



City of Tualatin

TUALATIN CITY COUNCIL

Monday, July 14, 2014

**JUANITA POHL CENTER
8513 SW Tualatin Road
Tualatin, OR 97062**

WORK SESSION begins at 5:00 p.m.
BUSINESS MEETING begins at 7:00 p.m.

Mayor Lou Ogden

Council President Monique Beikman

Councilor Wade Brooksby Councilor Frank Bubenik

Councilor Joelle Davis Councilor Nancy Grimes

Councilor Ed Truax

Welcome! By your presence in the City Council Chambers, you are participating in the process of representative government. To encourage that participation, the City Council has specified a time for your comments on its agenda, following Announcements, at which time citizens may address the Council concerning any item not on the agenda or to request to have an item removed from the consent agenda. If you wish to speak on a item already on the agenda, comment will be taken during that item. Please fill out a Speaker Request Form and submit it to the Recording Secretary. You will be called forward during the appropriate time; each speaker will be limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council.

Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are available for review on the City website at www.tualatinoregon.gov/meetings, the Library located at 18878 SW Martinazzi Avenue, and on file in the Office of the City Manager for public inspection. Any person with a question concerning any agenda item may call Administration at 503.691.3011 to make an inquiry concerning the nature of the item described on the agenda.

In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, you should contact Administration at 503.691.3011. Notification thirty-six (36) hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

Council meetings are televised *live* the day of the meeting through Washington County Cable Access Channel 28. The replay schedule for Council meetings can be found at www.tvctv.org. Council meetings can also be viewed by live *streaming video* on the day of the meeting at www.tualatinoregon.gov/meetings.

Your City government welcomes your interest and hopes you will attend the City of Tualatin Council meetings often.

PROCESS FOR LEGISLATIVE PUBLIC HEARINGS

A **legislative** public hearing is typically held on matters which affect the general welfare of the entire City rather than a specific piece of property.

1. Mayor opens the public hearing and identifies the subject.
2. A staff member presents the staff report.
3. Public testimony is taken.
4. Council then asks questions of staff, the applicant, or any member of the public who testified.
5. When the Council has finished questions, the Mayor closes the public hearing.
6. When the public hearing is closed, Council will then deliberate to a decision and a motion will be made to either *approve*, *deny*, or *continue* the public hearing.

PROCESS FOR QUASI-JUDICIAL PUBLIC HEARINGS

A **quasi-judicial** public hearing is typically held for annexations, planning district changes, conditional use permits, comprehensive plan changes, and appeals from subdivisions, partitions and architectural review.

1. Mayor opens the public hearing and identifies the case to be considered.
2. A staff member presents the staff report.
3. Public testimony is taken:
 - a) In support of the application
 - b) In opposition or neutral
4. Council then asks questions of staff, the applicant, or any member of the public who testified.
5. When Council has finished its questions, the Mayor closes the public hearing.
6. When the public hearing is closed, Council will then deliberate to a decision and a motion will be made to either *approve*, *approve with conditions*, or *deny the application*, or *continue* the public hearing.

TIME LIMITS FOR PUBLIC HEARINGS

The purpose of time limits on public hearing testimony is to provide all interested persons with an adequate opportunity to present and respond to testimony. All persons providing testimony **shall be limited to 3 minutes**, subject to the right of the Mayor to amend or waive the time limits.

EXECUTIVE SESSION INFORMATION

An Executive Session is a meeting of the City Council that is closed to the public to allow the City Council to discuss certain confidential matters. An Executive Session may be conducted as a separate meeting or as a portion of the regular Council meeting. No final decisions or actions may be made in Executive Session. In many, but not all, circumstances, members of the news media may attend an Executive Session.

The City Council may go into Executive Session for certain reasons specified by Oregon law. These reasons include, but are not limited to: ORS 192.660(2)(a) employment of personnel; ORS 192.660(2)(b) dismissal or discipline of personnel; ORS 192.660(2)(d) labor relations; ORS 192.660(2)(e) real property transactions; ORS 192.660(2)(f) information or records exempt by law from public inspection; ORS 192.660(2)(h) current litigation or litigation likely to be filed; and ORS 192.660(2)(i) employee performance of chief executive officer.



A. CALL TO ORDER
Pledge of Allegiance

B. ANNOUNCEMENTS

1. Tualatin Youth Advisory Council Update for July 2014
2. ArtSplash Art Show and Sale 2014
3. New Employee Introduction- Kelsey Lewis, Program Coordinator

C. CITIZEN COMMENTS

This section of the agenda allows anyone to address the Council regarding any issue not on the agenda, or to request to have an item removed from the consent agenda. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.

D. CONSENT AGENDA

The Consent Agenda will be enacted with one vote. The Mayor will ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, Items Removed from the Consent Agenda. The entire Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.

1. Consideration of Approval of the Minutes for the City Council Regular Meeting of June 23, 2014
2. Consideration of an Amendment to the Intergovernmental Agreement with Washington County Consolidated Communications Agency

E. GENERAL BUSINESS

If you wish to speak on a general business item please fill out a Speaker Request Form and you will be called forward during the appropriate item. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.

1. Consideration of Acceptance of the Economic Development Strategic Plan

F. ITEMS REMOVED FROM CONSENT AGENDA

Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.

G. COMMUNICATIONS FROM COUNCILORS

H. ADJOURNMENT

City Council Meeting

Meeting Date: 07/14/2014

ANNOUNCEMENTS: Tualatin Youth Advisory Council Update, July 2014

ANNOUNCEMENTS

Tualatin Youth Advisory Council Update for July 2014

A. YAC Update

Council Update July 14, 2014

TUALATIN YOUTH ADVISORY COUNCIL

Kaleidoscope Run



- Beginning of summer celebration for grades 6-12
- 95 teens registered
- Collaboration between YAC and TLC



Movies on the Commons

- Free, family-friendly movies
- Saturdays in July & August
- YAC helps choose films, sells concessions



Movies on the Commons

- July 5: Iron Man 3
- July 12: Monsters University
- July 19: Men in Black 3
- July 26: Despicable Me 2
- August 9: The Lego Movie
- August 16: Jurassic Park
- August 23: Toy Story 3

Special Location: Ibach Park

- August 30: Frozen



InFocus

 **COMMUNITY
NEWSPAPERS**



Youth/Elected Leader Social

- Idea originated from National League of Cities Congress of Cities in Seattle, WA
- Chance for youth and Council to engage in a less formal setting
- 6-8 roundtable discussion topics
- January-February timeframe



City Council Meeting

Meeting Date: 07/14/2014

ANNOUNCEMENTS: ArtSplash Art Show and Sale 2014

ANNOUNCEMENTS

ArtSplash Art Show and Sale 2014

A. ArtSplash 2014

ArtSplash Art Show & Sale



Tualatin Commons 8325 SW Nyberg Street

Show Hours

Friday, July 18 12 pm-9 pm

Saturday, July 19 10 am-9 pm

Sunday, July 20 10 am-4 pm



ArtSplash Art Show & Sale

ArtSplash 2014

Join us in July for
Tualatin's 19th Annual
Art Show & Sale
featuring Northwest artists

*Watercolor
Acrylic
Photography
Oil
Glass
Wood
Metal
Ceramics
Jewelry
and much more!*

Tualatin Commons
8325 SW Nyberg St., Tualatin
Friday, July 18: 12 pm - 9 pm
Saturday, July 19: 10 am - 9 pm
Sunday, July 20: 10 am - 4 pm



Sponsored by the Tualatin Arts Advisory Committee



City of Tualatin



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos

FROM: Nicole Morris, Deputy City Recorder

DATE: 07/14/2014

SUBJECT: Consideration of Approval of the Minutes for the City Council Regular Meeting of June 23, 2014

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve the minutes for the City Council Regular Meeting of June 23, 2014.

RECOMMENDATION:

Staff respectfully recommends that the Council adopt the attached minutes.

Attachments: [City Council Meeting Minutes of June 23, 2014](#)



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR JUNE 23, 2014

Present: Mayor Lou Ogden; Council President Monique Beikman; Councilor Wade Brooksby; Councilor Frank Bubenik; Councilor Joelle Davis; Councilor Nancy Grimes; Councilor Ed Truax

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Kent Barker; Community Services Director Paul Hennon; Finance Director Don Hudson; Deputy City Recorder Nicole Morris; Information Services Manager Lance Harris; Engineering Manager Kaaren Hofmann; Engineer Associate Tony Doran; Assistant City Manager Alice Cannon; Human Resources Manager Janet Newport; Public Works Director Jerry Postema

A. CALL TO ORDER

Pledge of Allegiance

Mayor Ogden called the meeting to order at 7:00 p.m.

B. ANNOUNCEMENTS

1. Honor Eagle Scout Dallin Dahl

Human Resources Manager Janet Newport introduced Dallin Dahl. Dallin was awarded the honor of Eagle Scout for completing a project at Brown's Ferry Community Center. Dallin's project included installing a 50'x10' permeable path, planting 200 native trees and shrubs, and designing a sign prototype for native plant identification.

Mayor Ogden congratulated Dallin on receiving the honor of Eagle Scout and presented him with a plaque.

2. Honor Eagle Scout Andrew Robinson

Human Resources Manager Janet Newport introduced Andrew Robinson. Andrew was awarded the honor of Eagle Scout for completing a project at Jurgen's Park. Andrew's project was to replace 9 support posts in the park's split rail fence.

