's the cost, the monthly, what's been snipped out of that, how'd we get there, so we know what's given up or whatever, then we're going to do a check in.

SL: So this is a little preview of the presentation that's under general business...but...where it is right now...in the capital improvement costs of \$49.4 million still includes the community center, the same community center package...includes the same trail package, um, which is \$2.8 million...same park improvement package, the same sports field package, and bond issuance numbers. What got cut from the \$54 million was the contingency line that went from \$52 to \$54. So that got cut. And then some phasing.

PH: The dollars for contingency...the contingency percentages...and escalation...

LO: We still have a contingency, right?

PH: Oh yeah.

LO: At the 20% rate?

PH: They vary...so 15 to 20%...what we'll have trouble with is adds later on. Scope creep will be an issue...so. Well anything (unintelligible)...the other thing is, it's a minor one...bond issuance is the same but the bond insurance...the insurance underwriting...the bond is going down the tubes, and so our bond advisor suggested that what they're doing now is they're putting these insurance requirements on the buyer rather than on the seller. What that means to us is \$4 or \$500,000 dollars less, so that was just one of those....

LO: Probably (unintelligible)(unintelligible)

ET: Well, wouldn't that come back and bond interest rates....

Mostly unintelligible discussion with Paul and Ed about bond issuance.

PH: No, but it's apparently where we've gone, this is the bond insurance issue, how bond counsel is advising us right now...advising us to shift that over because of the cost of buying bond insurance (unintelligible)...this is what they're doing...so this is the advice we're getting (unintelligible)....

SL: So, bottom line we got to.....oh, I'm sorry...

PH: \$49.4.

SL: \$49.4.

PH: And then on the fees....

SL: So what that means is \$1.09 per thousand or \$18 dollars a month; \$219 per year based on a \$200,000 home. (unintelligible question asked) right... assessed. Okay?

JH: You know, when we put this assessed value in there, we should also make a statement, or an approximate market value of...I'm not kidding you, that would solve a lot of problems in (unintelligible)...

ET: No, I think that's too scary. I'm not goin' there...

BBR: You can't...market isn't tied to AV anymore at all.

JH: I understand that but nobody...

ET: But it's not a uniform difference.

JH: It isn't...OK...it's just that conversation right there...we're all getting into it..

PH: It's about 54%, AV's about 54% on average.

(unintelligible conversation)

PH: I got a call at 4:45pm today about that very question...

LO: Sorry?

PH: I had today at 4:45, I'm trying to leave the office and come here and....

JH: Maybe a little asterisk at the bottom with a little note at the bottom to look at your statement...your tax bill...and it's about 54%...something to help people...

LO: Time out...you're in the public information...so someone just take a note...in the public information...you could say in the outreach...AV is 54% of the market value...that's a true statement...so...that's a good point but let's not belabor this.

DM: Paul, I just keep checking...so is that actually would make this the single most expensive bond measure we are paying on...(unintelligible)I have no doubt it would be....

SL: Alright, so the operating costs for that...

LO: Put that in context...you're paying a dollar to the school district...you're paying a dollar to TVF&R...

DM: Well, they're not bonds....but they're different....

LO: It's a check that you gotta write in terms of a rate that's assessed. So, it might not be the single largest...but by nine cents.

PH: So we're talking about the fee now?

SL: Okay, so the operating costs for that are \$1.3 million; park maintenance fee is now \$9.14 per residential unit; that's all multi-family...that's per, that's the door. And then business is sixty-five cents per employee capped at 100 employees and exempting fitness oriented businesses.

LO: OK, so, we went from \$13 dollars....to...\$15...

SL: \$15...

PH: And the other significant thing was the 100...

LO: So...how much of that is made up of business side....

PH: 13% of the total.

LO: When we raised the business side, we reduced the residential side, was it a wash?

PH: There are other...there are three primary things and some minor things. The three primary things are...we had the per door by population broken down, different population as for single family versus multi family. So if you have a front door and averaging, the same thing.

LO: And that made the total collection go up?

SL: Down...

PH: That reduced the amount.

SL: It reduced the amount...the \$9 from \$15.

CB: We can always keep the collections around the same.....?

LO: That's my point...it made the collection per dollar go up...because you've got the same collection, fewer dollars...

CB: You're able to divide it.

PH: It caused the rate to drop by a set amount...

LO: Without reducing collection by the same amount.

PH: Correct, it's just spreading it differently. The second piece was there was a \$100,000...the second piece was the sixty-five cents per business and the...ah...businesses will contribute a \$160,000 and the residents will contribute \$1.1 million....(unintelligible). So it's relatively....and then the third and biggest thing is that there was a \$100,000 a year being collected that will be spent on...remember how that....so we threw that out...no payment...

LO: So the total now...annual collections at \$9.14 is based upon...how much different than the total collection is in the (unintelligible)...

PH: I think the difference is about \$400,000...we're about \$1.336 and it was about \$1.7.

LO: A hundred of that is the other stuff...what is (unintelligible)....

PH: The numbers I said, and some minor things....I have a little cheat sheet....

LO: I don't need the....my question....let me rephrase the question...what isn't going to get done

PH: A hundred thousand dollars for annual (unintelligible)....

LO: That's it? Cause we went down to \$400...

PH: Right.

LO: The other \$300 was what?

SL: Some recalculation of program, or of things in the community center.

PH: Oh, I'm sorry...there were...

LO: That's substantial.... other factors...there were...remember the night I was saying...oh I think that's a mistake on the cutting recreation staff? Well, it wasn't...I just couldn't remember what the concept was. It was...first, we have an adequate number in the budget. It's still above the initial level recommend by the consultant...so those dollars and with the...we applied that money to the maintenance fee...that was another part of that transfer of the...

LO: Okay we can do this off-line...what I'm worried is...we had \$1.75 million...\$100 of it we're not going to bring in...so now we're down to like \$1.6. Then we go from \$1.6 to \$1.3...we drop \$300...that's almost 20% in collection...I just want what is it we're gonna done with that...don't need to know right now...tomorrow's fine.

PH: blah, blah.

SL: So that's the cost...we've got some information about implementation, the schedule...so this would be the implementation schedule.

JH: One thing I've been wanting to say is that it went down but user fees went up some?

PH: Well, we added 10% on the user fee...that was another one.

LO: I don't need to know at this moment...I just want to be able to go to sleep knowing we're not shorting ourselves 20% of what we need...that's all.

PH: No, there were a lot of fractions is what it came down to. We'll send that out.

SL: So that's the gist of the money part of it. I don't know if want to go through the rest of it or wait for later in the night...but that's the extent of what's changed.

LO: So what does that do from the standpoint of the Council's interest in putting this on the ballot?

JH: I'm the one that sort of prompted this and when you read the study and we went down 54% when the maintenance fee went \$9 to \$15 we lost 4% of the voters...ummm...that was big to me. And with gas going up and groceries and all of that, I want to see that maintenance fee get down to \$9. And the \$9 was just picked out of the air by Sherilyn and Paul was able to get it down there without really reducing anything. So, the study would hold true at what, 58% around in there with the \$9 fee. I also like the idea of trying to pare down the whole measure without cutting the heart out of anything...just do a bunch of trimming on it. And Paul didn't. Well, he did one thing. He cut off the roof of the community center...the outdoor roof over the basketball courts. That was the only thing...and that was a substantial number. Anyways, got it under \$50 million. I think it just...we can advertise it better. With the way it is...every percentage of voters we can pick up I support right now.

