



STAFF REPORT CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Nicole Morris, Deputy City Recorder

DATE: 11/09/2015

SUBJECT: Consideration of Approval of the Minutes for the City Council Work Session and Regular Meeting of October 12 and 26, 2015

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve the minutes for the City Council Work Session and Regular Meeting of October 12 and 26, 2015.

RECOMMENDATION:

Staff respectfully recommends that the Council adopt the attached minutes.

Attachments: City Council Work Session Minutes of October 12, 2015
City Council Regular Meeting Minutes of October 12, 2015
City Council Work Session Minutes of October 26, 2015
City Council Regular Meeting Minutes of October 26, 2015



Present: Mayor Lou Ogden; Councilor Wade Brooksby; Councilor Frank Bubenik; Councilor Joelle Davis; Councilor Ed Truax

Absent: Council President Monique Beikman; Councilor Nancy Grimes

Staff City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Kent Barker;
Present: Community Services Director Paul Hennon; Planning Manager Aquilla Hurd-Ravich;
Deputy City Recorder Nicole Morris; Information Services Manager Lance Harris;
Assistant City Manager Alice Cannon; Management Analyst II Kelsey Lewis; Parks
and Recreation Manager Rich Mueller; Management Analyst II Zoe Monahan; Public
Works Director Jerry Postema; Management Analyst Carrie Severson

CALL TO ORDER

Mayor Ogden called the meeting to order at 5:07 p.m.

1. ***Metro Update with Councilor Craig Dirksen.***

Metro Councilor Greg Dirksen presented an update on Metro activities over the last quarter. He distributed the Regional Snapshot to the Council. The snapshot is a new monthly handout produced by Metro that will be covering different topics of importance.

Councilor Dirksen updated the Council on the SW Corridor Steering Committee meeting. He stated the main barrier to bringing light rail into downtown Tualatin is cost. He noted the federal government process does not allow the committee to discard a option based on cost. The committee in turn has declared the option nonviable and has been removed from consideration.

Mayor Ogden stated Bridgeport Village is the likely terminus for Tualatin. The area is still being studied and he does not want this option removed from the table due to funding capacity. Councilor Dirksen added no further decisions will be made until February.

Councilor Dirksen updated the Council on the Urban Growth Boundary (UGB) remand. The State remanded the study back to Metro and Metro Council is now working on addressing the findings from the State. Metro has been in conversations with Clackamas County regarding the remand but the County is not interested in the direction Metro is heading with the plan. Metro would like to keep the scope narrow and not reopen the boundary map. The first public hearing on the remand was held on October 8 with the majority of participants agreeing to keeping the scope narrow.

Mayor Ogden stated Tualatin's concern with the study is transportation. The

findings of the study don't address the current transportation issues and will not improve traffic in the area. He stated until the issues are addressed Tualatin cannot support the study.

Councilor Dirksen stated when the original study was submitted the transportation portion was part of the 2010 Transportation Plan. The 2010 plan did not include improvements to Borland Road and I-5, a update was completed in 2014 which includes those improvements qualifying them for funding. He noted that including these improvements in the UGB would only qualify them for development sometime in the next 50 years.

Mayor Ogden noted the Regional Mayors group has been meeting and is proposing changes to the UGB process. The group would like to see future plans focus on local aspirations and not on total capacity of the region. The mayors group also proposed the formation of a work group to help meet that goal.

Councilor Dirksen stated Metro does not currently have staff capacity to support a work group while they are working on the remand. He stated in the future he could see the group as a good tool when working through the UGB process.

2. *Outdoor Smoke & Tobacco Free City Spaces Policy.*

Parks and Recreation Manager Rich Mueller and Community Services Director Paul Hennon presented a proposal for a smoke and tobacco free city spaces policy. The proposed policy is in response to Council direction from a prior work session in which Council requested additional information. Manager Mueller presented the history of the proposal to date. The policy was originally brought forward as a initiative from Tualatin Together and ran through the advisory committees for their recommendations. The policy was brought to the Council in July 2014 and the policy was reconfirmed as a priority. Manager Mueller recapped existing practices and policies regarding tobacco uses on City properties. A matrix of surrounding jurisdictions policies was presented. Currently 88 jurisdictions have no smoking and tobacco policies. Manager Mueller stated Council feedback is being requested on scope, locations, schedule, public involvement, pre-mortem, and purpose. Next steps for the policy include public information and involvement and a draft ordinance with policy recommendations.

City Manager Lombos stated the policy is currently in the framing process as part of the decision making process set forth by Council.