Mayor Ogden congratulated Andrew on receiving the honor of Eagle Scout and presented him with a plaque.

3. New Employee Introduction- Lauren Furnish, Community Librarian

Community Services Director Paul Hennon introduced Lauren Furnish, Community Librarian. The Council welcomed her.

4. Proclamation Declaring the Month of July 2014 as National Parks and Recreation Month

Councilor Bubenik stated the City of Tualatin has over 280 acres of parks, trails, and natural areas to enjoy, and hundreds of recreation programs serving thousands of Tualatin residents. He encouraged everyone to reflect on the exponential value parks and recreation bring to communities during this month.

Councilor Bubenik read the proclamation declaring the month of July 2014 as Parks and Recreation month in the City of Tualatin.

C. CITIZEN COMMENTS

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Marie Fromme submitted a petition requesting the implementation of a permit parking program on the corner of 57th Street and Nyberg Lane, in the Fox Hills development. She said cars from the Stafford Hills Racquet Club are parking on this corner causing a nuisance. Residents Gunnar Olson and Dan Phillips concurred with the request.

Councilor Truax stated Council has discussed this problem at a prior work session and are willing to work with residents in this area to implement permit parking.

Mayor Ogden stated the issue will come back to Council at a future work session.

D. CONSENT AGENDA

The Consent Agenda will be enacted with one vote. The Mayor will ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, Items Removed from the Consent Agenda. The entire Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.

MOTION by Council President Monique Beikman, SECONDED by Councilor Ed Truax to approve the consent agenda.

Vote: 7 - 0 MOTION CARRIED

1. Consideration of Approval of the Minutes for the City Council Regular Meeting of June 9, 2014
2. Consideration of **Resolution No. 5194-14** Approving and Authorizing the Provision of Workers' Compensation Insurance Coverage to Volunteers of the City of Tualatin and Repealing Resolution No. 5171-13

3. Consideration of **Resolution No. 5195-14** Authorizing Non-Represented Employee Personnel Services Updates for Fiscal Year 2014-15
4. Consideration of **Resolution No. 5204-14** Amending the City of Tualatin Fee Schedule and Rescinding Resolution No. 5175-13
5. Consideration of **Resolution No. 5200-14** Authorizing the City Manager to Execute a Reciprocal License for Shared Parking
6. Consideration of **Resolution No. 5202-14** Amending Water, Sewer and Surface Water Management Rates Inside the City of Tualatin and Rescinding Resolution 5148-13
7. Consideration of **Resolution No. 5201-14** Authorizing Changes to the Adopted 2013-2014 Budget

E. PUBLIC HEARINGS – *Legislative or Other*

1. Consideration of **Resolution No. 5203-14** Adopting the City of Tualatin Budget for the Fiscal Year Commencing July 1, 2014, Making Appropriations, Levying Ad-Valorem Taxes, and Categorizing the Levies

Finance Director Don Hudson presented the proposed fiscal year 2014-2015 budget. The Budget Advisory Committee approved the proposed budget on May 28th, 2014. The total budget is \$71,643,335 and includes changes proposed tonight. The tax rate for general government would be approved at \$2.2665 per \$1,000 taxable assessed value, with \$995,000 to be levied for bonded debt.

Director Hudson stated the budget is fiscally responsible and continues to provide services at levels citizens have come to expect from the City. The budget includes additions in staffing and a facilities study for a new Council building.

Director Hudson noted there are three proposed changes including a space utilization study for the library, special election fees, and increases in insurance coverage. The proposed changes do not exceed 10% of the approved budget and are, therefore, allowed to be added by the City Council.

PUBLIC COMMENT

Kathy Newcomb submitted concerns regarding funds set aside for a Tualatin Valley Water District Intertie. She reminded Council that the City Charter requires a affirmative vote by Tualatin citizens to use Willamette River water.

COUNCIL QUESTIONS AND DELIBERATIONS

None

MOTION by Council President Monique Beikman, SECONDED by Councilor Ed Truax to adopt Resolution No. 5203-14 adopting the City of Tualatin budget for the fiscal year commencing July 1, 2014, making appropriations, levying ad-valorem taxes, and categorizing the levies.

Vote: 7 - 0 MOTION CARRIED

2. Consideration of **Resolution No. 5193-14** to Authorize the City Manager to Execute Quitclaim Deeds of Public Utility Easements on the Nyberg Rivers Shopping Center Located at 7655 SW Nyberg Street

Engineering Manager Kaaren Hofmann and Engineering Associate Tony Doran presented a resolution to execute quitclaim deeds for public utility easements that are no longer needed. Associate Doran stated the existing easements are part of the Nyberg Rivers development and need to be relocated. In order to relocate the easements the City acquired sanitary sewer, stormwater, and water easements to match relocation of public lines on lots owned by Tuala Northwest, LLC.

PUBLIC COMMENT

None

COUNCIL QUESTIONS AND DELIBERATIONS

None

MOTION by Councilor Ed Truax, SECONDED by Council President Monique Beikman to adopt Resolution No. 5193-14 to authorize the City Manager to execute quitclaim deeds of public utility easements on the Nyberg Rivers Shopping Center located at 7655 SW Nyberg Street.

Vote: 7 - 0 MOTION CARRIED

F. PUBLIC HEARINGS – Quasi-Judicial

G. GENERAL BUSINESS

If you wish to speak on a general business item please fill out a Speaker Request Form and you will be called forward during the appropriate item. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.

1. Consideration of **Ordinance No. 1374-14** Adopting the Core Area Parking District Tax Rate and Credit for Fiscal Year 2014/15

Public Works Director Jerry Postema presented the ordinance to adopt the Core Area Parking District (CAPD) tax rate. The CAPD Board and staff recommended the tax rate remain at the current rate of \$155.34. Director Postema noted the ordinance presented includes an emergency clause that is not needed and can be stricken.

MOTION by Council President Monique Beikman, SECONDED by Councilor Joelle Davis for first reading by title only.

Vote: 7 - 0 MOTION CARRIED

MOTION by Council President Monique Beikman, SECONDED by Councilor Ed Truax for second reading by title only.

Vote: 7 - 0 MOTION CARRIED

MOTION by Council President Monique Beikman, SECONDED by Councilor Ed Truax to adopt Ordinance No. 1374-14 adopting the Core Area Parking District Tax Rate and credit for Fiscal Year 2014/15 and striking the emergency clause.

Vote: 7 - 0 MOTION CARRIED

H. ITEMS REMOVED FROM CONSENT AGENDA

Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.

I. COMMUNICATIONS FROM COUNCILORS

Councilor Bubenik noted Neighbors Nourishing Communities handed out plant starts over the weekend. It is expected that produce from these plants will be coming back to local food pantries starting in August.

J. ADJOURNMENT

Mayor Ogden adjourned the meeting at 7:50 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Lou Ogden, Mayor

City Council Meeting

Meeting Date: 07/14/2014

CONSENT Consideration of Amendment to the Intergovernmental Agreement for Washington
AGENDA: County Consolidated Communications Agency

CONSENT AGENDA

Consideration of an Amendment to the Intergovernmental Agreement with Washington County Consolidated Communications Agency

SUMMARY

Washington County Consolidated Communications Agency (WCCCA) and the participating jurisdictions have been working on needed amendments to the intergovernmental agreement (the IGA was last amended in June of 2000). Exhibit 2 outlines the changes to the agreement but in summary, the amended IGA provides for a new fee formula for participating jurisdictions, updates the language to appropriately reflect current ORS references and participating jurisdictions and addresses the current function of the Technical Advisory Committee.

[Exhibit 1 - Amended IGA](#)

[Exhibit 2 - WCCCA IGA Changes](#)

[Exhibit 3 - Previous IGA](#)

AMENDMENT TO INTERGOVERNMENTAL AGREEMENT
WASHINGTON COUNTY CONSOLIDATED COMMUNICATIONS AGENCY

THIS AMENDMENT to the Washington County Consolidated Communications Agency Intergovernmental Agreement (herein "Intergovernmental Agreement") is made and entered into, pursuant to ORS 190.010 and by and among the Cities of Banks, Beaverton, Cornelius, Durham, Forest Grove, Gaston, Hillsboro, King City, North Plains, Sherwood, Tigard, and Tualatin; the Fire Districts of Tualatin Valley Fire & Rescue, Washington County Fire District #2, Cornelius Rural Fire, Gaston Rural Fire, Banks Fire Protection District #13; Forest Grove Rural Fire and Washington County (herein "participating jurisdictions").

WITNESSETH

WHEREAS the participating jurisdictions have previously entered into the Intergovernmental Agreement creating the Washington County Consolidated Communications Agency (herein "Agency" or "WCCCA") for purposes of establishing and operating a public safety emergency communications system inclusive of a 9-1-1 jurisdiction as contemplated by ORS 403.105 to 403.250 that provides a cooperative and coordinated 9-1-1 primary public safety answering point for police, fire and emergency medical services for the benefit of all participating jurisdictions; and

WHEREAS, from time to time, by amendment, the Intergovernmental Agreement has been modified to provide, among other things, expanded membership in the Agency; and

WHEREAS the participating jurisdictions now desire to further amend the Intergovernmental Agreement to provide, among other things, for a new fee formula for participating jurisdictions and updating the language of the Intergovernmental Agreement to appropriately reflect the current ORS references and participating jurisdictions;

NOW THEREFORE, the Intergovernmental Agreement is hereby amended, with said amendments incorporated into the text of the Intergovernmental Agreement and the entirety of the Intergovernmental Agreement, as amended, set forth below.

