



TUALATIN CITY COUNCIL WORK SESSION MINUTES OF FEBRUARY 28, 2011

Present: Mayor Lou Ogden, Council President Chris Barhyte, Councilor Monique Beikman, Councilor Joelle Davis, Councilor Wade Brooksby *arrived at 6:35p*, Councilor Frank Bubenik, Councilor Ed Truax

Staff Present: City Manager Sherilyn Lombos, City Attorney Brenda Braden, City Engineer Mike McKillip, Police Chief Kent Barker, Operations Director Dan Boss, Community Services Director Paul Hennon, Finance Director Don Hudson, Acting Planning Manager Aquilla Hurd-Ravich, Development Manager Eric Underwood, Parks and Recreation Manager Carl Switzer, Maintenance Services Division Manager Clayton Reynolds, Management Intern Ben Bryant, Executive Assistant Maureen Smith

1) **Tonquin Trail Alignment**

City Manager Sherilyn Lombos gave a brief introduction on the Tonquin Trail Master Planning. Community Services Director Paul Hennon explained where the process is to date, and introduced Metro representative Jane Hart, ODOT representative Ron Kroop, and Metro consultant George Hudson, Alta Planning + Design.

George Hudson, Alta Design, presented a PowerPoint reviewing the Tonquin Trail master planning process and potential trail alignment alternatives. Mr. Hudson said he has designed trails exclusively since 1990, and was tasked with looking at alignments for the Tonquin Trail back in 2004; in 2009 he was retained by Metro to come up with a master plan. The trail is approximately 14 miles in length and links the cities of Tualatin, Sherwood and Wilsonville.

A 12-person project steering committee comprised of three cities, two counties, agencies, and citizens has worked 12+ months to reach consensus on identifying a preferred alignment. A considerable amount of background work has been done on the proposed alignment. Open houses will be held once a preferred alignment is selected, and additional outreach through online surveys, postcard mailings, and attending community events.

Key goals were developed by the Steering Committee to include: positive user experience, links to other destinations, and safe to use. The Tualatin Alignment Options Map was displayed. Mr. Hudson explained Tualatin was challenging to develop a route that met the goals and criteria, and reviewed with Council the proposed alignment as it winds through Tualatin. Also reviewed the public involvement process they have in mind, and reviewed the next steps that would happen, with eventual adoption of the plan with the various jurisdictions.

Discussion followed. Council expressed safety concerns on the crossings over the WES line, and questioned whether a grade-separated railroad crossing would work where it is proposed. The proposed trail also looks to run more through town than in the natural areas, as Council had desired. Mr. Hudson explained there are many restrictions with some of the marsh areas, and also to have the trail closer-in for citizens to use. The route does rely on some public street rights-of-way, but in most cases, there likely can be a separate pathway from the roadway. Metro's goal is to have 75% of the trail off-road. There is also concern about being certain of the alignment not impacting neighborhoods. Mr. Hudson said there is flexibility in the design and at certain points could utilize what is already existing and explained how it could address the on-street parts of the trail.

Council wanted to be sure the public involvement process is well explained in detail of any impacts there would be to homes and neighborhoods. Also taking the alignment information to the neighborhoods first. Council mentioned doing field work with staff, and identifying a preferred alternative route that would best work for Tualatin. It was asked who makes the final decision where the trail alignment will go, and Metro representative Jane Hart explained at this point in the process Metro is asking the elected bodies for their recommendation. If there is no agreement on the master plan, Tualatin could decide not to be part of the trail at this time. Council said the community may support something different than the proposed alignment and again questioned what could happen if there is no support for the alignment. Ms. Hart said this process has been ongoing for 18 months. It is a regional trail, not done by Metro, and they are trying to keep that focus. If there is no support for the trail Ms. Hart said Tualatin would not be agreeing with what is the proposed alignment. Council expressed displeasure on already having a recommended alignment, and said it appears that Tualatin is "out of luck" if not in agreement with the "red" alignment. Mr. Hudson said he understands precisely Council's approach on the project and will regroup to reevaluate the project how it relates to Tualatin.

2) City Council Goals - 2011 - 2013

City Manager Sherilyn Lombos gave an overview of the Council Goals established at the fall workshop. Comments/observations from the workshop consultant were reviewed, along with expectations and contributions, culminating with five high priority objectives for the next two years: comprehensive website redesign; health and wellness campus; relook at redevelopment opportunities in the areas indicated; review downtown redevelopment plans; and senior recreation program. Brief discussion followed on the timelines of the priority objectives. A schedule and budget is not fully defined, said City Manager Lombos, but staff will be back before Council at various work sessions with more information as we move forward in the next two years.