Councilor Davis asked why marijuana is considered outside the scope. Director Hennon stated it is covered under other City regulations.

Councilor Bubenik stated he is supportive of smoke free environments around public facilities. He would like to receive City employee feedback on the policy as they will be affected. Councilor Bubenik added he would like to see heavy public involvement around the policy.

Mayor Ogden would like to see smoking only allowed in cars with the windows up. Councilor Davis added the State of Oregon follows that practice. Mayor Ogden added he would like to see rights of ways adjacent to public spaces included in smoke free spaces.

3. *Water Supply Shortage Curtailment Plan.*

Public Works Director Jerry Postema and Management Analyst Carrie Severson presented the draft Water Supply Shortage Curtailment Plan. Director Postema stated the plan addresses drought declarations and the process and procedures for informing and curtailing the public. Analyst Severson stated the City of Tualatin currently contracts with the Portland Water Bureau which requires the City to have a water curtailment plan to help protect the water system in case of drought. The four stages of the draft plan were reviewed. Stage one is a routine summer advisory that promotes conservation. Stage two is a moderate water supply shortage, building off stage one, and encourages voluntary conservation techniques. Stage three is a severe water supply shortage and enacts a mandatory curtailment of outdoor water use. Stage four is a critical water supply shortage and is a mandatory curtailment that prohibits outdoor and non-essential uses. Analyst Severson noted stage one through three are issued by the City Manager and stage four is issued by the Council.

Councilor Bubenik asked why Portland Water Bureau's curtailment triggers are different than the ones laid out in the draft plan. Analyst Severson stated the City's customer base is smaller so the percentages for curtailment are adjusted accordingly.

Councilor Bubenik noted the Portland Water Bureau states earthquake as the biggest threat to Portland. Their plan addressed moving the conduits from over the Sandy River to under it. He asked when that was slated to happen. Director Postema stated they are currently working on seismic updates and do not have a schedule at this time.

Councilor Davis questioned when the Council should become involved in the plan. She would like to see the Council be involved in stage three when mandatory requirements are put in place.

Mayor Ogden asked why the Council is responsible for declaring a stage four curtailment. Director Postema responded in a event of a catastrophic event it would require immediate action. Mayor Ogden would like to see Council notification added to all stages of the plan.

Director Postema stated the next steps are to prepare amendments to the water ordinance to adopt the plan. Mayor Ogden requested public involvement on the ordinance updates to serve as an education tool on the plan.

4. *Civil Exclusion Code.*

City Attorney Sean Brady presented proposed revisions to the civil exclusion process. Attorney Brady explained the current process only applies to the Library and Parks and are two separate processes. The proposed revisions provide for a uniform code, apply to all City facilities, and are issued based upon probable cause, such as felony and misdemeanor acts and violation of rules. The proposed timeline for exclusion is based on the severity of the offense and ranges from thirty days to one year. The proposal also includes an appeal and variance process available through the Municipal Court.

Councilor Davis asked if a exclusion longer than one year could be included. Attorney Brady stated it is not recommended based on due process considerations.

Mayor Ogden asked what enhancements are included. Attorney Brady stated if there is more than one violation within a certain time period the exclusion period could be doubled.

Attorney Brady stated next steps include bringing a draft ordinance back to Council. Mayor Ogden asked what the public involvement plan for the ordinance would be. He would minimally like to see it go before the advisory committees.

5. Council Meeting Agenda Review, Communications & Roundtable.

Councilor Davis proposed a resolution to the Council recognizing the second Monday in October as Indigenous People's Day in Tualatin. She stated draft language is based on the City of Portland and Seattle's resolutions.

Mayor Ogden stated he would only be in favor of the resolution with modifications in language to exclude subjects regarding racism and injustices.

Councilor Brooksby stated he would like to see the resolution put on a future work session for further discussion as he is not in favor of the negative tone of the resolution as presented.

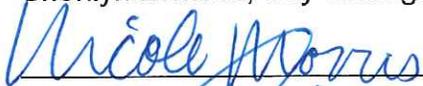
Mayor Ogden stated the resolution is important and applauds the spirit of it. Consensus was reached to forward it to the regular meeting for further discussion and action.

Councilor Bubenik stated the City of Hillsboro and Tigard are considering pulling out of the Community Development Block Grant. He will be discussing the topic further during the regular Council meeting.

ADJOURNMENT

The work session adjourned at 7:00 p.m.

Sherilyn Lombos, City Manager



/ Nicole Morris, Recording Secretary



/ Lou Ogden, Mayor