TERMS AND CONDITIONS

1. WASHINGTON COUNTY CONSOLIDATED COMMUNICATIONS AGENCY

The participating jurisdictions hereby create a 9-1-1 jurisdiction responsible for the provision of 9-1-1 service and public safety communications and agree that the Agency will be under ORS 190.003; and known as the WASHINGTON COUNTY CONSOLIDATED COMMUNICATIONS AGENCY.

2. POWERS AND AUTHORITY

The Agency is vested with all powers, rights and duties necessary for performing the functions of a 9-1-1 public safety answering point and initiating appropriate response pursuant to ORS 403.105 to 403.250, including, but not limited to contracting for such services, as approved through the normal chain of authority for the Agency.

3. GOVERNING BODY AND VOTING BOARD

- a. The Agency shall be governed by a Board of Commissioners (herein "Board"), whose membership shall consist of voting and non-voting members. One representative from each participating jurisdiction shall constitute the Board. Each participating jurisdiction shall appoint, at its pleasure, one primary representative and one alternative representative, who may attend and participate, as provided herein, in all Board meetings in the absence of the participating jurisdiction's primary representative. Representatives and alternates shall be an elected official or employee of their respective participating jurisdictions.
- b. Only the herein identified participating jurisdictions' Board members shall have the authority to move, second or vote on any Agency Board action. These participating jurisdiction representatives shall be known as the Agency Voting Board. The Agency Voting Board will consist of those representatives of participating jurisdictions, singly or in combination, that contribute one percent or more of the total user fees paid by all participating jurisdictions. Initially the Voting Board shall consist of representatives of the cities, of Beaverton, Hillsboro, Tigard, Tualatin, Forest Grove, Sherwood, and Cornelius; Washington County; and the Tualatin Valley Fire and Rescue. In addition the Voting Board shall include one representative selected by the City participating jurisdictions of King City, Durham, North Plains, Gaston, and Banks, and one representative selected by the participating Fire District participating jurisdictions of Cornelius Rural Fire Protection District, Banks Fire Protection District #13, Gaston Rural Fire Protection District, and Washington County Fire District #2.
- c. The Voting Board shall be responsible for
- Approval and adoption of the Agency Strategic Plan
 - Adoption of the Agency's annual budget and objectives
 - Approval of the "User Formula" for calculating fees to participating jurisdictions
 - Approval of all contracts in amounts as authorized by Agency administrative directive.

- d. All meetings of the Voting Board and CEO Board shall be held in accordance with Oregon Public Meeting Laws, ORS 192.610 to 192.690. A majority of the members of the Voting Board shall constitute a quorum for purpose of deliberation and decision of the Agency. All decisions of the Voting Board, unless otherwise provided herein, shall require a majority vote of those representatives in attendance and voting.
- e. The Voting Board, at the first meeting of every other calendar year, shall elect a Chair and Vice-Chair. The Chair shall be an elected official unless there is no elected official on the Voting Board willing to accept the position of Chair. If an elected official is unavailable or unwilling to serve, any member of the Voting Board may be elected Voting Board Chair. The term of the Chair and Vice-Chair shall be two years. The Chair, and in his/her absence the Vice-Chair, shall preside over all Voting Board meetings. The Communications Director, or designee, shall act as Clerk of the Board and be responsible for providing notices of meetings and keeping of minutes, as required by Oregon Public Meetings Laws.

4. CEO BOARD

- a. There is hereby established a Chief Executive Officer's Board (herein "CEO Board") consisting of five (5) Voting Board participating jurisdiction representatives. The CEO Board shall consist of the Chair of the Voting Board (who shall be the Chair of the CEO Board); the Chief Administrative Officers or their designees from the two largest participating jurisdictions (as determined by the participating jurisdiction's user fee contribution), and two Chief Administrative Officer members who shall be appointed at-large by the Voting Board from the remaining participating jurisdictions. In the event the CEO Chair also represents one of the two largest participating jurisdictions, then three at-large members of the CEO Board shall be appointed, by the Voting Board, from the remaining participating jurisdictions. The CEO Board shall elect a Vice-Chair at the first meeting of every other calendar year. The term of the Vice-Chair shall be two years. In no case shall any jurisdiction have more than 1 member on the CEO Board.
- b. The CEO Board shall, among other things:
 - Nominate and recommend contract employment terms and conditions for the Agency Director subject to Board ratification
 - Based upon the direction of the WCCCA Board of Commissioners, provide oversight and direction to the WCCCA Director regarding all Agency operations
 - Approve policies and strategies for Agency service levels and administrative directives
 - Approve salary levels for all Agency employees subject to Board ratification

- Recommend the Agency's annual budget to the Voting Board
- Review and make recommendations to the Voting Board regarding user fees as detailed in Appendix A
- Provide for an annual audit of the Agency's finances
- Approve all contracts in amounts as authorized by Agency administrative directive.
- Review all contracts over \$50,000 and make recommendations to the Voting Board
- Serve as final step of grievance procedure for unclassified employees
- Provide direction and advice to Director regarding labor negotiations and make recommendations to Board of Commissioners.
- Perform other duties and responsibilities that may be assigned by the Voting Board.

- c. A majority of the members of the CEO Board attending a duly held meeting shall constitute a quorum for the purpose of deliberation and decision. Each CEO Board member shall have one vote. Approval of at least three (3) CEO Board members is required for any action.

5. TECHNICAL ADVISORY COMMITTEE

There is hereby established a Technical Advisory Committee (herein "TAC"), consisting of one representative appointed from each member law and fire agency. Each agency may also appoint an alternate, who will have voting authority in the absence of their agency's primary representative. (Refer to section 3b for list of member jurisdictions that will provide user agency participation.) . . TAC representatives shall be employees of their respective agencies and possess the appropriate decision-making authority needed to participate in the TAC function.

- a. TAC shall 1) provide advice and counsel to the Board, CEO Board and Communications Director in matters of Agency operational priorities, policies and procedures; 2) review and recommend to the Communications Director for adoption by the Agency, Standard Operating Guidelines (herein "SOG"); 3) provide advice and counsel to the Communications Director in the development of the Agency's annual operating budget; and 4) review and make recommendations to the CEO Board and Voting Board regarding user fees as detailed in appendix A.

A majority of TAC members in attendance at a duly held meeting shall constitute a quorum for the purpose of deliberation and decision. Each agency representative on TAC shall have one vote. Any TAC Representative who provides the contracted response for a single or multiple jurisdictions shall have one vote. Any TAC Representative who has oversight responsibility of multiple user agencies shall have a vote for each of those agencies.

- b. All decisions of TAC shall require a majority vote of those representatives in attendance.
- c. TAC, at its first meeting of each calendar year, shall elect a Chair and Vice-Chair for one-year terms. TAC shall meet at least quarterly, and at a time and place designated by its members. Special meetings of TAC may be called by the Chair or any two (2) members upon at least seven (7) days prior written notice to all TAC members.

6. COMMUNICATIONS DIRECTOR

- a. The Board shall select and appoint a Communications Director, based upon administrative and technical competence.
- b. The Communications Director shall be the chief administrative officer of the Agency and be responsible for 1) Agency administration, personnel, purchasing and budget functions, in conformance with the policies and rules adopted by the Board; 2) dispatching, phone answering, recordkeeping, security and other Agency functions in conformance with the policies adopted by the Board; 3) hiring, training, discipline and/or discharge of all subordinate Agency personnel, subject to applicable Agency rules and policies; 4) attending and providing executive staffing of Board, CEO Board and TAC meetings; and 5) preparing and presenting to the Agency Budget Committee a proposed budget for the next fiscal year.

7. FUNDING

- a. The services of the Agency shall be funded from contributions from participating jurisdictions, including the relinquishment or assignment of each participating jurisdiction's 9-1-1 excise taxes. Distributions of the 9-1-1 excise tax will be made in accordance with ORS 403.240.
- b. Participating jurisdiction contributions shall be calculated in a manner known as the "Member Fee Formula" as described in Appendix A. Member Fee contributions shall be paid in four (4) equal installments and due no later than July 10, October 10, January 10, and April 10 of each year.
- c. Those consolidated Voting Board members from small city and small fire district Agency members, shall have their annual member fee contribution increases capped at no more than three percent (3%) each fiscal year. The affected Agency members are specifically identified in article 3b (Governing body and Voting Board) of this agreement. The portion of member fees not paid by consolidated Voting Board members as a result of section 3b is paid by non-consolidated Voting Board members on a proportionate-share basis of total user fees for Voting Board members whose votes are not consolidated.

8. INCREASING MEMBERSHIP

The Voting Board shall develop a method for allowing Agency membership for other units of local government. New participating jurisdictions shall be accepted as members of the Agency *only upon unanimous approval* of all Board members, via the normal chain of authority for the Agency. All participating jurisdictions shall be responsible for directly or indirectly providing an emergency service. Emergency services are police, fire or emergency medical services.

