



TUALATIN CITY COUNCIL WORK SESSION MINUTES OF OCTOBER 27, 2008

PRESENT: Mayor Lou Ogden, Councilors Chris Barhyte, Monique Beikman, Bob Boryska, Jay Harris, Donna Maddux, and Ed Truax; Sherilyn Lombos, City Manager; Brenda Braden, City Attorney; Mike McKillip, City Engineer; Carina Christensen, Assistant to the City Manager; Don Hudson, Finance Director; Kent Barker, Chief of Police; Doug Rux, Community Development Director; Eric Underwood, Development Coordinator; Dan Boss, Operations Director; Bob Martin, Parks Maintenance Supervisor; Colin Cortes, Assistant Planner; Nancy McDonald, Human Resources Director; Ginny Kirby, Recording Secretary

ABSENT: [* denotes excused]

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

A. CALL TO ORDER

Mayor Ogden called the meeting to order at 5:09 p.m.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

Rental Housing Additional Information (implementation/rollout)

Carina Christensen, Assistant to the City Manager, stated she was here to present the results of her research. Council had previously directed staff to research five additional issues: Caps on rental housing; Occupancy standards, Garage conversions; On-site parking; and Vector control. Twenty-seven cities across the US were included in her research.

Caps on Rental Housings: The majority of the cities do not cap the number of rentals within the City or within neighborhoods. It was noted some college towns or popular tourist destinations have some limits on rentals. It was noted some cities have these issues dealt with in their city codes; many are removing the as it is unconstitutional.

Garage Conversions: No restrictions were found for garage conversions, either for additional bedrooms or accessory dwelling units.

On-Site Parking: Most cities researched require a minimum of one on-site parking space. Brief discussion followed.

Occupancy Limits: Cities vary with regard to occupancy standards; some cities have neither an overcrowding ordinance nor a limit on occupancy. Many cities do have overcrowding ordinances which state the number of square feet required per person in a single-family dwelling. It was noted that Reno, Nevada has adopted the International Property Maintenance Code (IPMC). The IPMC is very specific on square footage for particular rooms. Ms. Christensen stated that Tualatin has the highest square footage

per person in the State of Oregon, Portland has the lowest square footage requirement per person.

A question was raised about how short stay motels/hotels that rent long-stay could be regulated. Mr. Rux clarified that the City does not currently have a definition for hotel/motel in the code. Ms. Lombos said staff would research the issue and get back to Council.

Councilor Harris expressed concern for maintaining adequate on-site and off-site (street) parking in neighborhoods. This will be researched by staff and a model for parking on-street and off-street will be brought back to Council.

Reverse Frontage Future Planning Discussion

Dan Boss, Operations Director, and Bob Martin, Parks Maintenance Supervisor. Mr. Boss noted that reverse frontage areas are scattered throughout the City. He said Council had previously made requests for which areas they would like staff to maintain; those have been done and they are back seeking direction from Council on which area(s) to do next.

Councilor Boryska noted the area that is just east of the off-ramp heading north on I5, the area between the off ramp and the Shell Station looks very unkempt. This doesn't present a good impression of the City. It was noted that this area is included in the I5 landscape project and the City is waiting for the permit from ODOT so the project can begin.

Discussion followed regarding possible areas to address next. Areas suggested by Council include: several areas along Ibach Street that are overgrown and/or have no landscaping currently, 89th Avenue (old Tualatin-Sherwood Road), Lower Boones Ferry Road (between Claim Jumpers/TriMet Park & Ride lot), 50th Avenue/Nyberg Lane, and Norwood Road. Mr. Boss asked Council for a "top issue". After a brief discussion, Council asked that Mr. Boss prioritize and bring a list back to Council for review.

Street Trees Follow-up (Subcommittee Report)

Doug Rux, Community Development Director, and Colin Cortes, Assistant Planner. A subcommittee consisting of Mayor Ogden and Councilors Barhyte and Harris met and discussed alternatives for a street tree preservation program. Policy considerations were discussed and a working consensus was established. The goal is to enhance tree canopy and long-term preservation of tree canopy. Mr. Rux gave a PowerPoint presentation that showed examples of street trees in various areas around Tualatin.

