



**OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR JUNE
26, 2017**

Present: Mayor Lou Ogden - Via Phone; Councilor Frank Bubenik; Council President Joelle Davis; Councilor Nancy Grimes; Councilor Paul Morrison; Councilor Robert Kellogg

Absent: Councilor Jeff DeHaan

Staff City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Bill Steele;

Present: Community Services Director Paul Hennon; Finance Director Don Hudson; Planning Manager Aquilla Hurd-Ravich; Deputy City Recorder Nicole Morris; Assistant to the City Manager Tanya Williams; Assistant City Manager Alice Cannon; Management Analyst II Kelsey Lewis; Parks and Recreation Manager Rich Mueller; City Engineer Jeff Fuchs; Human Resources Director Stacy Ruthrauff

A. CALL TO ORDER

Pledge of Allegiance

Council President Joelle Davis called the meeting to order at 7:01 p.m.

B. ANNOUNCEMENTS

1. Proclamation Declaring the Tualatin Overture, composed by Arthur Breur, as the Official Overture of the City of Tualatin

Arthur Breur provided background on how the overture came to fruition. The overture was performed by the Tualatin Valley Symphony on May 21, 2017. It is available online for listening.

Councilor Frank Bubenik read the proclamation declaring the Tualatin Overture, composed by Arthur Breur, as the Official Overture of the City of Tualatin.

2. Proclamation Declaring July 2017 as National Park and Recreation Month

Councilor Paul Morrison read the proclamation declaring July 2017 as National Park and Recreation Month.

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.

Tualatin Chamber of Commerce Director Linda Moholt provided an update on their Business Walks. She presented results from the 60 business that participated.

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 Councilor Nancy Grimes, SECONDED by Councilor Frank Bubenik to adopt the consent agenda.

Aye: Mayor Lou Ogden - Via Phone, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Councilor Jeff DeHaan (Absent)

MOTION CARRIED

1. Consideration of Approval of the Minutes for the Work Session and Regular Meeting of June 12, 2017
2. Consideration of **Resolution No. 5329-17** Authorizing the City Manager to Execute an Amendment of a Professional Services Contract with CH2M Hill Engineers, Inc. for Additional Services Associated with the C1/C2 Water Reservoirs
3. Consideration of **Resolution No. 5324-17** Amending Water, Sewer and Surface Water Management Rates Inside the City of Tualatin and Rescinding Resolution 5283-16
4. Consideration of **Resolution No. 5323-17** Authorizing Changes to the Adopted 2016-2017 Budget
5. Consideration of **Resolution No. 5332-17** Authorizing Salary Schedule Update for Temporary Employees for FY 2017/18
6. Consideration of **Resolution No. 5331-17** Approving and Authorizing Provision of Workers Compensation Insurance Coverage to Volunteers of the City of Tualatin

E. PUBLIC HEARINGS – Legislative or Other

1. Consideration of **Resolution No. 5326-17** Adopting the City of Tualatin Budget for the Fiscal Year Commencing July 1, 2017, Making Appropriations, Levying Ad-Valorem Taxes, and Categorizing the Levies

Finance Director Don Hudson presented the fiscal year 2017--18 budget. The Budget Advisory Committee approved the proposed budget on May 30, 2017. The total of the Fiscal Year 2017-18 Budget is \$92,126,740. The tax rate of \$2.2665 per \$1,000 taxable assessed value, with \$978,950 to be levied for bonded debt is included in the budget. The budget is a fiscally prudent budget with a positive ongoing alignment.

Director Hudson presented proposed changes stating the City Council has the ability to change the approved budget in each fund by no more than 10% of the total budget. The proposed changes to the 2017-18 budget approved by the Budget Advisory Committee are related to projects in the General Fund and Water Operating and Development Funds that were not completed during FY 2016-17, as originally planned and all fall within the set approval limits.

PUBLIC COMMENT

None.

COUNCIL QUESTIONS/DELIBERATION

None.

MOTION by Councilor Nancy Grimes, SECONDED by Councilor Frank Bubenik to adopt Resolution No. 5326-17 adopting the City of Tualatin budget for the fiscal year commencing July 1, 2017, making appropriations, levying ad-valorem taxes, and categorizing the levies.

Aye: Mayor Lou Ogden - Via Phone, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Councilor Jeff DeHaan (Absent)

MOTION CARRIED

F. 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. 1400-17** Amending Plan Map 9-1 to Change the Planning District Designations of Two Tax Lots Located at 6645 SW Nyberg Lane from General Commercial (CG) To High Density Residential (RH) (PMA-16-0001)

Planning Manager Aquilla Hurd-Ravich stated the staff report was presented at the last meeting and voted on by Council to have an ordinance brought back for consideration tonight.