9. DURATION, WITHDRAWAL AND TERMINATION

This Agreement is perpetual and the Agency shall continue from year-to-year provided, however, 1) any participating jurisdiction may withdraw from the Agency upon providing written notice to the Chairman not later than June 30 of any year for withdrawal effective July 1 of the following calendar year; and 2) the Agency may be dissolved upon mutual agreement of all participating jurisdictions. A participating jurisdiction may withdraw from the Agency without written notice required herein, only if agreed to by all remaining participating jurisdictions

10. REMEDIES

If a participating jurisdiction withdraws from this Agency, but fails to provide necessary notice or to obtain mutual consent of all participating jurisdictions, the parties agree that the liquidated damages for such action shall be not less than the withdrawing party's share of the Agency's annual operation costs for the next fiscal year, as determined by the Agency's Member Fee Formula. In the event any party files litigation to enforce this Agreement, or any portion thereof, the prevailing party shall be entitled to reasonable attorney fees and costs, including any fees and costs incurred in an appeal, and as determined by the appropriate court.

11. AMENDMENTS

This Agreement may only be changed, modified, or amended upon three-fourths (3/4) vote of all participating jurisdictions.

12. EFFECTIVE DATE

This Agreement shall become effective when it has been authorized by resolution of a majority of the governing bodies of the participating jurisdictions identified herein. Notwithstanding paragraph 8, Increasing Membership, those participating jurisdictions that do not enter into this Agreement prior to its effective date, may become members of the Agency upon authorization by resolution of their governing bodies, provided such authorization is enacted prior to December 1, 1990. Any jurisdiction desiring to join the Agency after December 1, 1990, may do so subject to paragraph 8, Increasing Membership.

13. PRIOR AGREEMENTS

This Agreement, upon its effective date, supersedes the previous WCCCA Intergovernmental Agreement, however, any and all prior agreements of WCCCA and/or between the participating jurisdictions regarding cooperative and coordinated efforts to provide a 9-1-1 primary public safety answering point for police, fire and emergency medical services shall remain in full force and effect until modified, terminated and/or replaced by the participating jurisdictions. The WCCCA established pursuant to this Agreement shall maintain any and all rights and responsibilities of the previous WCCCA in regard to other persons or parties.

14. SEVERABILITY

The terms of this Agreement are severable and a determination by an appropriate body having jurisdiction over the subject matter of this Agreement that results on the invalidity of any part, shall not affect the remainder of the Agreement.

15. INTERPRETATION

The terms and conditions of this Agreement shall be liberally construed in accordance with the general purposes of this Agreement.

16. EXECUTION AND COUNTERPARTS

This Agreement may be executed in any number of counterparts, each of which will be deemed an original, and such counterparts together will constitute only one instrument. Any one counterpart will be sufficient for the purpose of proving the existence and terms of this Agreement, and no party will be required to produce an original or all of the counterparts in making such proof.

SUBSCRIBED TO AND ENTERED INTO by the appropriate officer (s) who is duly authorized by resolution to execute this Agreement on behalf of the governing body of the below-named unit of local government.

SIGNATURE LINES HERE

Dated this _____ day of _____, 2014

City of Banks

Legal Counsel
APPROVED AS TO FORM

Dated this _____ day of _____, 2014

Banks Fire Protection District #13

Legal Counsel
APPROVED AS TO FORM

Dated this _____ day of _____, 2014

City of Forest Grove

Legal Counsel
APPROVED AS TO FORM

Dated this _____ day of _____, 2014

City of Beaverton

Legal Counsel
APPROVED AS TO FORM

Dated this _____ day of _____, 2014

City of Cornelius

Legal Counsel
APPROVED AS TO FORM

Dated this _____ day of _____, 2014

Cornelius Rural Fire District

Legal Counsel
APPROVED AS TO FORM

Dated this _____ day of _____, 2014

City of Durham

Legal Counsel
APPROVED AS TO FORM

Dated this _____ day of _____, 2014

City of Gaston

Legal Counsel
APPROVED AS TO FORM

Dated this _____ day of _____, 2014

Gaston Rural Fire District

Legal Counsel
APPROVED AS TO FORM

Dated this _____ day of _____, 2014

City of Hillsboro

Legal Counsel
APPROVED AS TO FORM

Dated this _____ day of _____, 2014

City of King City

Legal Counsel
APPROVED AS TO FORM

Dated this _____ day of _____, 2014

City of North Plains

Legal Counsel
APPROVED AS TO FORM

Dated this _____ day of _____, 2014

City of Sherwood

Legal Counsel
APPROVED AS TO FORM

Dated this _____ day of _____, 2014

City of Tigard

Legal Counsel
APPROVED AS TO FORM

Dated this _____ day of _____, 2014

City of Tualatin

Legal Counsel
APPROVED AS TO FORM

Dated this _____ day of _____, 2014

Tualatin Valley Fire & Rescue

Legal Counsel
APPROVED AS TO FORM

Dated this _____ day of _____, 2014

Washington County Fire District #2

Legal Counsel
APPROVED AS TO FORM

Dated this _____ day of _____, 2014

Washington County

Legal Counsel
APPROVED AS TO FORM

APPENDIX A

COST ALLOCATION PLAN

Agency costs shall be allocated to the members based on factors and metrics such as, but not limited to, the ratio of population, public calls for service, and air time, as approved by the Board.

REVIEW

The Agency shall monitor the ratio of costing factors to determine if those ratios provide equitable costs to all members. At each annual Board Retreat, the Director (or designee) shall report on the efficacy of the costing ratios.

CHANGES TO THE COST ALLOCATION PLAN

The Director, TAC, CEO Board or Board may request a review of the costing ratios. . If a review is requested, the Agency Director may convene a member fee sub-committee. The recommendations of the sub-committee shall be presented to the TAC, CEO Board and Board of Commissioners. The Board of Commissioners may modify the costing ratios at such time as the Board establishes member fees for the upcoming fiscal year.



Washington County Consolidated Communications Agency

JUNE 10, 2014

WCCCA IGA CHANGES/TALKING POINTS

1. In several Sections addressing authority for decisions, language added to allow for inclusion of TAC when appropriate in the customary chain of authority for WCCCA – look for this language “...as approved through the normal chain of authority for the Agency.”
2. Section 3b. Old language specific to Forest Grove removed as Forest Grove structure is defined generally in other areas of the IGA as current status and practice dictate.
3. Section 5 – Technical Advisory Committee – Language updated to ensure that TAC is the reflected title throughout the section (and other sections), to address alternates, eliminate each individual jurisdiction in this section so if something changes in the future the IGA doesn’t have to be reopened specifically for that, define the appropriate participants, ensure that the duties of TAC are appropriately represented and define quorum and the vote process for TAC.
4. Section 7 – Added the current 3% cap language (it had been in the former Appendix A and is written here as it is written in the WCCCA by-laws.
5. Section 10 and appendix A – update language to reflect the currently used “member fee”, eliminating the term “user”.
6. Appendix A – renovation of this language serves a couple of purposes:
 - a. Eliminate the former “black box” process and language in favor of the member fee sub-committee’s recommendations for new elements of a fee formula, outlined generally with the understanding there may be change in the future
 - b. Encourages monitoring of the efficacy of the costing ratios
 - c. Member involvement in review of the formula through the convening of member fee sub-committees in the future
 - d. Fee formula can be modified without reopening the IGA
7. In general, the changes made primarily address the changes to the member fee formula and address the current function of TAC.

AMENDMENT TO INTERGOVERNMENTAL AGREEMENT
WASHINGTON COUNTY CONSOLIDATED COMMUNICATIONS AGENCY

THIS AMENDMENT to the Washington County Consolidated Communications Agency Intergovernmental Agreement ("Intergovernmental Agreement") is made and entered into, pursuant to ORS 190.010 and by and among the Cities of Banks, Beaverton, Cornelius, Durham, Forest Grove, Gaston, Hillsboro, King City, North Plains, Sherwood, Tigard, and Tualatin; the Fire Districts of Tualatin Valley Fire & Rescue, Washington County No. 2, Cornelius Rural Fire, Gaston Rural Fire, Tri-Cities Rural Fire; Forest Grove Rural Fire and Washington County (herein "participating jurisdictions").

WITNESSETH

WHEREAS the participating jurisdictions have previously entered into the Intergovernmental Agreement creating the Washington County Consolidated Communications Agency ("Agency") for purposes of establishing and operating a public safety emergency communications system inclusive of a 9-1-1 jurisdiction as contemplated by ORS 401.710 to 401.790 that provides a cooperative and coordinated 9-1-1 primary public safety answering point for police, fire and emergency medical services for the benefit of all participating jurisdictions; and

WHEREAS, from time to time, by amendment, the Intergovernmental Agreement has been modified to provide, among other things, expanded membership in the Agency; and

WHEREAS the participating jurisdictions now desire to further amend the Intergovernmental Agreement to provide, among other things, for a Voting Board among the participating jurisdictions and assigning responsibilities thereto;

NOW THEREFORE, the Intergovernmental Agreement is hereby amended, with said amendments incorporated into the text of the Intergovernmental Agreement and the entirety of the Intergovernmental Agreement, as amended, set forth below.

TERMS AND CONDITIONS

1. WASHINGTON COUNTY CONSOLIDATED COMMUNICATIONS AGENCY
The participating jurisdictions hereby create a 9-1-1 jurisdiction responsible for the provision of 9-1-1 service and public safety communications and agree that the Agency will be under ORS 190.003; and known as the WASHINGTON COUNTY CONSOLIDATED COMMUNICATIONS AGENCY.