DM: Um...this doesn't change my mind from my previous issues. And I've talked to some of you about my intentions tonight and I had a conversation with Sherilyn that I want to just discuss here about whether or not it is an option for me to abstain.

LO: You're elected to do...you do what you think is best.

DM: Well, there was a question as to...the question was...don't you have to have a conflict to abstain. Well, here you go...um...I looked up the definition of abstention. The definition on Wikipedia sort of makes my point: an abstention may be used to indicate mild disapproval. It does not rise to the level of active opposition. Is there an updated estimate on the cost for user fees for individuals versus families.

PH: Yes, it's in the report...

DM: It is in the report? I was looking for that.

PH: Go to...appendix...you kind of have to...appendix a, number 4, then look at that fourth. Do you see that schedule? Page 132.

MB: While you guys are looking at that, I just...went home that day after kind of going through it all and I just felt that we're all kind of spread out and getting to the point where we ...I think this is a good way to do it.

JH: I think we can actually market it because you got that \$385 a year for a...oh, no, a family is \$660 a year...um...divide that by 12 and then you take the...yeah...and so...for my family, I'm at, how much do you think? And I can't go to 24-hour fitness with my family and enjoy all the sporting field opportunities and the trails...you know...it's a winner.

LO: Okay, any other comments? Questions? Okay...let's go through the (conversation moved to the next item on the work session agenda).

End

VERBATIM Transcript from portions of the June 23, 2008 Council Meeting

C. Citizen Comments:

Marc Weinstein: My comments are for the bond measure, based on what I've heard it's going to be some hours before...

LO: Well, I don't know how long the hearing's going to go on the ordinance but ahh...

MW: I don't know if Council would consider letting me make my comments at this time.

LO: If you can't stay, I'll take them now. Reason we do them during the hearing so they can a) be part of the record and...

MW: I'll make my comments now.

LO: Okay, very good. Appreciate your input.

MW: My name is Marc Weinstein. My family and I lived at (address) here in Tualatin, Oregon and I'm here to speak to the Council about the \$49.4 million dollar general bond park and recreation facility bond that this Council is considering. And to express my concerns about the bond. My first concern about the bond is the sheer cost of the bond. It's my understanding of the current bond structure that the average Tualatin family who owns property in a home with an assessed value of \$200,000 will be paying an additional \$218 a year in taxes. On top of that they'll be paying an additional \$109.68 in other maintenance assessments for a total of \$327.68 a year. This will only give those Tualatin families access to the improved trails and parks but will not give them access to the community center which comprises 75% of this bond cost. In order for the Tualatin family to have access to that community center, they'll need to come up with what is proposed...projected to be a \$50 family membership. Costing them another \$600 a year. In other words, the average Tualatin family in order to get full value out of this bond measure will have to come up with an additional \$927.68 a year. This coming at a time of great economic uncertainty, skyrocketing fuel costs and

increased in consumer good prices. This cost in this economic climate is a hard pill to swallow. My second concern over this bond measure is the manner in which it's being presented to the citizens of Tualatin as an all or nothing bond measure. While it is being couched as a general park and recreation facilities bond, it must be understood that it is covering projects as divergent as trail and parks improvements to the building of what many us consider a pure luxury item and a recreation facility. Which comprises 75% of the cost of this bond. By the Council presenting it to the voters as an all or nothing bond measure, forcing citizens of Tualatin to either pay the cost of all of it or get nothing, rather than giving them the option of setting their own priorities and making their own individual decisions on what they are or aren't willing to pay for from these very divergent projects is robbing the citizens of Tualatin of their autonomy. And when this is coupled with the fact that there is no real economic benefit to building a community center at the same time you are improving trails, it just strikes me as poor public policy and an inappropriate way to go about it. I'd ask this Council to consider setting these projects into individual bonds and giving the citizens of Tualatin the authority and autonomy to vote for these projects on an individual basis and let them decide which of these they prioritize enough to be willing to pay for at this time in this economic climate. Thank you.

GENERAL BUSINESS:

Calling an election to submit a general obligation bond authorization to the voters

LO: So we're on G1 now...moving backwards on the agenda.

SL: So what you see in front of you is a move to bring all of the ad hoc committee members forward (the ones that are here). Paul, could you pull the PowerPoint up?

LO: So I don't know that this is a public hearing per se...I think it's for Council to consider this resolution, but I absolutely am interested in anyone who would like to make comment, you know, both in support and in opposition in order to register questions and concerns. So, anyone who would be prepared to have that sort of input that would be appreciated and let the record show for the purpose of being respectful that Mr. Weinstein was here earlier and made his comments and concerns and in fact a recommendation on a different approach to the bond measure. So we have that as part of our testimony relative to this resolution. So, with that...

SL: I'd like to start out by introducing the ad hoc committee members that are here tonight. If you wouldn't mind going around and giving your name and who you represented as part of the ad hoc committee. Why don't we start over here:

- John Medvec and I'm citizen on the ad hoc committee and I'm also a member of the Tualatin Organization of Sports.
- Connie Ledbetter and I was the Tualatin Tomorrow
- Katie Ogden co-chair of the Tualatin Youth Advisory Council.

- Sammy Brudvig and I was on the Tualatin Youth Advisory Council but I graduated.
- I'm Bill Holly and I represent TPARK
- Joe Lipscomb. I'm a resident and also represent the senior center complex.
- I'm Lindy Hughes, also a resident and I'm representing the Tualatin Historical Society.
- Travis Dunford. Chairman of the TPARK and I was also on the ad hoc committee and a resident as well.
- Alaina Hahn and I'm on the Tualatin Youth Advisory Council.

SL: And then the staff that have very hard on this...and I'll talk a little bit about that. We have, of course Paul Hennon and Carl Switzer sitting back there has worked very hard. Matt Hastie who was Cogan Owens Cogan before he made a switch, but he's still with our project. Just to give a little background on the project purpose. It started a long time ago, but in current history, Tualatin Tomorrow visioning really was the impetus and created the momentum for this and it came up a number of times in Tualatin Tomorrow. Then in November the City Council went on their annual fall retreat and as an entire group were supportive of exploring additional opportunities for parks and recreation. So, since then, staff and others have been engaged in this study. The skeleton of the study that we started with was to look at a general obligation bond, looking at November 08 and considering the funding associated with that...the operation funding, so park maintenance utility fee and user fees for the community center. So that's kind of where we started November, December and January. As part of the process, the Council appointed a 20-member ad hoc committee representing key stakeholder groups. Many of them are represented here tonight – sports groups, advisory committees, community members, Tualatin Tomorrow. Three Council members were involved in the ad hoc committee including Monique Beikman, Jay Harris and Chris Barhyte. And then we held a number of work sessions and special study sessions on this for the council. So the Council has been very involved since the very beginning. Over the course of the last six months, we started with a rather large all-inclusive package. We did extensive work on scoping the projects and the maintenance aspects and the operating analysis. We developed and refined alternative packages. We evaluated the park maintenance utility fee for the new and existing facilities. And then did three public opinion surveys. In January we tested the concept and saw out of that solid support for the concept and continuing on in the process. In May we tested three specific packages plus the concept of the maintenance fee. We saw solid support for the capital and less than solid support for the maintenance fee. We went back at the end of May and tested the one package that was identified by the Council as kind of the final package plus the maintenance fee together and saw 54% support for that total package. So what's in the package today? A community center which is about 70,000 square feet. Indoor recreation community and gathering places. The site is to be determined after the election...so we don't have a site specified at this point but we do have alternatives for a site. Trails for pedestrian and bikes that would connect the Tualatin River Greenway between Browns Ferry Park and Community Park as well as a couple of other trail opportunities. Park improvements at Atfalati,