MOTION by Councilor Nancy Grimes, SECONDED by Councilor Robert Kellogg for first reading by title only.

Aye: Mayor Lou Ogden - Via Phone, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Councilor Jeff DeHaan (Absent)

MOTION CARRIED

MOTION by Councilor Nancy Grimes, SECONDED by Councilor Robert Kellogg for second reading by title only.

Aye: Mayor Lou Ogden - Via Phone, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Councilor Jeff DeHaan (Absent)

MOTION CARRIED

MOTION by Councilor Nancy Grimes, SECONDED by Councilor Robert Kellogg to adopt Ordinance No. 1400-17 amending Plan Map 9-1 to change the planning district designations of two tax lots located at 6645 SW Nyberg Lane from General Commercial (CG) to High Density Residential (RH) (PMA-16-0001).

Aye: Mayor Lou Ogden - Via Phone, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Councilor Jeff DeHaan (Absent)

MOTION CARRIED

2. Consideration of **Ordinance No. 1402-17**, Adopting Changes to TMC 3-4, Road Utility Fee Ordinance of the City of Tualatin

Finance Director Don Hudson presented an ordinance regarding road utility fees. He reviewed the current code and the proposed changes. It was noted the administration fee does not change, indexing standards were updated, and language to set future rates by resolution was included. If passed a resolution will come back on July 24 to set rates and will be affective on August 1.

MOTION by Councilor Robert Kellogg, SECONDED by Councilor Nancy Grimes for first reading by title only.

Aye: Mayor Lou Ogden - Via Phone, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Councilor Jeff DeHaan (Absent)

MOTION CARRIED

MOTION by Councilor Robert Kellogg, SECONDED by Councilor Nancy Grimes for second reading by title only.

Aye: Mayor Lou Ogden - Via Phone, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Councilor Jeff DeHaan (Absent)

MOTION CARRIED

MOTION by Councilor Robert Kellogg, SECONDED by Councilor Nancy Grimes to adopt Ordinance No. 1402-17, adopting changes to TMC 3-4, Road Utility Fee Ordinance of the City of Tualatin

Aye: Mayor Lou Ogden - Via Phone, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Councilor Jeff DeHaan (Absent)

MOTION CARRIED

3. Consideration of **Resolution No. 5333-17** Authorizing a Professional Services Agreement for Consulting Services to Assist in Completing the Parks and Recreation Master Plan Update

Community Services Director Paul Hennon and Parks and Recreation Manager Rich Mueller presented a professional services agreement awarding MIG, Inc. the contract for consulting services on the Parks and Recreation Master Plan. Director Hennon stated three firms responded to the request for proposal. The proposals were evaluated by staff. MIG, Inc was selected and staff negotiated and reached an agreement for the full scope of work. Director Hennon added MIG will complete an ADA Self-Evaluation and Transition Plan for Tualatin's outdoor park facilities. MIG has also been employed by the City under another agreement to complete the ADA Self-Evaluation and Transition Plan for the city's buildings and right-of-ways. The scope of work and schedules for both projects will be combined in a single report with recommendations for consideration by the ADA Task Force and Council. The project is anticipated to be completed by the end of 2018.

Director Hennon stated a Project Advisory Committee is being formed. An invitation to serve on the Committee was broadly advertised. 36 applications have been received to date. Staff recommended Council appoint two members to serve on the committee.

Councilor Bubenik asked for clarification on the difference between the ADA Task Force and the Project Advisory Committee. Director Hennon stated the ADA Task Force is a group of people familiar with disabilities and that is their sole scope of focus. The Project Advisory Committee will be focusing on parks.

Councilor Bubenik asked if applicants for the committee would be interviewed. Director Hennon stated they will not be interviewed unless needed, as the application process asked for responses to very pointed questions.

Councilor Morrison asked if the Tualatin Parks Advisory Committee will be part of the Project Advisory Committee. Director Hennon stated they would be included.

Council President Davis asked what the ADA Task Force would be reviewing. City Manager Lombos stated staff would send Council information about both committees and their specific tasks and projects.

Councilor Grimes asked if parks were being reviewed as part of the ADA study. Director Hennon stated they are included in the assessment.