2. POWERS AND AUTHORITY
The Agency is vested with all powers, rights and duties necessary for performing the functions of a 9-1-1 public safety answering point and initiating appropriate response pursuant to ORS 401.710 to 401.790, including, but not limited to, contracting for such services.

Notwithstanding the above, it is understood and agreed that the City of Forest Grove shall be the 9-1-1 public safety answering point for all such phone calls originating in the City of Forest Grove, and further the City of Forest Grove shall forward those calls for fire and/or emergency medical services to the Agency and shall be responsible for dispatch of police services within the City of Forest Grove.

3. GOVERNING BODY AND VOTING BOARD

- a. The Agency shall be governed by a Board of Commissioners (herein "Board"), whose membership shall consist of voting and non-voting members. One representative from each participating jurisdiction shall constitute the Board. Each participating jurisdiction shall appoint, at its pleasure, one primary representative and one alternative representative, who may attend and participate, as provided herein, in all Board meetings in the absence of the participating jurisdiction's primary representative. Representatives and alternates shall be an elected official or employee of their respective participating jurisdictions.
- b. Only the herein identified participating jurisdictions' Board members shall have the authority to move, second or vote on any Agency Board action. These participating jurisdiction representatives shall be known as the Agency Voting Board. The Agency Voting Board will consist of those representatives of participating jurisdictions, singly or in combination, contribute one percent or more of the total user fees paid by all participating jurisdictions. Initially the Voting Board shall consist of representatives of the cities, of Beaverton, Hillsboro, Tigard, Tualatin, Forest Grove, Sherwood, and Cornelius; Washington County; and the Tualatin Valley Fire and Rescue. In addition the Voting Board shall include one representative selected by the City participating jurisdictions of (King City, Durham, North Plains, Gaston, and Banks), and one representative selected by the participating Fire District participating jurisdictions of (Cornelius Rural Fire Protection District, Tri-Cities Rural Fire Protection District, Gaston Rural Fire Protection District, and Washington County District #2).

Notwithstanding the above, the City of Forest Grove and the Forest Grove Rural Fire Protection District together shall appoint a single, primary representative and single alternate representative to the Voting Board.

- c. The Voting Board shall be responsible for
- Approval and adoption of the Agency Strategic Plan
 - Approval and adoption of the Agency annual objectives and work plan
 - Adoption of general policy guidelines and performance standards for Agency service levels
 - Adoption of the Agency's annual budget
 - Approval of all contracts in amounts as authorized by Voting Board administrative directive.

- d. All meetings of the Voting Board and CEO Board shall be held in accordance with Oregon Public Meeting Laws, ORS 192.610 to 192.620. A majority of the members of the Voting Board shall constitute a quorum for purpose of deliberation and decision of the Agency. All decisions of the Voting Board, unless otherwise provided herein, shall require a majority vote of those representatives in attendance and voting.
- e. The Voting Board, at its first organizational meeting, or as soon thereafter as reasonable, shall adopt rules governing its procedures, and including at a minimum 1) time and place of regular meetings; 2) method and manner of calling special meetings; 3) method, term and manner of election of Voting Board officers; 4) procedures for executing documents on behalf of Agency; and 5) CEO Board and User Committee rules of procedure.
- f. The Voting Board, at its first organizational meeting, shall elect a Chair and Vice-Chair. The Chair shall be an elected official unless there is no elected official on the Voting Board willing to accept the position of Chair. If an elected official is unavailable or unwilling to serve, any member of the Voting Board may be elected Voting Board Chair. The term of the Chair and Vice-Chair shall be two years, with elections held at the Board's first meeting in January of even-numbered years. The Chair, and in his/her absence the Vice-Chair shall preside over all Voting Board meetings. The Communications Director, or designee, shall act as Clerk of the Board and be responsible for providing notices of meetings and keeping of minutes, as required by Oregon Public Meetings Laws.

4. CEO BOARD

- a. There is hereby established a Chief Executive Officer's Board (herein "CEO Board") consisting of five (5) Voting Board participating jurisdiction representatives. The CEO Board shall consist of the Chair of the Voting Board (who shall be the Chair of the CEO Board); the Chief Administrative Officers or their designees from the two largest participating jurisdictions (as determined by the participating jurisdiction's user fee contribution), and two Chief Administrative Officer members who shall be appointed at-large by the Voting Board from the remaining participating jurisdictions. In the event the CEO Chair also represents one of the two largest participating jurisdictions, then three at-large members of the CEO Board shall be appointed, by the Voting Board, from the remaining participating jurisdictions. The CEO Board shall designate a Vice-Chair at the first meeting of each year. In no case shall any jurisdiction have more than 1 member on the CEO Board.
- b. The CEO Board shall, among other things:
 - Nominate and recommend contract employment terms and conditions for the Agency Manager subject to Board ratification
 - Based upon the direction of the WCCCA Board of Commissioners, provide oversight and direction to the WCCCA Manager regarding all Agency operations
 - Adopt implementing policies and strategies for Agency service levels

- - Approve all other agency operating policies including personnel policies
 - Approve salary levels for all Agency employees subject to Board ratification
 - Recommend the Agency's annual budget to the Voting Board
 - Provide for an annual audit of the Agency's finances
 - Approve all contracts in amounts as authorized by Voting Board administrative directive.
 - Review all contracts over \$50,000 and make recommendations to the Voting Board
 - Serve as final step of grievance procedure for unclassified employees
 - Provide direction and advice to Director regarding labor negotiations and make recommendations to Board of Commissioners.
 - Perform other duties and responsibilities that may be assigned by the Voting Board.
- c. A majority of the members of the CEO Board attending a duly held meeting shall constitute a quorum for the purpose of deliberation and decision. Each CEO Board member shall have one vote. Approval of at least three (3) CEO Board members is required for any action.

5. TECHNICAL ADVISORY COMMITTEE

- a. There is hereby established a Technical Advisory Committee (herein "User Committee"), consisting of one representative appointed from each of the following agencies: Banks Police, Beaverton Police, Cornelius Police, Gaston Police, Hillsboro Police, King City Police, North Plains Police, Sherwood Police, Tigard Police, Washington County Emergency Medical Services, Tualatin Police, Washington County Sheriff's Office, City of Durham, City of Forest Grove/Forest Grove Fire, Cornelius Fire, Gaston Fire, Tri-Cities Fire, Hillsboro Fire, Tualatin Valley Fire & Rescue, and Washington County Fire No. 2. It is understood that the User Committee shall include a single representative for the City of Forest Grove and the Forest Grove Rural Fire Protection Agency. User Committee representatives shall be employees of their respective agency.
- b. The User Committee shall 1) provide advice and counsel to the Board, CEO Board and Communications Director in matters of Agency operational priorities, policies and procedures; 2) review and recommend to the Communications Director for adoption by the Agency, Standard operating Procedures (herein "SOPs"); and 3) provide advice and counsel to the Communications Director in the development of the Agency's annual operating budget.

- c. A majority of the User Committee members in attendance at a duly held meeting shall constitute a quorum for the purpose of deliberation and decision. Each agency representative on the User Committee shall have one vote. All decisions of the User Committee shall require a majority vote of those representatives in attendance.
- d. The User Committee, at its first organizational meeting, shall elect a Chair and Vice-Chair for a one-year term. The User Committee shall meet at least quarterly, and at a time and place designated by its members. Special meetings of the User Committee may be called by the Chair or any two (2) members upon at least seven (7) days prior written notice to all User Committee members.

6. COMMUNICATIONS DIRECTOR

- a. The Board shall select and appoint a Communications Director, based upon administrative and technical competence.
- b. The Communications Director shall be the chief administrative officer of the Agency and be responsible for 1) Agency administration, personnel, purchasing and budget functions, in conformance with the policies and rules adopted by the Board; 2) dispatching, phone answering, recordkeeping, security and other Agency functions in conformance with the policies adopted by the Board; 3) hiring, training, discipline and/or discharge of all subordinate Agency personnel, subject to applicable Agency rules and policies; 4) attending and providing executive staffing of Board, CEO Board and User Committee meetings; and d) preparing and presenting to the Agency Budget Committee, not later than the first Monday in January, a proposed budget for the next budget year.

7. FUNDING

- a. The services of the Agency shall be funded from contributions from participating jurisdictions, including the relinquishment or assignment of each participating jurisdiction's 9-1-1 excise taxes. Participating jurisdiction contributions shall be made in the manner described in Appendix A attached hereto and known as the "User Formula." User Formula contributions shall be paid in four (4) equal installments and due no later than July 10, October 10, January 10, and April 10 of each year. Participating jurisdictions that elect to continue to receive 9-1-1 excise tax funds directly shall promptly forward those funds to be provided to the Agency in accordance with the User Formula as set forth in Appendix A.
- b. Notwithstanding the above, the City of Forest Grove shall keep any and all 9-1-1 excise tax funds it receives directly and shall not forward those to the Agency. In addition, Appendix A, the user formula, as applied to the City of Forest Grove, shall not attribute to the City of Forest Grove costs associated with police dispatch.