Browns Ferry, and Lafky and sports fields improvements at the city parks at Jurgens Park and Community Park and then at the new Tualatin Elementary School, the High School and Hazelbrook. The map you see there, the T indicates trails; P indicates park improvements; and F indicates sports fields so you can see that it is dispersed around the city pretty evenly. So the package as described comes to \$49.4 million dollars and it's broken down behind me. The largest chunk is the community center and included in that is bond issuance costs associated with this. To fund the construction of these improvements we are looking at a general obligation bond for the \$49.4 million dollars. We'd be looking at \$1.09 per \$1,000 of taxable assessed valuation. There is a difference between assessed valuation and real market value. The latest data we have available for 2007; our average assessed value is around the \$200,000 mark and our average real market value is around the \$400,000 mark and we've got actual data that shows that so if you have questions about it. So the average homeowner at about \$200,000 assessed valuation would pay \$18 per month or \$219 a year in property taxes. Because we don't want to build something we can't run and operate it is important to look at operating costs and the Council was prudent to make sure to give us that direction to do that. For the package described, we are looking at \$1.3 million in operating costs and to fund that we'd be looking at a park maintenance utility fee. And that would look like \$9.14 per month per door. So if you have a front door, you would \$9.14 per month on your utility bill. And businesses would pay \$0.65 per employee per month capped at 100 employees and we would exempt fitness oriented business such as ClubSport, 24-hour fitness. In addition, user fees would be part of the community center. The pro forma was based on something similar to the Y in Sherwood with residents paying about 35% less than non-residents. To give you a sense of the scheduling should it achieve over 50% support in November. Election day is November 4th look at operating costs and the Council was prudent to make sure to give us that direction to do that. For the package described, we are looking at \$1.3 million in operating costs and to fund that we'd be looking at a park maintenance utility fee. And that would look like \$9.14 per month per door. So if you have a front door, you would \$9.14 per month on your utility bill. And businesses would pay \$0.65 per employee per month capped at 100 employees and we would exempt fitness oriented business such as Club Sport, 24-hour fitness. In addition, user fees would be part of the community center. The pro forma was based on something similar to the Y in Sherwood with residents paying about 35% less than non-residents. To give you a sense of the scheduling should it achieve over 50% support in November. Election day is November 4th then we would look at implementing the dog park starting in summer 2009; it would be ready; then moving to the Tualatin High School artificial sports field which would be ready late fall 2009 for that sports season. The trails, parks and other sports fields in fall 2010 and then finally the community center in 2012. So the next steps – we're happy to take questions and have the ad hoc committee speak to this as they wish and then we have a resolution included in your package that would basically place it on the ballot on November 4th. We'd file that post haste assuming you approved the resolution and then move forward through the summer with a public information package. Is there anything else you want to add Paul?

PH: Just that all of these projects are consistent with the Parks & Recreation Master Plan and other related planning documents.

LO: Anyone else here to make comment?

Connie Ledbetter: I live at *(address)* and I'm here representing as I said the Tualatin Tomorrow group and during the initial phase for the visioning process for the Tualatin Tomorrow group. As you all know, there was broad-based community support for this. A lot of people had mixed together the social services aspect and the recreation center and were calling things the same thing. So part of what we did was separate out those two things and to put all of the social services things in one part of the Tualatin Tomorrow focus area – Health, Safety and Social Services. And all the recreation in the Parks, Recreation & Natural Area section. So that we were able to see exactly what was really happening. And there were a lot of people who were strong proponents of having a recreational center. It is one service that we do not offer in Tualatin and that people have to go outside of our city to swim and to recreate. We have very few services in our city for very young people and we know that's something we are short on. And we don't have a way for our elderly residents to interact with our young people and I believe that a recreation center would do that too. So, the Tualatin Tomorrow group in our last month's meeting they gave a mandate for continuing with the process – strong support and so I hit them up for money to run the political campaign. So we're ready and we want to see this happen now.

Bill Holly: I live at *(address)* and as a member of the TPARK advisory committee I do want to echo what Paul said that this is a package that very much mirrors what we have as our long term and short term goals for the parks. One of things we've been battling, having been on that advisory committee for three years is that there is no dedicated funding source for any of our goals. A perfect example of that is how much trouble we've had with citing the dog park. Didn't have money to buy one or even build a fence. I really want to emphasize to the public, because I think all you Councilors are aware that this is exactly what we've been looking at for a long period of time. It's been brought to the surface and reinforced by Tualatin Tomorrow but clearly this is a long term effort for citizens of this community and I wholeheartedly support it and am delighted that the trails are being as well funded as they are. Thank you.

John Medvic: *(address)* in Tualatin. I am a citizen member of the ad hoc committee and it was very good process that we followed – it was a long process. Everybody came to the committee with varying ideas and a relatively large wish-list and we went back and forth over a long period of time to kind of whittle that down and I think that this measure represents the best compromise of all parties involved and I think that everybody recognizes that this is a step on the way towards getting the things that each group really wants and I think that will kind of make Tualatin the kind of community we all want it to be. And I think that this is an important part of the process – an important step in getting there. So I would support the Council approving this resolution and putting it before the voters in November.

Joe Lipscomb: *(address)*.

LO: You're on the Tualatin Youth Advisory Council?

JL: Yes. I represent the senior center and the steering committee of the senior center and I represented them through the visioning process and we are strongly in support of the community center aspect and the walking trails system aspect of these four things that you are considering. The concern that we have is time. The community center will probably be 2012 or 2013 when we get done with this if we get on the November ballot. The population of the adult community by all projections is doubling and so we need the facility for wellness, fitness, the health-related issues that we cannot accommodate today in our complex and the community center would offer that. Thank you and we hope that you adopt this. We'd like to see it on the ballot in November.

LO: Not being far from your age, I'd have to say that when you said that your concern is about time, you're not concerned that seniors won't be around long enough to enjoy it, but rather it's not like on your bucket list.

JL: You have to have a long outlook on life about this you know.

LO: Anyone else? Oh good, come on.

Travis Dunford: *(address)* I didn't participate a lot in the Tualatin Tomorrow visioning process although I got a lot of emails and followed a lot of the process and then being part of TPARK, seeing how a lot of that went and there's a lot of public involvement in the process and seeing the ad hoc committee do, you know, come together with a package that we got is pretty aggressive and as John said, very tight compromised packages, well put together and the three feasibility studies showed strong support and me personally, I used to live in the in Rock Creek area and used Tualatin Hills a lot when I was there for my children and myself. I think that something like this in a central city that we have here...you got West Linn, Lake Oswego, Tigard, Wilsonville surrounding us, so you're gonna have a lot of out of resident participants and I think you can have a lot of strong support beyond just our community – the larger community. Just wanted to show my support and I think we should go forward with this. I think it's going to turn out to be a lot bigger than we expected and a lot better deal...so.

Alaina Hahn: *(address)* and I was on Tualatin Tomorrow and I'm a big supporter of the community center especially because we have the teen programs that are run through the city but we don't really have anything for kids younger than middle school and we don't really have anything for sophomores, juniors and seniors at the high school because at a certain point you get a little bit too old to do the teen program but you still want to have some where to go; you still want to be active and you still want to be able to go and have fun and I think that the community center is going to give us a chance to have that which we really don't have. I mean we have the skate park; we have the parks but we don't have a swimming pool; we don't anything where all the teens can get together and hang out and I think this community center is something that will really allow us to do that. Especially during the summer. So...

