



# TUALATIN CITY COUNCIL AND TUALATIN DEVELOPMENT COMMISSION

Monday, March 14, 2011

City Council Chambers  
18880 SW Martinazzi Avenue  
Tualatin, OR 97062

**WORK SESSION** begins at 6:30 p.m. *[NOTE START TIME]*  
**REGULAR MEETING** begins at 7:00 p.m.

---

Mayor Lou Ogden  
Council President Chris Barhyte

Councilor Monique Beikman      Councilor Wade Brooksby  
Councilor Frank Bubenik      Councilor Joelle Davis  
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 citizen comments on its agenda - *Item C*, following *Presentations*, at which time citizens may address the Council concerning any item not on the agenda, with each speaker 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's website at <http://www.ci.tualatin.or.us/government/CouncilPackets.cfm>, at the Library located at 18878 SW Martinazzi Avenue, and are also on file in the Office of the City Manager for public inspection. Any person who has 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 on 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](http://www.tvctv.org). Council meetings can also be viewed by "streaming video" live on the City's website the day of the meeting at <http://www.ci.tualatin.or.us/government/CouncilPackets.cfm>

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.

- The Mayor opens the public hearing and identifies the subject.
- A staff member presents the staff report to the Council.
- Public testimony is taken.
- The Council then asks questions of staff, the applicant or any member of the public who testified.
- When the Council has finished its questions, the Mayor closes the public hearing.

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, variances, conditional use permits, comprehensive plan changes, and appeals from subdivisions, partitions and architectural review.

- The Mayor opens the public hearing and identifies the case to be considered.
- A staff member presents the staff report to the Council.
- Public testimony is taken:
  - In support of the application
  - In opposition or neutral
- The Council then asks questions of staff, the applicant or any member of the public who testified.
- When the Council has finished its questions, the Mayor closes the public hearing.
- 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

Executive Session is a portion of the Council meeting that is closed to the public to allow the Council to discuss certain confidential matters. No decisions are made in Executive Session. The City Council must return to the public session before taking final action.

The City Council may go into Executive Session under the following statutory provisions to consider or discuss: *ORS 192.660(2)(a)* the employment of personnel; *ORS 192.660(2)(b)* the 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)* non-public information or records; *ORS 192.660(2)(g)* matters of commerce in which the Council is in competition with other governing bodies; *ORS 192.660(2)(h)* current and pending litigation issues; *ORS 192.660(2)(i)* employee performance; *ORS 192.660(2)(j)* investments; or *ORS 192.660(2)(m)* security issues. All discussions within this session are confidential. Therefore, nothing from this meeting may be disclosed by those present. News media representatives are allowed to attend this session (unless it involves labor relations), but shall not disclose any information discussed during this session.



## OFFICIAL AGENDA OF TUALATIN CITY COUNCIL FOR MARCH 14, 2011

**A. CALL TO ORDER**  
Pledge of Allegiance

**B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS**

1. Eagle Scout Project Presentation - *Tanner Mitton*
2. Swearing-in of New Police Officers - *Shawn Fischer and Mark Neumeister*
3. Tualatin Youth Advisory Council Update
4. Community Enhancement Award Presentation
5. Recognition of Richard Hager

**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.*

**D. CONSENT AGENDA**

*The Consent Agenda will be enacted with one vote. The Mayor will first ask 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, H) 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. Approval of the Minutes of the Work Session and Meeting of February 28, 2011
2. Resolution No. **5024-11** Establishing School Zones at Tualatin Elementary School at SW 95th and SW Avery Street and Rescinding Resolution No. 4218-04
3. Approval of 2011 Liquor License Renewals Late Submittal(s)
4. Resolution No. **5025-11** Supporting HB 3225

**E. PUBLIC HEARINGS – Legislative or Other**  
*None.*

**F. PUBLIC HEARINGS – Quasi-Judicial**  
*None.*

**G. GENERAL BUSINESS**

**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**

**J. EXECUTIVE SESSION**

**K. ADJOURNMENT**

Council Update March 14, 2011

# **TUALATIN YOUTH ADVISORY COUNCIL**

# Project P.E.A.C.E

(Providing Every Adolescent with Courage and Empathy)

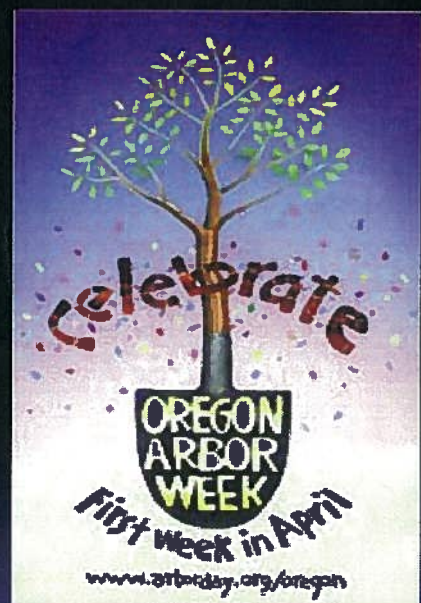


- End of April "PEACE Week"
- Planning activities now
- Hazelbrook Middle School
- Washington County Commission on Children and Families

# Arbor Week



- First week in April
- YAC members Maddie Willon and Malory Turner on the Arbor Week Ad-Hoc committee
- 5<sup>th</sup> grade poster contest



# Walk + Bike Challenge Month



- May is Walk + Bike to School Challenge Month
- Events and activities are being planned now!