8. EQUIPMENT

- a. The Voting Board shall consider and adopt policies relating to ownership and maintenance responsibilities for equipment necessary for the operation of the Agency. Upon adoption of such policies by the Voting Board, the Communications Director shall cause them to be mailed to each participating jurisdiction's city manager or chief administrative officer, for purposes of review and/or comment and objection. If no participating jurisdiction provides the Communications Director with written objections to the policies, within 30 days of their mailing, it shall be assumed the policies are acceptable to the participating jurisdictions and the policies shall be deemed effective as of that date.
- b. In the event of Agency dissolution, equipment and furnishings not identified for return to a participating jurisdiction shall be sold, in accordance with applicable law, and the funds from such sale distributed to the participating jurisdictions in proportion to their funding contribution to the Agency for the preceding three (3) year period.

9. INCREASING MEMBERSHIP

The Voting Board shall develop a method for allowing Agency membership for other units of local government. New participating jurisdictions shall be accepted as members of the Agency *only upon unanimous approval* of all Board members. All participating jurisdictions shall be responsible for directly or indirectly providing an emergency service. Emergency services are police, fire or emergency medical services.

10. DURATION, WITHDRAWAL AND TERMINATION

This Agreement is perpetual and the Agency shall continue from year-to-year provided, however, 1) any participating jurisdiction may withdraw from the Agency upon providing written notice to the Chairman not later than June 30 of any year for withdrawal effective July 1 of the following calendar year; and 2) the Agency may be dissolved upon mutual agreement of all participating jurisdictions. A participating jurisdiction may withdraw from the Agency without written notice required herein, only if agreed to by all remaining participating jurisdictions. The governance and funding structure of this agreement may be subject to review by the Voting Board upon completion of 4 years from the effective date if a review is requested by at least one participating jurisdiction.

11. REMEDIES

If a participating jurisdiction withdraws from this Agency, but fails to provide necessary notice or to obtain mutual consent of all participating jurisdictions, the parties agree that the liquidated damages for such action shall be not less than the withdrawing party's share of the Agency's annual operation costs for the next fiscal year, as determined by the Agency's User Formula. In the event any party files litigation to enforce this Agreement, or any portion thereof, the prevailing party shall be entitled to reasonable attorney fees and costs, including any fees and costs incurred in an appeal, and as determined by the appropriate court.

12. AMENDMENTS

This Agreement may only be changed, modified, or amended upon three-fourths (3/4) vote of all participating jurisdictions.

13. EFFECTIVE DATE

This Agreement shall become effective when it has been authorized by resolution of a majority of the governing bodies of the participating jurisdictions identified herein. Notwithstanding paragraph 9, Increasing Membership, those participating jurisdictions that do not enter into this Agreement prior to its effective date, may become members of the Agency upon authorization by resolution of their governing bodies, provided such authorization is enacted prior to December 1, 1990. Any jurisdiction desiring to join the Agency after December 1, 1990, may do so subject to paragraph 9, Increasing Membership.

14. PRIOR AGREEMENTS

This Agreement, upon its effective date, supersedes the previous WCCCA Intergovernmental Agreement, however, any and all prior agreements of WCCCA and/or between the participating jurisdictions regarding cooperative and coordinated efforts to provide a 9-1-1 primary public safety answering point for police, fire and emergency medical services shall remain in full force and effect until modified, terminated and/or replaced by the participating jurisdictions. The WCCCA established pursuant to this Agreement shall maintain any and all rights and responsibilities of the previous WCCCA in regard to other persons or parties.

15. SEVERABILITY

The terms of this Agreement are severable and a determination by an appropriate body having jurisdiction over the subject matter of this Agreement that results on the invalidity of any part, shall not affect the remainder of the Agreement.

16. INTERPRETATION

The terms and conditions of this Agreement shall be liberally construed in accordance with the general purposes of this Agreement.

SUBSCRIBED TO AND ENTERED INTO by the appropriate officer (s) who are duly authorized by resolution to execute this Agreement on behalf of the governing body of the below-named unit of local government.

SIGNATURE LINES HERE

Dated this _____ day of _____, 2000

City of Banks

City Attorney
APPROVED AS TO FORM

Dated this 5th day of FEBRUARY, 2000

[Signature]
City of Beaverton

[Signature]
City Attorney
APPROVED AS TO FORM

Dated this 13 day of February, 2000

[Signature]
City of Cornelius

City Attorney
APPROVED AS TO FORM

Dated this 26 day of 2001, 2000

[Signature]
Cornelius Fire District

City Attorney
APPROVED AS TO FORM

Dated this 22 day of March, 2000

Jerry Scheraga
City of Durham

W. M. S. C.
City Attorney
APPROVED AS TO FORM

Dated this 11 day of April, 2000

Brett J. Costello
City of Gaston

D. M. S. C.
City Attorney
APPROVED AS TO FORM

Dated this 8th day of May, 2000

Gary A. Law
Gaston Fire District

City Attorney
APPROVED AS TO FORM

Dated this 19th day of July, 2000

Robert Mason
City of Hillsboro

City Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2000

City of King City

City Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2000

City of North Plains

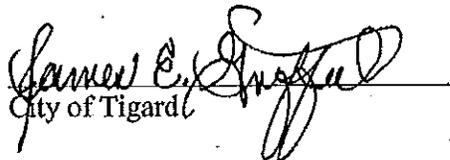
City Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2000

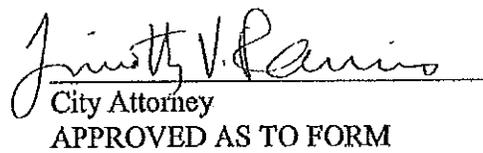
City of Sherwood

City Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2000

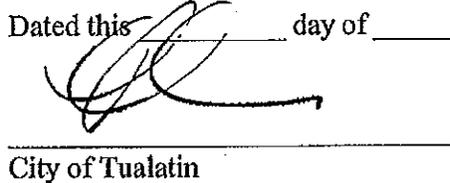


City of Tigard

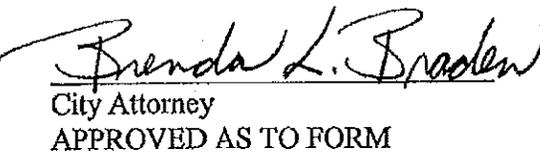


City Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2000



City of Tualatin

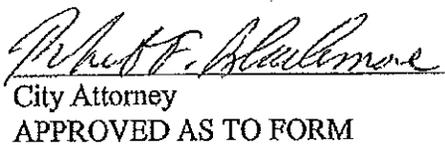


City Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2000



Tualatin Valley Fire & Rescue



City Attorney
APPROVED AS TO FORM

Dated this 5th day of December, 2000^e

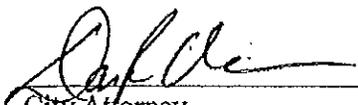

Washington County Fire District #2

City Attorney
APPROVED AS TO FORM

Dated this 18th day of December, 2000

RFO 00-83
6-6-2000

Tom Burton
Washington County



City Attorney
APPROVED AS TO FORM

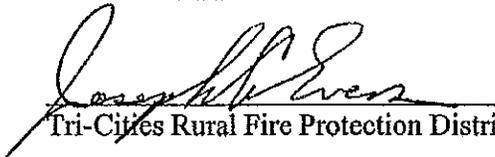
Dated this 22nd day of MARCH, 2000


City of Forest Grove



City Attorney
APPROVED AS TO FORM

Dated this 5th day of November, 2000


Tri-Cities Rural Fire Protection District

City Attorney
APPROVED AS TO FORM

APPENDIX A

USER FORMULA

Agency costs shall be distributed to the users based on a per-console cost.

The base operating budget shall be determined and direct costs which can be identified to the listed divisions shall be directly allocated.

Divisions are as follows:

1. 9-1-1/Call Answering
2. Police Dispatch
3. Fire/BMS Dispatch
4. Technical
5. Administrative/Overhead

Indirect costs not identified to a division and technical division costs shall also be distributed to the listed divisions in the same proportion as direct costs.

The administrative/overhead costs shall be allocated to 9-1-1, police, and fire/EMS based on a direct labor ratio.

9-1-1 Excise Tax Revenue shall be directly forwarded from each participating jurisdiction receiving excise tax to the commission.

After each division has had all direct and indirect costs distributed, 9-1-1 revenue will be used to fund the 9-1-1 division. Excess 9-1-1 revenue will be distributed to offset costs to the police division and the fire/EMS division on a proportional share of 9-1-1 activity.

The fire/EMS dispatch console costs will then be apportioned to each fire user based upon a proportional share of actual incidents, based on the previous year's activity levels.

The police dispatch costs shall be apportioned to each user based on consoles used by each jurisdiction. In the event a console is shared by several jurisdictions, the console cost shall be apportioned based on the percentage of population served.

After actual costs for each jurisdiction are determined, the agencies represented by a combined Voting Board Representative (Cornelius Fire, Tri-Cities Fire, Gaston Fire, Washington County District #2, King City, Durham, North Plains, Gaston Police, Banks) shall have their adjusted costs determined. As adopted by the Board of Commissioners on 12-16-99, these members' fees may not increase by more than 3% per year, using the FY 99-00 user fees as the base year. Any

remaining increase is to be distributed to the remaining users proportionate to their share of the user fees for agencies without combined representation.

USER FORMULA

The workload user cost distribution formula is prepared for the purpose of allocating operating costs to each user based on actual workload. Upon data becoming available, a full management report shall be directed to the CEO Board of the Commission for the review and adoption of a workload user formula. The revised formula shall be patterned directly from the following cost distribution workload formula.