LO: I think you brought the whole choir. I really appreciate you coming and doing that. In all sincerity would like anyone who would like to register any not-so-complimentary comments, not to be intimidated by this group here that is sort of buttressed themselves here against in taking up the entire table and aisleway. Seriously, this is a process for different points of view and so if there's anyone who has concerns, questions or outright opposition, we had one gentleman come earlier today and talk about it ought to be broken into smaller chunks so the voters could vote on the individual components. I'd like in a moment someone to address that question, but is there anyone here who would like to make comment about concerns, size, scope, cost? Please, come on up. These guys will be nice here I promise. Just don't use your real address.

Bryan Dockter: (*address*) I was just brought aware to the bond measure last week. Donna was kind enough to attend our homeowner association meeting and I was shocked to be aware that it was on there. I did participate in some of the community events in October and November. I wasn't on the right committee evidently. I was...kind of to mirror what the other gentleman had said before me, um, I feel very fortunate to live where I do. I love the neighborhood I'm in and I'm there because I was able to be disciplined and save the money to be there. Here's my property tax bill. I'm a homeowner, but in essence I feel like a renter at times because if I don't pay this \$5,000 rent to the Washington County and the City of Tualatin, all the other bond measures that have already been passed on here, I will soon get evicted from my home. So I'm an owner and a renter, so anytime you talk about raising my rent or my mortgage payment, I'm concerned. The aspect that really concerned me was that this was all lumped together and I don't quite understand why. I would be an advocate for all of the above with the exception of the community center. I'm concerned with that because there would be a lot of out of resident participation, this is true and talking to some of my neighbors, they feel pretty much the same way I do thus far. With a lot of out of city participation, we're still paying for their luxury. I understand they will have monthly dues, but we're still gonna have monthly dues attached to either our water bill or perhaps to a monthly due if we want to be a member of that, in addition to what we're gonna pay yearly on this bond measure. The trails, the park improvements, the sports fields – we're in dire need of sports fields. I live in a cul-de-sac of 16 houses and there's 24 kids under the age of 10 so there's a lot of kids in our neighborhood. T-ball just ended, or baseball did – I think everyone who was old enough to run was on a baseball team, so definitely not against it, but if I wanted to be a member of the community center and my property taxes were raised, it would be about a \$1,100 to \$1,200 increase for me, which is about an extra mortgage payment. Like I said before, I live in the neighborhood I do, not because I have a lot of money but because I'm financially disciplined and an extra mortgage payment a year would pay off my mortgage 7 to 8 years early. So I think of things like that before I check yes on a bond measure. So I at least wanted that to be brought up and I hope I didn't upset all of you guys here. My biggest question is why are they all lumped together cause I think if it was put all together you would get yeahs on all of them and a big fat ney on the community center. That's my assumption, I could be wrong, but I think that's probably accurate.

LO: That's a fair question, we'll address it because Marc brought it up as well. Thanks Bryan. Anyone else have concerns, questions, and you know

recognizing, I mean I just want it to be clear because we've got 12 people here from the ad hoc committee that were in favor and 2 people that have come down to express concerns doesn't necessarily mean that's the balance of proportion in the community, or more likely, the balanced proportion of awareness, cause like you just said, you just found out about this yesterday, last week. The reason being is that there's been only a little bit of news publication cause this has been in the developmental stages other than the statistically valid survey, so if something is put on the ballot, there will be a huge public outreach to make people aware of the details and the facts so they can vote objectively. But, ah, anyone else to make comment? Let's have staff, Paul, Sherilyn, someone, respond to the question that's been brought up about why is there one ballot question and not a series of ballot questions.

PH: *something unintelligible – can't hear.*

JH: I've got a question of staff...when you go back to the surveys...the three surveys that were done, um, could you tell me, in percentages, how the facilities rated? I know we combined them but the survey, if I recall, the community center rated lower out of all the...rated the highest...

LO: In the staff report...page 195 of the actual packet...it's page 7 of the staff report.

JH: So I guess what my comment was, if I recall all of them were rating about the same.

SL: Page 197 if you look at that one, that's where it broke it apart.

LO: And 197 shows which one was ranked number one.

JH: So for people at home...we have a large viewing audience...on 197 it shows that the community center had 29% support; trails and pathways at 25%, parks and playgrounds at 15%. You guys might want to amplify on that because you were deeper into this study than we were.

LO: Let me point out, if I can cut across you...the community center at 29%...that doesn't mean that only 29% of the people wanted a community center, in fact, 62% wanted it. It says that 29% rated the community center as the #1 thing. 25% rated trails and parks as their #1 thing. That doesn't mean that they didn't want two or more things. So just be clear on that.

JH: Correct and that's what I was trying to point out was we had some separate polling and then we had combined polling and if you guys can amplify on that for a moment...just show...because that helps in my decision-making process of why we're not combining them or why we do combine the whole thing.

Matt Hastie: I was just going to also note that in a couple of different...we did three surveys...all three of them showed some mutually reinforcing results and the community center as I think people noted already consistently showed up as either the highest or

one of the two highest rated types of improvements in each survey that we did and so...and then the other thing to note is that typically in a measure like this, combining things does increase the overall support. In this case, the community center alone at substantially lower cost per household than the package rated just a little bit higher but you still had 62% when you increased the cost for folks but added in the additional improvement to parks, trails and sports fields. But typically, combining things is a way actually to increase overall community support because as people said, for some people it's trails that are most important, for others it's sports fields, for others it's the community center so it's actually an effective way in terms of supporting the overall set of improvements. And in terms of just procedurally, it's a lot more cost effective to do it in a combined way than a series of separate measures.

JH: The last bond measure Paul that we put out for the library and the park improvements, can you recall, I don't have those numbers at the tip of my tongue, but the library was an amount and the parks were an amount. I guess where I'm getting is the community center was 39 million and then the other improvements to the parks and trails and that sort you know added up to get us up to \$49. The last measure though with the library and the parks, what were some of the rough numbers on that?

PH: The bond measure was about \$8 million; the park improvements were just under \$4 million and the library was just over \$4 million but remember how the library also had an urban renewal contribution of about \$5 million so it was \$3.8 on parks the last time. And this time currently, the community center is at about \$37 million. It was at \$39 million earlier.

JH: What was the total library cost once we went through all the economic turmoil and the urban renewal and all that?

PH: About \$9.3 million or so off the top of my head.

JH: Total with urban renewal and with the bond? And then how much was the parks part of that measure again?

PH: It was I believe \$3.7 million.

JH: Okay, so it was large in proportion to the total measure then? The physical improvements that we make to a structure...are large portion...library versus parks. Okay, thank you.

Bryan Dockter: The original estimate for the tram downtown was \$17 million and it came in at \$53 million because of commodities and there's no sign of commodities slowing down so I at least want that to be taken into consideration. And once you get...commit to these things you can't back down so what kind of commitment are we making for the whole package deal, again?

JH: And I can answer that in part, I mean we ran into the same problem with the library as you all recall, that we needed some funding because steel prices and

concrete went way up. We went and changed our urban renewal plan somewhat and were able to find additional funding to purchase the library. Paul, could you answer the question about contingencies that you have? I'm assuming the parks and trail improvements don't require as high of a level of contingency as a building but could you amplify on that a little bit?