3) Council Technology

City Manager Lombos said with the recent transition to an agenda management software program an analysis has been done on the cost of producing paper Council packets and the option of moving toward an electronic Council packet using iPads. Operations Director Dan Boss reviewed a short PowerPoint and explained how the iPad disbursement would work. Brief discussion followed. All Council present agreed to proceed with going "paperless." Staff will bring back a resolution.

4) Executive Session

None.

5) Council had no questions on the Consent Agenda.

Mayor Ogden recessed the Council Work Session at 6:47 p.m. and reopened at 6:48 p.m.

6) Communications from Councilors

Mayor Ogden distributed a book on "Boards that Make a Difference" to the Council and explained the book and the value it can have for Council and the community.

City Manager Lombos gave a brief update on the "Poole Quarry" issue, which is a conditional use permit (CUP) for a mining operation. The County Hearings officer made a decision on February 22, 2011 and there are 21 days to appeal.

City Attorney Brenda Braden reviewed the objections raised by the City, and said if Council chooses to appeal, the deadline is by March 15, 2011. The cost could be from \$5,000 - \$10,000 to appeal to the State Land Use Board of Appeals (LUBA). City Attorney Braden said her recommendation is not to appeal with the criteria that was addressed by the hearings officer. Discussion followed and whether to appeal if it is unlikely to be successful. Filing a *Notice of Intent to Appeal* but not move forward was mentioned. A private sector group has been actively opposing the CUP, and Council decided to wait until the next Council meeting on March 14, 2011 to see what may happen in the next few weeks.

7) Adjournment

The Work Session adjourned at 7:05 p.m.

Sherilyn Lombos, City Manager



/ Maureen Smith, Recording Secretary



OFFICIAL MINUTES OF TUALATIN CITY COUNCIL MEETING FOR FEBRUARY 28, 2011

Present: Mayor Lou Ogden, Council President Chris Barhyte, Councilor Monique Beikman, Councilor Wade Brooksby, Councilor Frank Bubenik, Councilor Ed Truax, Councilor Joelle Davis

Staff Present: City Manager Sherilyn Lombos, City Attorney Brenda Braden, City Engineer Mike McKillip, Police Chief Kent Barker, Community Services Director Paul Hennon, Finance Director Don Hudson, Parks and Recreation Manager Carl Switzer, Maintenance Services Division Manager Clayton Reynolds, Management Intern Ben Bryant, Executive Assistant Maureen Smith

A. CALL TO ORDER

Mayor Ogden called the meeting to order at 7:09 p.m.

Pledge of Allegiance led by Councilor Brooksby.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

1. Swearing-in of New Police Officer - Nick Barkley

Police Chief Kent Barker introduced and swore-in new police officer Nick Barkley.

2. New Employee Introductions - Alice Rouyer, Community Development Director

City Manager Sherilyn Lombos introduced Alice Rouyer, new Community Development Director, noting this is her first day with the City. Ms. Rouyer comes with a solid background and diverse experience.

C. CITIZEN COMMENTS

This section of the agenda allows citizens to address the Council regarding any issue not on the 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.

Kathy Newcomb, 17515 SW Shawnee Trail, Tualatin, OR , spoke on actions she has been taking that have to do with Tualatin, mentioning a new measure in the House, HB 2896, introduced by Rep. Bill Kenemer that directs courts to award damages on false information and misleading campaign materials on candidates or inaccuracies presented on measures. Ms. Newcomb said she believes in the initiatives process and any information should be accurate.

D. CONSENT AGENDA

The Consent Agenda will be enacted with one vote. The Mayor will first ask the staff, the public and Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. 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 to be discussed under "Items Removed from the Consent Agenda," is then voted upon by roll call under one motion.

Steve Titus requested D-5 be removed from the Consent Agenda.

MOTION by Council President Chris Barhyte, SECONDED by Councilor Monique Beikman to adopt the Consent Agenda as amended and read. *Councilor Truax noted he would not vote on the minutes from the last meeting as he was not present.*

Vote: 6 - 0 CARRIED

Other: Councilor Ed Truax (Abstain)

1. Approval of the Minutes for the Work Session and Meeting of February 14, 2011
2. Approval of Liquor License Renewals for 2011
3. An Intergovernmental Agreement for Cost Sharing on the Tonquin Trail Master Plan
4. Resolution No. **5021-11** Authorizing a Two-Year Intergovernmental Agreement (IGA) with Washington County for Coordinated Mosquito Reduction and Information Coordination on West Nile Virus
6. Resolution No. **5023-11** Establishing a Zone of Benefit Recovery Charge for Street Improvements on SW 124th Avenue between SW Myslony Street and SW Tualatin-Sherwood Road

E. PUBLIC HEARINGS – Legislative or Other
None.

F. PUBLIC HEARINGS – Quasi-Judicial
None.

G. GENERAL BUSINESS

1. *Annual Report of the Tualatin Parks Advisory Committee for 2010*

Parks and Recreation Manager Carl Switzer introduced Tualatin Parks Advisory Committee (TPARK) Chair Dennis Wells.