Workload and user costs will be identified by cost center. 9-1-1 revenue for each user will be credited for each user's 9-1-1 costs as identified by the cost center. Should there be excess 9-1-1 revenue, the credit shall be applied to the user's dispatch cost centers, thereby assuring costs and revenue are directly applied to a jurisdiction and assuring no one entity subsidizes another's 9-1-1 costs.

All 9-1-1 Excise Tax Revenue received by each participating jurisdiction shall be directly forwarded to the Agency.

The operating budget of the Agency shall be prepared and costs allocated to users as identified in the following steps.

STEP 1. Identify Cost Centers.

- A. Five (5) cost centers are identified:
- 1) Call Answering
 - 2) Police Dispatch
 - 3) Fire/EMS Dispatch
 - 4) Technical Support
 - 5) Administration/Overhead

STEP 2. Identify Operating Costs of Each Cost Center.

- A. Call Answering:

Call answering costs include personnel staffing requirements, telephone line charges, and associated costs for 9-1-1 (basic or enhanced) and business calls (7-digit into the dispatch center). This call answering does not include administrative business calls.

B. Police Dispatch:

Police dispatch costs will include personnel staffing requirements for all police consoles and associated direct costs for police dispatch.

C. Fire/EMS Dispatch:

Fire/EMS dispatch costs include personnel staffing requirements and all associated costs for fire/EMS dispatch.

D. Technical:

Personnel requirements and equipment for technical support are the costs included in the technical cost center. (This does not include parts.)

E. Administration/overhead:

Staffing and costs associated with the general day-to-day operation, i.e., heating, electrical, insurances and supplies.

STEP 3. Apportion Administration/overhead.

Administration and overhead costs shall be charged to each cost center based on the cost center's share of total costs less administration and overhead.

STEP 4. Apportion Call Answering Costs to Users.

A. 9-1-1 Costs:

9-1-1 costs will be based on the proportionate time devoted to 9-1-1 call answering. Costs shall be allocated among all users based on the number of 9-1-1 calls for each user.

B. Business Calls (7 -digit) /Incidents:

The time allocated to business incident calls will be determined using the following process:

Using the average time for 9-1-1 calls and multiplying the number provided by the management system of business incident calls will yield the total time allocated to business incidents. This figure shall be subtracted from the total time allocated to the business calls (provided by the call management system) thereby providing the time devoted to business calls generating incidents.

3. 7-digit business calls (incidents) shall be allocated to each user.

C. Business Calls:

The remaining amount of calls shall be allocated to each user based on the number of incidents per 9-1-1 and business/ incident calls as determined by police and fire/EMS dispatch.

STEP 5. Police Dispatch Allocation.

The costs, including administration and overhead, shall be allocated by consoles, i.e., sheriff consoles (county), and city consoles. The costs shall be allocated to each user based on incident activity level for each political jurisdiction based on the previous year's activity and workload.

Incident activity will be determined by number of dispatched incidents and number of officer-initiated incidents per jurisdiction.

STEP 6. Fire/EMS Dispatch.

Costs of the fire/EMS dispatch cost center, including administration and overhead, shall be apportioned to each user based on incidents for each jurisdiction.

STEP 7. Technical.

Costs of technical, including administration and overhead, shall be allocated based on previous year usage of each member.

SW NYBERG LN



SW OMAHA CT

SW 57TH PL

SW 57TH PL

SW 56TH PL

SW WICHITA ST

SW 55TH CT

SW NATCHEZ ST

SW JOSHUA ST





STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos

FROM: Ben Bryant, Economic Development Manager

DATE: 07/14/2014

SUBJECT: Consideration of Acceptance of the Economic Development Strategic Plan

ISSUE BEFORE THE COUNCIL:

Consider acceptance of the Economic Development Strategic Plan

RECOMMENDATION:

Staff recommends the City Council consider the Economic Development Strategic Plan

EXECUTIVE SUMMARY:

In April, the City Council reviewed the draft 2014 Economic Development Strategic Plan. Every strategy included in the draft plan is a direct result of the feedback provided by the Economic Development Strategy Committee over the course of several months. At the direction of the City Council, staff transitioned this document from a one-page road map into a brochure that provided additional information on Tualatin's economy, industry clusters, and set the context of this plan in relation to Tualatin Tomorrow.

At the July 14th meeting, several members of the Strategy Committee will speak about the elements of the plan that are most important to them and be present to answer any questions.

ALTERNATIVES TO RECOMMENDATION:

Accept with modifications

Attachments: [Attachment A: Economic Development Strategic Plan](#)



BY THE NUMBERS:

INDUSTRY CLUSTERS

57%

Of local jobs in key industry clusters

\$1.6 BILLION

Annual value output from industry clusters

\$85,000

Average wage among industry clusters

\$50,000

Average wage in Tualatin among all industries

AVAILABLE LAND

787 ACRES

Available Industrial Land

51 ACRES

Available Commercial Land

DEMOGRAPHICS

2,289,800

Portland Metro Area Population

26,716

Tualatin Population

90%

Of Tualatin population 25 years + have high school diploma or higher

42%

Of Tualatin population 25 years + have bachelor's degree or higher

\$324,000

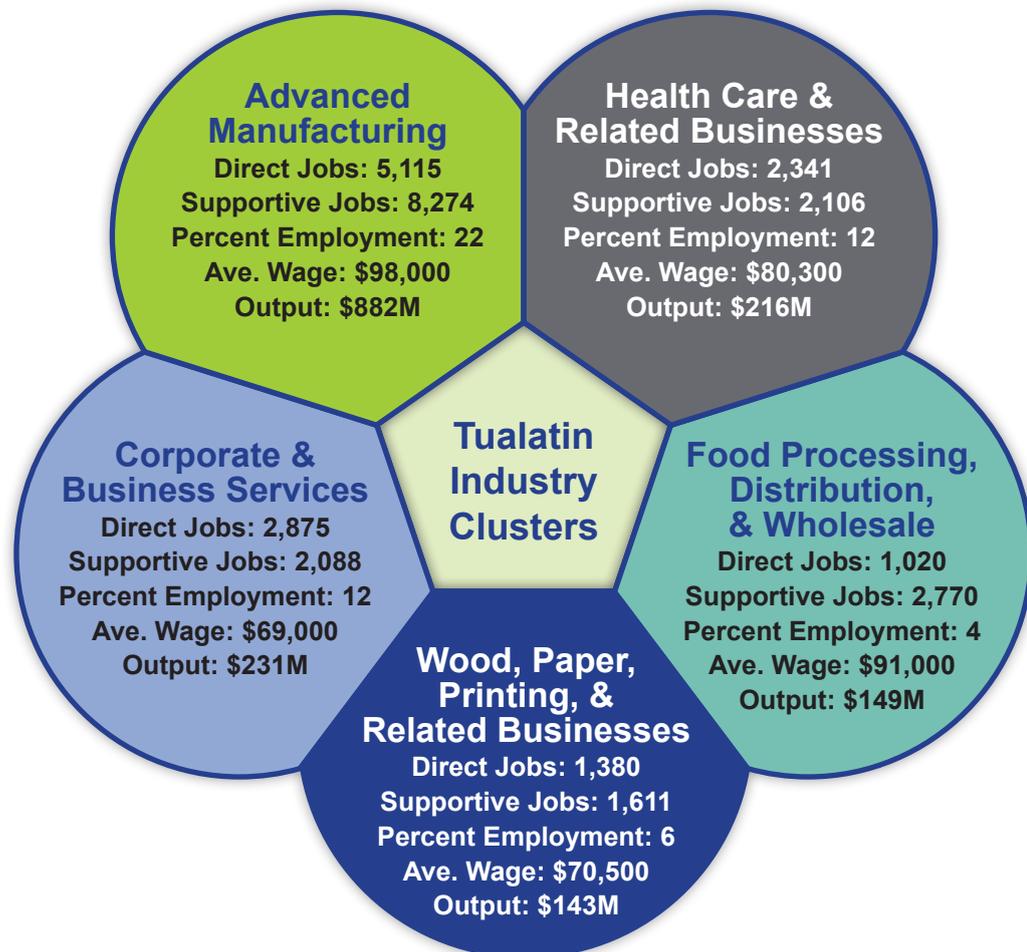
Tualatin Median Home Value

WHY IS ECONOMIC DEVELOPMENT IMPORTANT?

The City of Tualatin recognizes that a fundamental element to the overall quality of life is the health of the local economy. Businesses provide jobs, a strong tax base to support high quality services, and bring prosperity to the community. Furthermore, businesses contribute significantly to local charities and sponsor community events.

WHAT IS THE FOCUS OF THIS PLAN?

Every job created in Tualatin is a benefit to the local community. With limited time and resources, the Economic Development Strategic Plan targets five key industry clusters for two distinct reasons. First, the strongest industry clusters in Tualatin provide the most jobs with significantly higher average wages. Second, over 90 percent of the available developable land is targeted for industrial growth.



OVERALL GOAL

Continue a leadership role as one of the premier economic activity centers in the greater Portland metropolitan region. Focus on growing family wage jobs in targeted business clusters while encouraging high standards and excellence in urban design.