PH: Sure, the issue is escalation. Today's price if you are bidding it a year and a half from now, they bid based on what they believe the price will be at about the mid point of construction, so we have anticipated escalation and have that built in. These are not today's costs, these are the amount of dollars we will need to build it on the schedule that we have shown. You referenced the library increases and those were partly...I mean there were significantly due to the fact that there was a delay in the schedule in implementation of the project so there was a vote and there was a delay and during that delay, which was not planned in terms of the escalation, prices went up. That got compounded by the steel and concrete issue so I guess the numbers we are using for escalation are in the 15-20% in terms of contingencies...I'm sorry, we've got contingencies built in that are in the 15-20% mark and we're using I believe it's 4% a year...5% a year on escalation so...and that's compounded twice in terms of the schedule. And we have had architects from Opsis Architecture assist with...they've prepared these numbers essentially and on the park and recreation facilities, a) they're a lot less money so a change doesn't have the same impact and b) we have quite a bit more experience in managing the construction of those kinds of facilities and we're pretty confident in the numbers on that side as we are with the larger, but we are relying a lot on the advice from the architect and consultants on that. And they have recently built other similar facilities that have come in within their dollars.

LO: Other questions?

DM: Question, I'm not sure who might have the answer...other county or local bond measures we might see on the ballot for the November ballot? So will there be competing bond measures or tax increases out there on the local level?

SL: I do have that sheet but it's in my office...Portland Community College has a capital bond measure on the November 08 ballot; the School District has a renewal of their local operating levy on the November 08; TVF&R, the fire district has a renewal of their local operating levy in November 08; and Washington County took their MSTIP off so that's not a part of November 08.

PH: I think that Metro Zoo is in there for...Carina are you here – do you recall that? Clackamas County has got an extension services district...also a new library district proposal...I think that's the ones we know of.

JH: I got a couple of questions...when you say renewal...that's not a new tax, that's a levy that's just being renewed for another four years...so when you look at your tax bill that's part of the taxes you are already paying right now.

- SL: Yes, those are the renewals of the current operating levy for the school and TVF&R. Portland Community College is actually a new capital bond measure that would be an increase.
- JH: You mentioned the Clackamas County Libraries, we're out of that.
- SL: We're not part of that district.
- PH: You're right...Tualatin opted out on that and on the school district local option levy, in 2004 when we had the park and recreation and library measure on the ballot that's when they previously renewed that local option, so both measures were on the ballot then and in 2000 I believe was when they started the first time around for the local option and the Tigard Library was on the same ballot and they were renewed each time and the other city measures were successful.
- LO: Questions? Please.
- ET: What are the pros and cons of breaking this into its component pieces and putting it on the ballot that way?
- SL: Are you asking what are the pros and cons of having multiple ballot measures this fall?
- ET: For this measure? You know, we've heard two suggestions tonight, which sound to me like not totally unreasonable ideas. Broken out and put separately in separate bond measures on the ballot. So I just want to have a discussion about the pros and cons of that.
- PH: I'll take a stab at that...it's a little more speculative as we did not survey that scenario so we're looking at people's opinions here. My guess is that it would fragment the vote. If you had the opportunity to vote on as many as you wish...I guess we've never looked at how to do that...I suppose if you could vote on as many as you wish, not only one it wouldn't necessarily fragment it the same way.
- ET: My question is...put them all on there...okay. So what are the pros and cons of putting them all on there and I can go down the list and I can pick the rec center and I can pick the sports fields. I can check them all off and vote yes on all of them...okay...or I could say, I really like the sports fields but I'm tired of the trails and I want a rec center so I'm going to vote on two out of three.
- PH: Brenda, you might think about this, I'm not sure how to do...if you can have multiple questions on one measure...
- ET: No, no, no. It's not one measure...it's three or four separate measures for each separate thing.
- PH: Let me go back to my first statement about I think it would fragment the vote.

SL: To Matt's question...and he may have some other comments on it...but the cost of issuance of bonds...if we broke it apart in four ways...we would pay...I don't know that...I think having it as one bond measure, you have one issuance cost and if you broke it up separately, you might...you can get some economies of scale...but if you break it up into a \$30 million and an \$11 million dollar and a \$9 million dollar, I think you have different issuance costs for those.

PH: To be able to bundle those ultimately if they were on the same schedule. You know one thing that I think would happen is that it would be, divisive as people are, I want mine and you want yours and now it's divisive as opposed to uniting. I hear that sometimes on the committee with people not getting as much of one element as they are interested in and of course, want a different element that they value less to not be funded or funded at a lower level. I'm thinking that could be one of the impacts.

Matt Hastie: I'm gonna say just a couple of quick things. One, I think based on the survey results, particularly the second survey result, that you would have a greater chance of not getting most or all of those things passed if you split them up than if you keep them together. I think you see that again, when we polled on the second survey on a community center only, versus a community center plus a whole series of additional improvements, there was another \$16 million dollars worth of additional improvements, so, there was only a 2% difference in the amount of support for community center only versus community center plus another \$16 million worth of improvements. That sort of says to me that you're gonna get more support for them as a package than...and you're probably not going to get enough support for some of those individual things in that package if you split them up. I think you would have a greater chance that some of the individual things would not pass. Two, I think at some point, you are going to run into some voter fatigue when you see that many different things on a ballot. So I would just personally be a little bit concerned about that potential voter fatigue with multiple funding measures on there even though they're for somewhat similar types of facilities. Those are a couple of issues I would be thinking about in terms of splitting them up.

PH: On the positive of course, it would cost less. So you'd have an overall lower cost and depending on what passed or didn't pass, that maintenance fee could go down. The bulk of the maintenance fee is towards the community center; I think it's something like 75% of it or so is associated with that. So if that's what people wanted and that was the only thing that they wanted, you'd still have \$9 minus 25% would be that maintenance fee and the capital would drop by...the capital side would go from \$38 million instead of \$49 million. But if the community center didn't go then the numbers would drop down substantially more so that would be...if you didn't want to be paying, that would be a real benefit, or be viewed that way. On the flip side, I think it would be a lot less responsive to the Tualatin Tomorrow visioning process. I think about why are we doing this now? From a work load standpoint, where'd it come from? And it came out of the community. So if you deliver up a package something like this, responding right across the board in terms of the park and recreation area, if it divided up, then there'd be some unfinished business to get back to at another time.

LO: Other questions?

PH: Relating to the community center...it needs to sit on land, so there's a major issue there in terms of the availability of land. That would be a potential issue if land opportunities went away that are present today. Certainly, historically, the cost of everything has gone up, so build it later and we'll be spending more than today. But the availability of land is a factor. It's a limited supply right now as you are aware.

MB: How long has a community center been in the master plan and how many times have you done a feasibility study and not gone out to a bond?

LO: Once.

PH: Well, it's been in the parks and recreation master plan for over 20 years. We have done I believe, I can recall one we did with Lake Oswego, we did another one and we did this one. So four times. With the Lake Oswego joint facility, that was around 1992 and the city tax base system failed and so that one we just walked away from that project at that time. I think the very first time...we're looking at the 1980's, that led to going to the ballot and people voted to build on land that had already been acquired with a previous levy and that's what built Ibach Park, Brown's Ferry Park and Atfalati Park. The community center was there – it was the next one on the list, but they just drew a line, and another time it did make it to the ballot, twice I believe, 1994/1995 and it failed. It lost by like 47 votes on the first one and on the second vote...the very first ballot...you wouldn't even want to know what the price was at the time compared to this today but...for the same type of facility...but it was a very close vote – the Council said let's put it back out. There was...it was a mixed recreation center and city offices complex and the city offices complex had some kind of scoping issue and it was a couple of million dollars more by the time it made it to the ballot and it failed substantially. There was some opposition that was generated for the recreation center and the price went up by almost \$2 million for the whole two buildings. And people at time wanted to divide them but the Council didn't do that at the time. So I guess, most of the studies have led to the ballot. The one with Lake Oswego, the joint partnering, the city had to lay off employees due to the failed tax base and it wasn't the right time to even be dealing with it so it was set aside for about 3 or 4 years.