Councilor Maddux asked if there were existing problems with mature trees causing sidewalk lifting, etc. Mr. Boss noted that problem does occur and the City can attempt to grind off the raised edge of a sidewalk, and sometimes trees need to be removed if the problems are serious enough. A brief discussion followed. Councilor Truax expressed concerns when several trees in a row may have existed, but are now gone, and the property owner may plant a tree in the front yard instead of replacing the street trees. This can dramatically change the look of the area and not maintain the tree canopy.

Mr. Boss suggested the City could leave "Street Tree for a Fee" informational door hangers at homes with street trees missing; it was noted many homeowners may not be aware of the City's program. Discussion followed.

It was suggested that if a street tree were going to be removed, a property owner would have to get a permit to do so (at no charge), and then the tree would have to be replaced with a new street tree. Mr. Rux noted that at this time staff plans to bring back an ordinance at the second meeting in January after the ordinance is drafted and goes before TPAC for review.

Outside Agencies Allocation of Funds

Carina Christensen, Assistant to the City Manager. Ms. Christensen distributed a spreadsheet showing the Outside Agency allocations 1998/99 through 2008/09. \$35,000 was been applied for. Staff is looking to Council for direction on which agencies will receive awards and in what dollar amounts.

Discussion followed. It was suggested to go with the 2005/06 allocations with the addition of \$500 to the Tualatin Food Pantry allocation of \$2,000. Mayor Ogden stated that if four Councilors agreed to this, he will challenge all Councilors to help him in raising another \$2500 for the Food Pantry, bringing them up to \$5000. After further discussion, it was decided to use the 2005/06 agency allocation figures and add the \$500 to the Tualatin School House Food Pantry, bringing their allocation up to \$2,500. The Mayor challenged the other Councilors to assist him in raising an additional \$2,500 for the Food Pantry.

Councilor Maddux noted that there is a Food Pantry "Volunteer Dessert" being held Thursday night, October 30th.

C. CITIZEN COMMENTS

Not applicable.

D. CONSENT AGENDA

The Consent Agenda was reviewed by the Council. Council Beikman noted that City Council Agenda Item D.4 had a spelling error in the title listed on the Agenda; Identify needs to be corrected to read: Identity.

It was noted that Metro Councilor Hosticka was planning to arrive sometime before 8:00 p.m. and would speak during Work Session after regular meeting is over; not as previously scheduled as General Business Agenda Item G.2.

Ms. Lombos distributed a copy of an Email received from Mr. Dennis Lively regarding was briefly discussed.

E. PUBLIC HEARINGS - *Legislative or Other*

Not applicable.

F. PUBLIC HEARINGS - *Quasi-Judicial*

Not applicable.

G. GENERAL BUSINESS

1. Ordinance No. 1271-08 Establishing a Criminal History Record Check Policy for the City of Tualatin

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

H. ITEMS REMOVED FROM CONSENT AGENDA

Not applicable.

I. COMMUNICATIONS FROM COUNCILORS

None.

J. EXECUTIVE SESSION

None.

Meeting recessed at 6:42 p.m. to be continued after the end of the regular Council meeting.

Meeting reconvened at 8:25 p.m.

Presentation Regarding Metro's Greatest Places Initiative and an Update on the Urban/Rural Reserves Process – *Metro Councilor Carl Hosticka*

Councilor Hosticka said Tualatin can help Metro by defining what kind of investments can be made in the next 20 years... what kind of overall growth is desired in the community. After that is done and Metro takes a look, they will ask if Tualatin wants to expand the boundaries. Mayor Ogden said largely, there is "no traction" to expand the boundaries. He feels people will be looking to elected officials to be in a position to try to manage the expansion such that it continues the same integrity of neighborhoods that we have today. If boundaries expand to the east, people would most likely want to see it look like the Fox Hills area, with even larger lots and more buffers, not smaller lots/higher density. Councilor Hosticka said the general idea/forecast put out by Chris Nelson at their October 8th meeting was that much growth will be multi-family and renters. The pattern in the future of the type of growth we saw in the 1950's most likely will not happen.