Mr. Wells presented the annual report of TPARK, and noted it is the 33rd year since establishment of the advisory committee, and noted the service of outgoing members and members that are currently serving on TPARK.

Mr. Wells said it has been a busy year for TPARK. In addition to monthly meetings, there has been other input from TPARK, such as review of the Tonquin Trail, Pohl Center Renovation, etc. TPARK also review language of the proposed Charter amendment and recommended further clarification of the amendment. Review was also done on dog park rules and regulations with a final recommendation, and reconsideration of prohibiting the allowance of dogs on the Commons. The committee is looking forward to 2011 and future efforts for the coming year. TPARK also respectfully has five recommendations to Council - pursue public financing to expand and interconnect the park system, trail system, and on- and off-street bicycle system; increase the number and quality of sports fields; update the Parks and Recreation Master Plan; provide increased subsidy to expand recreation programming for people of all ages; and if the parks charter amendment passes in March, Council should adopt a process for applying the new requirements.

Council thanked Mr. Wells and the members of TPARK for their work and service this past year.

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.

5. Resolution No. **5022-11** Authorizing an Agreement Between the City of Tualatin and the Tualatin Riverkeepers for Lease of a House Within the Tualatin River Greenway Located at 11645 SW Hazelbrook Road

This item was removed from the Consent Agenda by Steve Titus.

Community Services Director Paul Hennon presented the staff report regarding the proposed lease with the Tualatin Riverkeepers. The 1.82 acre riverfront property located at 11645 SW Hazelbrook Road was purchased for Tualatin River Greenway purposes. The intention was to divide the river frontage for greenway purposes and sell the home and land around it as surplus. With the recession there has been little interest from buyers. Rather than keeping the property on the market, it was decided to use the house for park and recreation purposes. Staff was aware that the Tualatin Riverkeepers were interested in leasing space. The lease agreement is for one year, \$100/month, renewable for four additional terms. The Riverkeepers would pay all utilities, and will hold helping to avoid vandalism by not being vacant.

Steve Titus, 10170 SW Sedlak Court, Tualatin, OR , said he surprised about lease agreement, and more surprised of the \$100/month. Mr. Titus said he spoke with Community Services Director Hennon about his concerns. He lives near the property and from a resident's point of view of view he didn't know what was happening, as he was told the house was going to be bought and sold, and he would have expected Council to do some type of process.

Mayor Ogden explained after Council was briefed about the status of the property, it was decided not to sell the house and determine what could be done with the property in the interim. City Manager Lombos said there was a conversation held about the Riverkeepers approaching the City. Staff's understanding was there was an interest to have stability and a "caretaker" situation, while also providing some recreational benefit provided by the renter. The Riverkeepers will also provide a minimum of five (5) recreational or outdoor educational programs per year for the benefit of Tualatin residents at no cost to the City.

Discussion followed regarding compatible uses addressed in the Tualatin Development Code (TDC), and the intent when the land was purchased to be used for park use, which was bought using System Development Charge (SDC) funds specifically for park use, and that the house can be rented for residential use with funds going back into the SDC fund.

Kathy Newcomb, 17515 SW Cheyenne Way, Tualatin, OR , said she heard from former Councilor Harris who was eager for this property to be used for parkland, and sounds like a good idea.

George Vigileos, 18230 SW Shawnee Trail, Tualatin, OR , said perhaps there needs to be more specificity in how parkland is designated and used. Mr. Vigileos said it was unclear, and it was explained about the rental of park property to a renter such as Riverkeepers.

MOTION by Council President Chris Barhyte, SECONDED by Councilor Ed Truax to grant the lease to the Tualatin Riverkeepers as specified in the staff report and agreement.

Discussion on Motion

Councilor Truax said it is unfortunate this happened with the economy, as the idea was to have a greenway. A similar arrangement is also done at Browns Ferry Park with the Wetlands Conservancy. If there can be a tenant until the City determines what to do with the property, and if Riverkeepers can bring river-oriented programs to the facility each year it is a great thing.

Council President Barhyte said he made the motion, mostly because there could have been the potential to have had tenants that wouldn't have been desirable, and while it may not be the highest rent, there is a tenant that the City knows and has worked with.

Vote: 7 - 0 CARRIED

I. COMMUNICATIONS FROM COUNCILORS

None.

J. EXECUTIVE SESSION

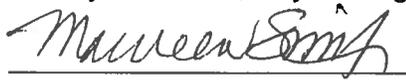
None.

K. ADJOURNMENT

MOTION by Councilor Ed Truax, SECONDED by Councilor Joelle Davis to adjourn the meeting at 8:01 p.m.

Vote: 7 - 0 CARRIED

Sherilyn Lombos, City Manager

 / Maureen Smith, Recording Secretary