LO: Other questions from Council? Let me just really quickly summarize. Some of the questions that have been addressed. Why are we doing this? And what is the role of the ad hoc committee – how did the folks get on that committee? Let me just tell you the process as I saw it and see if that has some sense of reality. Largely from the information that came out of Tualatin Tomorrow process as has already been indicated by Councilor Beikman, there were issues of priority that the community moved forward. The Council took that information and had a discussion about should we really pursue this or not. And the answer was, I don't know, why don't we ask the community. The Tualatin Tomorrow people were

self-selected largely. It was through a lot of outreach process but in many cases those who chose to be part of the process. Let's go out and do a statistically valid survey to find out what the community really thinks and that was shortly after the first of the year, I can't tell you the month, but I think February and what came back, frankly to my surprise was a pretty strong support, like in the 2/3rd kind of range for a community center and for some of the other upgrades. Because there was a check-in again with the community, not with advocates, not with this committee, which didn't exist, or the parks people, or the athletics people, a statistically valid survey, because we wanted to find out what the community thought, there was pretty broad support for this issue. So based upon that, the Council said, okay, looks like the community is interested in something, we need to have some body determine what that something is. And so one option would be to have Councilor Barhyte and Councilor Maddux work on it, the other option was to go out and get the folks who are really interested in this kind of stuff, not the experts, but the users and say okay, if there was a package before you, what might it look like. So that's when you bring in the advocates, that's when you bring in the senior center and the ball field people and the youth advisory and the parks advisory and all them and say, if we put a package together, what does it look like. And that's how this thing got developed as it is. So it's, yes, a product of the advocates, but at sort of the permission of the broad community based upon the level of positive response in the survey. Then we took that and said okay, this is now what it looks like and this is what it costs, go back again to the community broadly, not the advocates, not the users, but everybody randomly and say, do you really like this, or were you guys just really kidding the first time around. So what we got, again in May, a statistically valid positive response to the package that was presented. And the package was presented in its entirety but it also was asked, what if we just did this part or that part and so that's where the numbers from the survey came that there was more support for the community center than anything. And I think part of the argument for breaking out would that golly sakes, the community center's the most expensive piece in all regards so maybe we just take a pass on that and just go for the parks and fields and the survey information, again, not of the advocates or the people that are red-hot for the community center, but a random survey of everyone old, young and in the middle, voters only by the way, said that the community center was the highest single choice but a package together rated high enough to think that there was a likelihood of success. So basically my feeling on that is we've spent this amount of time and money based on the community saying we're in favor of this. To not present it back to them as the package that we surveyed and built would be saying well we don't really think that you're interested after all so whether I'm interested or not is irrelevant frankly and in my opinion, whether the rest of you are interested or not is irrelevant as much as what the community has said they are interested in. Now, with the caveat being that it is a lot of money and the economy is different today than it was yesterday than it was a week ago and a month ago and certainly than it was in May. So there will be pressures and the ballot, though it surveyed positively as late as late May, it may not be economically viable by November. But that's not for me to decide today, frankly. I think it's for me to facilitate giving the people a chance to vote on this and yes, we could break it into components, and there's a logic to doing that, but quite

honestly, we're this far along, what the ad hoc committee has created to present to the voters and what the voters we've tried on for size with our statistically valid surveys seems to support this package. And I gotta tell you that I believe what is said that...and this might sound counter democratic, with a small d, but why not give people the choice? Check off that one and that one and that one. There's no logical argument for not doing that, frankly. It's like you're going to a restaurant, you don't order everything on the menu, you pick what you want. The difference I think is that the opportunity to go back and return to that menu more often when you go out to dinner is higher than the ability to go out and return to a substantial ballot measure and that frankly, as Matt talked about fragmenting, it's just from the standpoint that because there are enough people that support different things, I think that they would appreciate amalgamating with others to get broad support. Now, like anything else, the Council has the ability if not the responsibility, to lay it out there for people to decide. I don't think we have the responsibility from this dais to advocate for or against to get people to vote for that, but there will be a number of people who will advocating for and probably some advocating against and that's the democratic process at work. By allowing multiple parties to come to the same ballot measure, you allow multiple people to advocate collectively and help the voters decide if that's what they want or not. And god knows if we're not smart enough to vote for a president without \$100 million being spent, we might not be smart enough to vote for a bond measure without somewhat advocating. And I say that tongue-in-cheek because obviously the voters are the most intelligent, but clearly the community process of advocating for or against is gonna have a lot more to do with this than what this Council decides, other than if they decide not to put it on the ballot. So, that's kind of the overview I've seen with our process and our role as facilitators to the community. I welcome any other comments.

JH: I'd like to mention somebody said about the menu approach about going into the restaurant...um...you know with these bond measures we're pretty much tied to every two years going out for things, so we only go to the restaurant every two years because of double majority, um, that's where 50% of the voters have to turn out and 50% of the people have to vote for it, um, getting the 50% turnout in our elections is problematic and we even mail in ballots now too, it's not that hard to do, but we don't ever get it, and the general election, fall election, you know, I think we don't have to worry about the 50% of the voters, but the problem is, is separating the packages out, we can't just go out in May and put out sports fields, and then in the fall put out some trails and that sort of thing. The Legislature has sort of limited our ability to separate 'em out because of the two-year process, so I wanted to point that out, and also the taxes, are we done, can I ask staff a question or we done?

LO: This is not quasi-judicial...

JH: When do you have taxes being levied, uh, to the people. We are in a downtime right now....when is the majority of the tax gonna be levied?

(pause)

SL: Don...

PH: Looking to see if Don is here, but I think the answer is December 2008...is the first interest payment.

(background - unintelligible)

DH: It would sell, right now the assumption is we would sell April 1, 2009, I'd have to look and see when the first (unintelligible) would be levying then in November '09...

PH: OK, selling the bonds isn't levying the tax though?

DH: Correct.

PH: So when, uh, when do you propose to levy the tax? For the majority of the amount of the center?

(pause, unintelligible)

JH: OK

LO: So, we levy in July?

(background - unintelligible)

PH: It'd be with the annual adoption of the budget in the fiscal year following the sale, so if it was sold in April of 2009, in June of 2009 the budget would be adopted for 09/10, and that would be the first year that the tax would come on, or....

LO: You would actually levy that in the fall, huh...when your property tax is due in November....yeah...

JH: And then the center will be open 2012, 2013?

PH: That's the spring of 2012 and that has some contingency built in to it.

JH: Obviously you need the money to go build the facility that's why you're levying the taxes in the fall of 2010 then? Is that correct...?

SL: 2009...

JH: 2009...OK, thank you.

PH: Well, people would either pay that in the lump there, or, I, for example, pay monthly...my taxes....

JH: And then for the assessed....the \$200,000 home, that's assessed value though, that isn't real market value. I noticed you pulled your taxes out early. You'd brought yours also (indicating to audience)....and uh, anyways, it looks like it's somewhere around \$30 a month....then for a house...that's the maintenance fee and the bond. So, if you choose not to use the facility there's user fees on top of that if you choose to use the facility. So if you didn't use the facility at all and your house was assessed at \$200,000, it's about \$18 plus \$9 for \$27 a month, OK, whether you use it or not. Then you can choose to be a yearly member or if you're just an adult you can get an adult pass and, that's all in the staff report...uh, which by the way is available on line for any of the public out there....then get on line and go look at this whole package. Is, is the current link under the Parks section...how do you get to that?