Something to forecast is whether people will live out and commute in or will they live in the town center and commute out. It was noted that there is an under-utilized area on the opposite side of Boones Ferry Road from the new Commuter Rail station that is away from any single family area that could be higher density. There was a brief discussion regarding the large multi-family project on the old Schneider Trucking site and the amount of traffic that may be generated; if people are heading onto I5, that does not pose near the potential issue as when they may head south or west. The development is located within walking distance of a grocery store, various shopping, theater, restaurants, medical facility, etc. Tualatin is doing what Metro is looking for communities to be doing with the visioning process. Further

discussion followed. Stafford Triangle area was briefly discussed, along with the urban growth boundary, financing of infrastructure, and density.

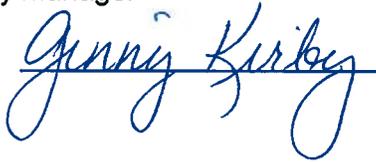
Councilor Truax said he would like to have a brief presentation by Metro at a future work session regarding the TOD process. Councilor Harris said he would like to learn more about sustainability programs that Metro is looking into and have Metro make a presentation for Council. Councilor Beikman asked what it would take to get TriMet to expand bus service in Tualatin.

K. ADJOURNMENT

Meeting adjourned at 9:17 p.m.

Sherilyn Lombos, City Manager

Recording Secretary

A handwritten signature in blue ink that reads "Ginny Kirby". The signature is written in a cursive style and is positioned to the right of the printed text "Recording Secretary".



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ABSENT: [* denotes excused]

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

A. CALL TO ORDER

Mayor Ogden called the meeting to order at 7:11 p.m.
Councilor Barhyte led the pledge of allegiance.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

1. Introduction of new Tualatin Valley Fire & Rescue Captain - *Captain Casey Brown*
Captain Casey Brown and Cassandra Ulven. Captain Brown introduced himself to Council. He said his goal is to communicate and participate. A PowerPoint presentation was given that reviewed some recent training events around the area, capital improvement projects, and a demographic study. Mayor Ogden welcomed Captain Brown to the City.
2. Tualatin FIRST Robotics Team Presentation
Jill Hubbard, Teacher, Tualatin High School, and two members of the Tualatin Robotics Team were present to give a PowerPoint presentation covering the function, benefits, and activities of the Robotics group. They noted their team is also open to surrounding high school students if their school does not have a robotics team. They would like to build public awareness and gain mentors for the students.
3. Tualatin Tomorrow – Health, Safety, and Social Services – *Jay Wilcox*
Mr. Wilcox stated he is the focus leader for the Health, Safety, and Social Services portion of the Tualatin Tomorrow Visioning process. Some of the activities that fulfill their vision / goal are: the new Providence Bridgeport Health Center, which is having their grand opening celebration on Wednesday, October 29th; the Tualatin-Durham Senior Center has a yearly health fair, which focuses on how to stay healthy and stay out of “the system”. Mr. Wilcox noted that the Tualatin Food Pantry will be looking for a new location and could use assistance in finding a new spot; they provide a great deal of on-going assistance to the citizens. He said they are also trying to get more

faith-based participation; at the present there are 4 to 5 ministers that have been participating. Mr. Wilcox stated that this is a long process and they are continuing to take small steps. It was noted if anyone wishes to reach any of the focus members, they can contact Doug Rux, Community Development Director for the contact information.

C. CITIZEN COMMENTS

Joy Basse, SW Tualatin Road. Ms. Basse distributed a letter from "The Rainbow Valley Press" thanking the City for all their help with rental housing issues (see attached letter). A brief PowerPoint presentation was given showing some photos of existing poor housing conditions. Mayor Ogden thanked Ms. Basse for all the work she has done with her neighbors.

Mark Coolican, SW Mobile Place. Mr. Coolican stated that he is a new resident to Tualatin. He has concerns with a developer meeting and the planned project on Nyberg Lane across from Brown's Ferry Park. He said the requirement is to go out 300' from project site for determining who receives notice of the developer meeting. He felt the developer met the letter of the law, possibly not the intent. Mayor Ogden noted any issue with the actual development should be held until the land use hearing comes before Council.