MOTION by Councilor Nancy Grimes, SECONDED by Councilor Paul Morrison to adopt Resolution No. 5333-17 authorizing a professional services agreement for consulting services to assist in completing the Parks and Recreation Master Plan update.

Aye: Mayor Lou Ogden - Via Phone, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Councilor Jeff DeHaan (Absent)

MOTION CARRIED

Council discussed who would serve as the Council liaison for the Project Advisory Committee. Consensus was reached Councilor Morrison and Councilor DeHaan would serve on the committee.

4. Consideration of **Resolution No. 5325-17** Amending the City of Tualatin Fee Schedule and Rescinding Resolution No. 5301-16

Finance Director Don Hudson presented updates to the City of Tualatin fee schedule. He stated the fee schedule is broken into three groups, which are updated every three years on a rotating cycle. Legal Services has no proposed changes at this time. Community Development proposed changes to signage fees as outlined in the schedule. The Police Department proposed a "Good Conduct Letter" fee. Fees related to the recently adopted Rights-of Way (ROW) ordinance were reviewed, it was noted proposed fees are consisted with other regional entities.

Councilor Kellogg asked how often the fee schedule resolution is reviewed. Director Hudson stated it is scheduled to come back every June, but if changes are needed more often it can come back on a as needed basis.

Councilor Kellogg asked if the communications category included telephony. City Attorney Sean Brady explained the definition of telecommunications as defined in the ordinance.

Councilor Kellogg asked who does not currently have franchises related to communications. Management Analyst Severson stated there is no current identification of who is using the ROW.

Councilor Kellogg asked if Comcast would be charged for broadband services. City Attorney Brady stated they would subject to the 5% fee.

Mayor Ogden stated he is not sure \$5,000 is the right amount for the attachment fee. He would like to leave that number as a place holder and revisit it in the future.

PUBLIC COMMENT

Rich Roch, Executive Director of State Wide Affair for ATT in Oregon, spoke in opposition to the attachment fee. He would like to see a more reasonable number associated with the fee so his company can afford to make the investment into Tualatin. He encouraged the Council to work with stakeholders to determine the right fee for the area.

Councilor Kellogg asked if the attachments would eliminate the need for installing larger towers. Mr. Roch stated it would not replace towers, just help to provide more coverage in the area. Councilor Kellogg asked how many cells would be on a block on average. Mr. Roch stated it would vary depending on demand in the area. Ken Lions, Senior Vice President of Policy Group for ATT stated small cells serve a 500 foot radius and could be placed 800-1,000 feet apart.

Mr. Lions spoke to the small cell pilot program in the Metro area. He stated there is an active pilot projected in plans for Tualatin and would like to reach a solution on the attachment fee.

Councilor Bubenik asked if each wireless carrier would attach their own small cell to a pole. Mr. Lions stated every carrier has a different frequency, so they would be separate cells.

Mayor Ogden asked for clarification on the intent of the small cells. Mr. Lions stated small cells are deployed to help with capacity in densely populated areas.

Councilor Morrison asked what the current rates ATT pays to PGE for the use of their poles is. Mr. Lions stated they have a non-disclosure agreement on that subject.

Councilor Morrison asked if the pilot project was to move forward how many poles would be utilized for small cell attachment. Mr. Lions stated the current project has less than ten cells proposed to begin with.

COUNCIL DELIBERATIONS

Councilor Kellogg stated he has heard concerns from residents about the quality of service in the area and would like to look at the fees to make a small cell program feasible in Tualatin.

Councilor Morrison would like to see the fee be competitive enough to get the technology moving forward in the area.

Council President Davis stated she understands the desire to have a different fee but doesn't feel the fee is currently cost prohibitive when revenues for certain company's are so high for these types of services.

MOTION by Councilor Frank Bubenik, SECONDED by Councilor Robert Kellogg to adopt Resolution No. 5325-17 amending the City of Tualatin Fee Schedule and Rescinding Resolution No. 5301-16.

Aye: Mayor Lou Ogden - Via Phone, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Councilor Jeff DeHaan (Absent)

MOTION CARRIED

G. COMMUNICATIONS FROM COUNCILORS

None.

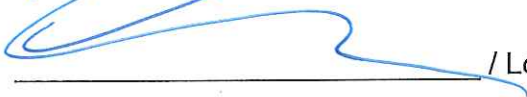
H. ADJOURNMENT

Council President Davis adjourned the meeting at 8:35 p.m.

Sherilyn Lombos, City Manager



/ Nicole Morris, Recording Secretary



/ Lou Ogden, Mayor