PH: On the front page of the City's website there's a logo that looks like this logo right here, and if you click right underneath that you'll go to a page that's got all of these...

JH: OK, so what we're looking at right now, you can get these documents on line then?

PH: Yes...I might indicate that your use...the cost to use the facilities is only...the user fees only would relate to the community center, so for the trails there's not a charge, for the park facilities there's not a charge. For the fields, by and large there's not a charge but if you're a non-resident group that wants to rent a field, and have lights, then you'll pay for that.

JH: OK, and then also non-residents are charged a 1/3 more? I know their still sort of part of the community as someone else had mentioned, but their gonna pay more because it's our center.

PH: Correct...about 35%.

JH: 35%....and so if you didn't want to buy the yearly pass, the adult is \$7 a day to use it...and the youth for the community center is \$5 a day. So if you chose just to show up a couple times a month, ya know, you can get out of the yearly fee, I guess is what I'm saying...you know so it's \$27 a month plus you go there a few days, you know and spend another \$30 a month for your family to go in...so I mean people could sort of work it whatever way it fits their budget, I guess is what I'm saying...OK, thank you.

LO: Respond real quickly to the question is...it's a very good question about fees, user fees and so on, cause it was brought up, if not by Bryan, by Marc. Question why would I want to pay taxes for someone else to come and use the facility. And it's a fair question, the question that came up before....first of all, surveying strongly supported user fees, so even...I mean the survey was asked would you be willing to pay this much in tax, would you be willing to pay this much in a month fee, and in addition to that it was asked what do you think about user fees....and so...it was...the cost of the bond....the cost of the maintenance fee

was supportive, it was a majority of people that supported that. Overwhelming majority supported user fees on top of that. But at the incremental increase for out-of-area folks, that 35%, relates very closely to what the underlying bond and maintenance fee cost is for someone that lives here, so it's like if you're coming from out-of-service area, out of tax district, and using it, you're paying the equivalent of the user fee, plus the tax base on that, very close. So you're not getting a free ride I guess is the point. And the fees were structured for that intention, so just to make that point clear.

SL: It's also a little unfair, I think, to say that you would have no community use of the community center....you would have to pay to have use of the community center. So the community center is designed, well as the concept is, that there would be community meeting space, and you wouldn't have to pay the user fee, the monthly pass to go to a community meeting or, that we put on, or the senior area for instance. If the, we'd have it designed to incorporate the senior center, and there would be some accommodation made for the, the teen center, the community center aspects, as opposed to the recreation center aspects. So, it's a multi-purpose facility that is much more, encompasses much more than just a recreation center that you would pay user fees for.

LO: So, to that point, as an example, today, if you sign your kids up in some sort of a youth program, under the current rec program, and they have it at Van Raden, or they have it, you know, out in the park or whatever, you pay for that, right, you pay a fee for that, for that program, whether it's a day long or whether it's three months long, true?

SL: Yes...

LO: So then if that program were done in a new community center, have you contemplated this at all....that a youth activity that's offered through the City of Tualatin, open to anyone, it happens to be staged out of the community center, you would pay a fee to go to that, you wouldn't have to pay...or would you have to pay the community center use fee on top of that...I mean would that be any different...you could participate in youth programs or any other programs that were offered through the Tualatin City Rec program that happen to be staged out of that facility, or would you have to pay the additional community fee on top of that...or have you thought that far. If you haven't I would consider the former as opposed to the latter.

SL: *(laughter)* My assumption is that we would...that, well it would certainly have a recreation center component, we could work our existing programs, perhaps out of it, like you described...

LO: That's what I'm suggesting....

SL: Like teen program, or there would be many other things. I mean we have community meeting space in there, we have the senior space, the teen space, so

there will be functions out of there that you don't have to show your monthly pass to participate...to be part of....

LO: Or pay the gate fee to get in the community center, and the pay your program fee for....

SL: I don't know that that's worked into the pro forma and we haven't actually talked about it, but I can't imagine it being otherwise, and I'm going to just say that that's how...how it would be.

PH: Well, the other thing about fees in general, is this is an operating pro forma based on averages and typically what happens at community centers around the country...the City Council will need to make, establish all the fee policies, and the actual rates after a facility is designed, and there's a better handle on how it will be programmed and what the actual cost of operating will be and how well they're coming in within these ranges.

JH: I guess one thing that's a little bit unique about this is, if you belong to 24-Hour Fitness, and wanna go in to some special...or if 24-Hour Fitness is offering a special weight training course, with a dietician, and all sorts of things, you have to be a member of 24-Hour Fitness. And I guess what the comment is, if I want to go take a senior cooking class there that's one night a week, I would like to not have to be a member of the community center perhaps, to go take the cooking class, because it is a community center, and maybe you shouldn't have to belong for special type of programs. But then on the other hand if it's learn to swim night or something....I don't know. At a certain point, you know, I guess we need to discuss that later, but, of how....where is the division line of belonging to the community center and the benefits of being a full member versus you know, not being a full member, and uh just joining special programs.

(pause)

DM: There is clearly a great deal of support for this bond measure. The work that Tualatin Tomorrow has done and that the ad hoc committee has done and Paul, I mean everybody's done a great job, worked really hard. I have absolutely no doubt that when we leave here tonight, this is gonna be on the ballot in the format that you guys presented it to us. However, that being said, I respectfully disagree with the Mayor. I think that the question of whether to put this....*(laughter)*

ET: I'm holding back....

DM: Yes, the question of whether to put this on the ballot or not in November is a policy question for the Council. I feel like as a council member it's my responsibility to look at policy questions in context...so I don't think sort of what we know out there right now is irrelevant and that this doesn't matter to the decision. Um....*(remark unintelligible from another councilor)*...you did, I wrote that down...*(laughter)*...you did. So just given the current and projected state of

the economy in Oregon, right now, I just, I think that it weighs against putting this on the ballot in November, and incurring the cost of this bond measure in the format we've got it at this particular time. I've had the ability to get a bunch more information and probably some of the other folks here have had, which I want to share with you folks. I asked the question about what's going to be on the ballot in November for county and local bond measures, because in addition, to county and local, what we have in Tualatin, there's going to be at least six that's already been preapproved but there will be additional measures on the ballot for the statewide ballot, in the fall. I sat through a presentation about two weeks ago now, that talked about the cost of what's being called the mandatory minimums that are on the ballot measure this fall. There are two ballots on the fall...uh, two measures on the ballot this fall statewide. Both purport to do just about the same thing. One is a Kevin Mannix piece, another one is a legislative attempt to fix that. Both would create additional mandatory minimum prison sentences for certain crimes, things like, they're property crimes...so, identity theft, and burglary, things of that nature. There is a great belief out there right now that at least one of them is going to pass. The legislative fix which is alleged to be much cheaper than the Mannix proposal...the current estimate is that it is going to cost about \$100 million dollars a biennial. And it is gonna go in to place right away. At the same time, the projection is that state revenues are going to decrease, so we've got one pie of state revenues, it's gonna do this, and we're gonna have a public safety mandate, something that has to be funded. The projection is that State is going to have to reach into education, and to other areas in order to pay for this. What will happen is we will get less dollars from the State and we will have to try and find a way to pay on local levels for things that we may have received state funding for. But the meetings I'm sitting in, and when we're talking about budgeting at the state level, come January 09, it is not pretty. It is really ugly. If you're funded by general fund, people are starting to get really worried now because of the projections. And so, in light of what I've seen on that side, you know, knowing how the economy is just going as it is now, seeing how much...if you look at just how much gas is increased since the last time we did a poll in the middle of May...I have a hard time actively supporting putting it on the ballot in the fall, however it is not my intent to actively oppose it. But I felt like I just wanted to make clear about where I was coming from and how I felt about that.