D. CONSENT AGENDA

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

1. Approval of Minutes of the Meetings of June 23, July 14, and October 13, 2008.
2. Citizen Involvement Committee Appointment
3. Resolution No. 4838-08 Granting a Conditional Use Permit for Water Reservoirs and a Wireless Communication Facility (WCF) at 8930 SW Norwood Road (CUP 08-04)
4. Resolution No. 4839-08 Adopting the City of Tualatin Identify Identity Theft Prevention Program
5. Resolution No. 4840-08 Accepting an Additional Application for Bancroft Bonding Connection Fees and Authorizing the City Recorder to Enter Certain Real Properties Within the City of Tualatin on SW Killarney Lane onto the City of Tualatin Lien Docket
6. Resolution No. 4841-08 Rejecting All Binds for Water Pipeline Undercrossing of I-5 at Norwood Road

7. Resolution No. 4842-08 Authorizing an Agreement for Off-Site Wetland Mitigation as part of the Herman Road Improvement Project

G1. Ordinance No. 1271-08 Establishing a Criminal History Record Check Policy for the City of Tualatin

City Manager Lombos noted an Email had been received from Mr. Dennis Lively that is to be entered into the record for Tualatin City Council Consent Agenda Item D.7. (see attached).

MOTION CARRIED.

E. PUBLIC HEARINGS - Legislative or Other

1. Plan Text Amendment Rescinding Requirements for Residential Minimum Built Density; Amending TDC Sections 5.040(91) through (5), 36.160(7), 36.162(2)(d) and (3)(d), 36.242(4) and (5), and Section 15 of Chapters 40 through 44 (PTA 08-05)

[continued from October 13, 2008]

Mayor Ogden reopened the public hearing.

Colin Cortes, Assistant Planner, entered the entire staff report and attachments into the record. This proposed Plan Text Amendment (PTA) would remove a requirement from the Tualatin Development Code (TDC) that new residential development build at least 80% of the maximum number of dwelling units per acre permissible in a residential planning district. Metro Ordinance 02-969B rescinded code language that requires a development to develop at 80% or more of the maximum number of dwelling units per net acre permitted by the zoning designation for the subject property; Tualatin is now following suit. Staff's recommendation is for Council to consider the staff report and supporting attachments and direct staff to prepare an ordinance granting PTA 08-05 based on the draft ordinance attached to the staff report.

PROPOSERS - None.

OPPONENTS - None.

COUNCIL DISCUSSION - None.

Mayor Ogden closed the public hearing.

MOTION by Councilor Harris; SECONDED by Councilor Boryska to approve the staff report and have an ordinance prepared to adopt the Plan Text Amendment.

MOTION CARRIED.

F. PUBLIC HEARINGS - Quasi-Judicial
None.

G. GENERAL BUSINESS

1. Ordinance No. 1271-08 Establishing a Criminal History Record Check Policy for the City of Tualatin
[item moved to Consent during Work Session]

2. Presentation Regarding Metro's Greatest Places Initiative and an Update on the Urban / Rural Reserve Process – *Metro Councilor Carl Hosticka*

Councilor Hosticka stated he is visiting the six cities in the district he represents. This is a two to three year process that will culminate in 2010. The process involves a number of major decisions, which include:

1. 20-year forecast of jobs and residential needs
2. Adopting a regional transportation plan
3. Adopting a high capacity transit plan
4. Adopting an urban growth boundary

A couple of events have been held; a couple more are yet to come: November 12 is a Joint MPAC/JPACT meeting on Transportation and Investment Choices, and on December 10 there is a Joint MPAC/JPACT meeting "Bringing It All Together".

Discussion to continue when Work Session reconvenes after the regular Council Meeting.

H. ITEMS REMOVED FROM CONSENT AGENDA

No items were requested for removal from the Consent Agenda.

I. COMMUNICATIONS FROM COUNCILORS

Councilor Beikman gave a special thank you to the members of YAC for all their work at the Pumpkin Regatta in keeping the crowds fed.

Mayor Ogden reiterated that during work session, Council tasked themselves with finding a method to raise \$2,500 to donate to the Tualatin Food Pantry. Councilor Harris stated that the larger challenge is to find a new "home" for the Food Pantry; he noted he would be up to that challenge.

J. EXECUTIVE SESSION

Not applicable.

K. ADJOURNMENT

The meeting adjourned at 8:15 p.m.

Sherilyn Lombos, City Manager

Recording Secretary