Key Assumption | INFRASTRUCTURE

Tualatin is at the center of trade and commerce located along Interstate-5 and Interstate-205, 20 minutes from downtown Portland. Its convenient location has made the City a strong employment center in the region. In past decades, Tualatin made important strategic investments in infrastructure to support industrial growth.

Continuing to prioritize key infrastructure investments within the current Urban Growth Boundary and UGB expansion areas will be critical to encouraging future economic growth. Both the City of Tualatin and regional entities such as Washington County, Metro, and the State will need to make targeted investments for business growth and community livability, specifically relating to alleviating congestion on Tualatin-Sherwood Road, improving freight mobility, and increasing access to public transit for businesses in Tualatin.

Key Assumption | QUALITY OF LIFE

Tualatin is an attractive place to live, work, play, and visit. Downtown Tualatin is anchored by the Tualatin Commons Lake which is a lively center surrounded by restaurants, offices, and residences. Bridgeport Village is a destination retail shopping center drawing people from all over the region. Tualatin enjoys an educated workforce, first rate schools, over 200 acres of community parks and trails, and award winning events like the Crawfish Festival and Giant Pumpkin Regatta.

The City of Tualatin will build on past successes, including: enhancing efforts to create a vibrant City center; capitalizing on strong schools and sports; providing new locations for community gatherings, and continuing investments in the extensive parks and trails system for a growing community; and emphasizing new locations for community gatherings. Building on the local educated workforce, Tualatin will continue to create an environment attractive for a skilled workforce, particularly in areas which complement and benefit targeted business clusters.

CLUSTER INDUSTRIES: TARGETED INDUSTRIES

The City of Tualatin needs to continually evaluate targeted industry clusters as the economy evolves and new industries emerge. Currently, five business clusters representing a broad range of businesses provide the majority of employment in the City of Tualatin and represent the highest average wages. Promoting growth in these industry clusters will provide the greatest return for the City's investment in order to increase the number of family wage jobs and wealth in the community.



Health Care & Related Business



Corporate & Business Services



Advanced Manufacturing



Food Processing, Distribution, Wholesale



Wood, Paper, Printing & Related Business

STRATEGY 1:

BUSINESS RETENTION, EXPANSION & RECRUITMENT

Retaining and cultivating the growth of existing businesses, as well as attracting new employers, is central to the health of Tualatin. These strategies are designed to strategically focus the City's efforts and resources.

Retain & Expand Existing Businesses

- Establish an active Business Retention program, focusing first on Targeted Clusters. Assist existing businesses with City issues, connect them to available resources as appropriate, and affirm their value to the City.

- Seek to understand whether businesses have enough workers with the right skills to meet their needs, and connect businesses to agencies or resources which can help address their needs.

- Enhance awareness of the value of family wage jobs in targeted business clusters to help create pipelines of interested workers.

Assist With Site Readiness

- Work proactively to encourage sites for development which provide certainty to developers and allow for rapid transition for projects to market (e.g. obtain state industrial site certification for appropriate Tualatin industrial properties, assist interested property owners to get sites "development-ready" to build on within 6 months).

- Seek a variety of methods to fund certification and/or installation of infrastructure needed for development.

- Maintain an up-to-date list of available industrial properties on the State's Oregon Prospector and private sector real estate websites through partnerships with property owners and brokers.

Focus on Filling Existing Buildings

- Maintain a working knowledge of key vacant industrial space appropriate for targeted business clusters, in collaboration with brokerage community.

- Contact property owners to gain an understanding of obstacles keeping buildings vacant, and determine assistance which might be appropriate from City.

- Prioritize tenant improvement projects in existing space as high as new construction.

Target Key Industries

- Create an outreach program to companies in the targeted business clusters through independent efforts as well as collaborative work with local, regional, and state representatives.

- Submit available land and buildings in response to State and Regional recruitment leads.

- Provide an incentive toolkit for attraction of targeted business cluster companies.

Market Tualatin's Assets

- Cultivate awareness that existing companies are the best opportunity for growth of the local economy, and the best marketing tool of the City when they are positive about their own experiences.

- Articulate and market Tualatin's many strengths for business growth and ensure these are available on the City's website and clear to both site selectors and companies.

STRATEGY 2:

BUSINESS CLIMATE/ COMPETITIVE POSITIONING

Creating and maintaining a positive climate for business is an effort which takes continual attention. These strategies are designed to ensure the City is actively refining its procedures and codes to encourage business development and job creation.

Identify Code & Process Changes

- Identify the most significant Development Code related issues which create barriers to development and find opportunities to incentivize exceptional sustainable practices.

- Create a predictable permitting process that is customer service oriented, timely, and respectful of cost.

- Provide assistance through the development review and permitting process to small businesses and those private development projects which are particularly complex.

- Provide clear and relevant information and superb customer assistance to the business community. Continue efforts to create a culture which values economic development throughout the organization and is an integral part of the team for private development projects, solicit regular feedback from the business community on working with the City, and implement improvements as needed.

Collaborate Regionally

- Build on Tualatin's strong partnerships with neighboring cities and other agencies to identify additional opportunities to collaborate for economic development success.

- Engage and be visible in the region and the State, both to represent Tualatin externally and to create partnerships valuable to bringing information back to Tualatin staff and businesses.

- Participate actively with educational institutions to expand connections between businesses and education to benefit local companies.

- Actively work with agencies whose mission is to help create a skilled, educated workforce to benefit targeted business clusters.

Assist Business Startups & Entrepreneurship

- Explore opportunities to actively assist with new business startups, particularly within the Targeted Business Clusters, and implement programs as appropriate.

- Identify obstacles to new business formation in Tualatin and work to eliminate them.



ECONOMIC DEVELOPMENT STRATEGIC PLAN

City of Tualatin | 2014 Update

HOW DOES THIS PLAN FIT IN WITH TUALATIN TOMORROW?

TUALATIN TOMORROW

Tualatin is guided by a community-driven vision plan called Tualatin Tomorrow. In part, the purpose of the Economic Development Strategic Plan is to add additional detail and strategy towards implementing part of the Tualatin Tomorrow Vision Plan.

TUALATIN TOMORROW FOCUS AREAS:



Fostering Shared Sense of Place & Community Identity



Creating Activities & Attractions for All Ages



Sustaining Quality Community Services



Enhancing Mobility



Ensuring Community Health & Safety



Facilitating Economic Opportunity

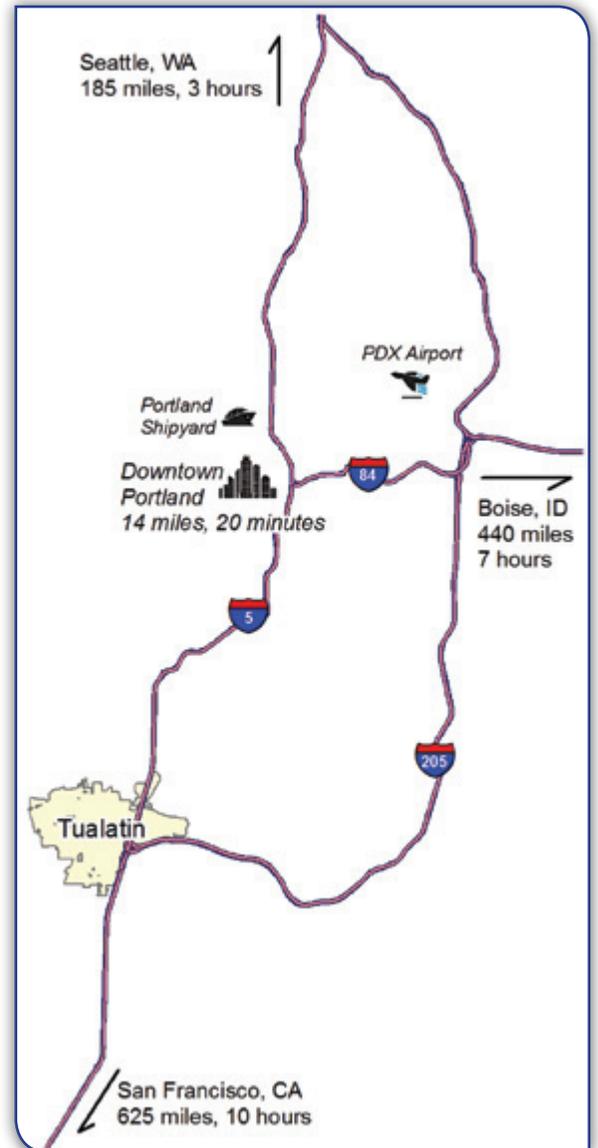
The Economic Development Strategic Plan implements the actions in this focus area.



Promoting Environmental Sustainability



Advancing Education & Learning Opportunities



WHY IS TUALATIN A GREAT LOCATION FOR BUSINESS?

Tualatin is at the center of trade and commerce along Interstate-5 and Interstate-205 in the Portland region. As a result, Tualatin is home to state of the art manufacturing and wholesale trade companies, a robust health care industry, and a vibrant destination retail center. Downtown Tualatin is anchored by the Tualatin Commons Lake which is a lively center surrounded by restaurants, offices, and residences.

The community values a high quality of life and promotes local pride and a sense of ownership, involvement, and belonging. Tualatin enjoys an educated workforce, first rate schools, over 200 acres of community parks and trails, and award winning events like the Crawfish Festival and Giant Pumpkin Regatta.