LO: Thank you.

CB: I have to sit next to an attorney every day so, you guys can feel my pain over here (*laughter*)...uh really for me, this ballot measure, you know, I've been on Council six years and we've talked about...I've had people come to me and ask for...you know why don't we have the Tualatin Parks Rec District, why don't we have these different features in Tualatin. And really what we're doing, in my mind, is we're giving the voters and opportunity to vote on this. So, we're putting the package together and saying, you know, we're not as a Council voting on this, and mandating it, we're giving the citizens an opportunity to vote, and have a voice. And, you know, a lot of people, I've heard people say well you're...you need to listen to us. Well, I think we are. Over 50% of the folks have said they

want to vote on this measure and they want the different aspects of the measure. If you look at Tualatin's tax base we are a lower tax base in Washington County, we have one of the lowest tax base, even when you add in all the different taxes that cities would normally provide, fire, parks, we, we're...and even with this measure I believe we're, if not the lowest, second from the lowest after this measure would pass, I believe. So, when other people come to me and say, you know why does Beaverton offer this? Well, Beaverton offers that because they have a pretty high tax base and they're able to offer that...they have their own park district, and they're able to offer a lot of services with the park district. Lake Oswego has a high tax, West Linn has a high....I mean, we're...you know a lot of these people have these services because they have a higher tax. So, putting this out is just saying, you know what, if you want those services, now's your opportunity to vote. When we did the last bond measure and we went for the library and some of the park improvements, we didn't go out where people said, you need to put more on there, you need to put sports fields, you need to do other things. We didn't do that, because we did the same thing where we said, well geez, you know what, you know, we can't go too high. I realize the economy right now, isn't great right now. But if you look back a couple months ago, everybody says we looked at these surveys even a month ago and things are different now. You know, we don't know what the economy will be in November. I mean, let's hope it's better. I'm not sure if it will be. I'm not trying to say I'm not realistic, I understand that, but a lot of people are still saying to me they want these things...they want a place where they can take their kid over the summer and 'stay-kate'....they're gonna stay home, they don't want to spend the money for fuel...well, you can save a gallon of gas and go to our pool, spray park and enjoy, exercise, right here in Tualatin, and not spend the fuel driving around the region trying to get to your....to your rec center that...a lot people do...so fuel prices in a sense say this is a good deal. I mean you're going to be able to take that gallon of gas, \$4 bucks, and pay for a pass to get into our rec center with your kids...you know, it's kind of a neat deal. A lot of people go outside of the area for those features right now, so, I think it's a good opportunity to...we've heard the voters multiple times, this year, and last year, and we're giving the voters and opportunity to vote, so I will vote to put this on the ballot in November.

JH: I just want to add to what Chris said, I agree with everything you said. And I think one of the most important things is that the ad hoc committee, and that, just the integration of our seniors, our youths, the teens, everybody's gonna have a place to go...with the senior center moving over there, they'll be there during the day. People can take small children over there during the day while kids are at school, the teens can be there maybe more in the evening, adults can come home from work and go work out. It is a true community center. It has enough features in there to attract a lot of different types of people. And then you throw all the trail and park improvements on top of that, and I think it's exactly what our community wants and I'll be supporting it this evening.

(very low sound.....MB appears to be speaking)

MB: *(sound now available)*.....by packing it all together it helps us all, and we all get benefits from it. If you don't use the community center but you're an avid...your kids are in sports and you need the fields, you've got lacrosse coming in, and you need the fields, you know it's important. By packaging it together we all benefit. If you take it all apart and we don't pass some and we pass others, then there will be people in the community that don't benefit, so that is one thing by packaging it all together, I believe. And I will vote to put this on the ballot.

ET: Four years ago we were having a discussion about being more responsive to what the community thought and doing a better job of listening to what people thought. And the result of that discussion was Tualatin Tomorrow, and I'm very pleased that we did that. In fact, a little over...well, I guess it's been not quite a year ago that Doug and I went down to Phoenix, Arizona and accepted an international award for the work that Tualatin Tomorrow did in gathering citizen participation. And I think that we accomplished what we set out to do in terms of listening to what our community wanted, and what has come back to us, among some other things, is this bond measure. And while my personal preference would be to put it on the ballot in its component parts, I think that it's easy to recognize the fact that I'm in a stark minority in that position. And, being a realist, I am OK with putting this on the ballot. And the reason is that I think that it would be disingenuous of us as a Council, to spend the hundreds of thousands of dollars and time and energy that has gone into Tualatin Tomorrow, and the work that we've done to gather community input and listen to what our community thought, and then not give them a chance to vote. And so, I'm going to bend to the will of the Council and go along with putting this on the ballot in its current form and not insist that it be broken into pieces...so there...

LO: Just to set the record straight. My comment wasn't that what we know is irrelevant, my comment was in my opinion, what each of us feel about this ballot measure is irrelevant. We could all say this is bad idea, and I don't think it would be responsible to not put it on the ballot, since a majority of the people we surveyed three times said it's a good idea...and we've invested all the time and effort to create it, that's what I was trying to say, not that your opinion or my opinion is invalid, but I think our personal preference on this is irrelevant in terms of deciding whether or not people ought to have the right to vote, that's what I'm saying. And I'm not...you could say no, they don't, they shouldn't vote on this. I think that the...all the points about the economy are concerting...disconcerting, I'm sorry, and we'll just have to see what people believe they can afford in November. But to the point, just again, I don't want to cloud...or muddy the water, to the point about whatever happens on the Mannix issue, those costs to the State will not be passed on in increase taxes. Whether this ballot measure passes or not will have no impact on the City of Tualatin's budget vis-à-vis what state shared revenue in the future don't come. That's gonna happen with or without this ballot measure. And all of the money from this ballot measure goes into the construction, and all the fees go to the operation...so it's not like we can turn those around and use 'em to offset the alcohol and tobacco tax revenues that we might not get...that's a problem you point out, it's a very real problem, but it has no impact on this question, frankly...from a fiscal standpoint. From just a

dollars and cents standpoint, it's a big problem for the state, and we live in this state, no doubt, but in terms of Tualatin's operating budget, I don't see how it relates. Anyway, I would accept a motion, or...in one form or another...

MB: I'd like to move that we accept the staff's resolution calling for an election to submit a general obligation bond authorization (unintelligible)...

CB: Second.

LO: It's been moved and seconded to pass the resolution to put the ballot...put the question on the ballot. Discussion on the motion? (heard none)...All in favor (eyes heard) opposed – (none heard), abstentions? (pause)...OK, so I, let the record show that six, five in favor and zero opposed, and one abstention from Councilor Maddux. Thank you, thank everyone for their thoughtful consideration on this issue. Like so many things, it's not simple, and it's not painless, but thank you all...

(unidentified) – thank you very much...

LO: Thanks to the work of the ad hoc committee and staff and everyone whose spent a lot of time putting together the due...the due diligence on this. We'll see what the voters believe they can afford in November.

MB: Thanks for staying late and *(unintelligible)*

(laughter)

LO: Alright, I think we're moving on down to the fact that we had an executive session.....

END