## Movies on the Commons



- Free, family-friendly movies
- Saturdays in July & August
- YAC helps choose films, sells concessions
- Thank you to Dutch Bros. Coffee, US West Coast TaeKwonDo, and the Tualatin Chamber of Commerce!

## Other YAC activities

- Transportation System Plan – public involvement brainstorm session March 3
- Tualatin Quidditch League - games start in April
- Tualatin Try-athlon – May 21
- YAC in the news- Saturday, March 5<sup>th</sup> issue of *The Oregonian*



*City of Tualatin*



# CITY COUNCIL SIGN-UP SHEET

DATE: March 14, 2011

**PLEASE COMPLETE TO GIVE TESTIMONY**

**LIMIT TESTIMONY TO THREE MINUTES**

	(PLEASE PRINT CLEARLY) Name	Address	E-mail	Representing	Agenda Item(s) or Citizen Comments
1.	Trey Chantre	777 Northshore LD 97034	treychantre@msn.com	SMB4	<del>Agenda</del> Citizen
2.	Bob Haas	20087 SW WILLOW WAY		self	Citizen comment
3.	A/Theresa Pratt-Browne	P.O. Box 536		Willowbrook	
4.	Theresa Browne	"		"	Citizen
5.					
6.					
7.					
8.					



# STAFF REPORT

## CITY OF TUALATIN

APPROVED BY TUALATIN CITY COUNCIL  
Date 3-14-2011  
Recording Secretary *M. Smith*

**TO:** Honorable Mayor and Members of the City Council  
**THROUGH:** Sherilyn Lombos, City Manager  
**FROM:** Maureen Smith, Executive Assistant  
**DATE:** 03/14/2011  
**SUBJECT:** Approval of the Minutes of the Work Session and Meeting of February 28, 2011

---

**ISSUE BEFORE THE COUNCIL:**

The issue before the Council is to approve the minutes of the Work Session and Meeting of February 28, 2011.

**RECOMMENDATION:**

Staff respectfully recommends that the Council adopt the attached minutes.

---

**Attachments:** A - Work Session Minutes of 2/28/11  
B - Meeting Minutes of 2/28/11



## 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



# STAFF REPORT

## CITY OF TUALATIN

APPROVED BY TUALATIN CITY COUNCIL  
Date 3-14-2011  
Recording Secretary [Signature]

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Kaaren Hofmann, Civil Engineer  
Mike McKillip, City Engineer

**DATE:** 03/14/2011

**SUBJECT:** Resolution Establishing School Zones at Tualatin Elementary School at SW 95th and SW Avery Street and Rescinding Resolution No. 4218-04

---

### ISSUE BEFORE THE COUNCIL:

Should the Council modify the existing school zone on SW 95th Avenue adjacent to Tualatin Elementary School?

### RECOMMENDATION:

Staff recommends that the attached resolution be adopted, modifying the school zone on SW 95th Avenue between SW Avery Street and SW Sagert Street.

### EXECUTIVE SUMMARY:

In April 2010, staff was contacted by the Principal of Tualatin Elementary School regarding her concerns for the safety of the children caused by excessive speeding on both SW Avery Street and SW 95th Avenue.

Staff observed the situation on three different days, in both the morning and afternoon. During the three times, Engineering Staff observed drivers at the school and they observed a number of vehicles driving at speeds greater than 20 mph throughout the school zones on both SW 95th Avenue and SW Avery Street. It appeared that one reason drivers did not comply with school zone speed limits was that the school itself is not visible where the school zones start. To address this problem, moving the school zones closer to the school on SW 95th Avenue would create a physical and visual presence to reinforce the zone. The requested radar signs would also reinforce the visual reminder that the area is a school zone. A letter was received on May 10, 2010 from Johanna Cena, the principal, requesting the installation of radar signs at the school.

In the Fall of 2010, the Council approved the installation of radar signs at Tualatin Elementary School. The radar signs are now installed and operational. The next step in the project is to formally move the existing school zone location to have more of a presence at the school. The proposal is to have the school zone on southbound SW 95th Avenue start 485 feet north of SW Avery Street (see attached map). There would also be a 'When Children Are Present' zone at the crosswalk at SW Sagert Street (see attached map). Staff met with the teachers and principal of Tualatin Elementary School and they were supportive of our proposal to move the school zone location closer to the school as long as a zone was left at the crosswalk. They also requested more visibility at that crosswalk, which staff is currently evaluating.

### OUTCOMES OF DECISION:

The school zone will be modified and the signs on SW 95th Avenue will be relocated.

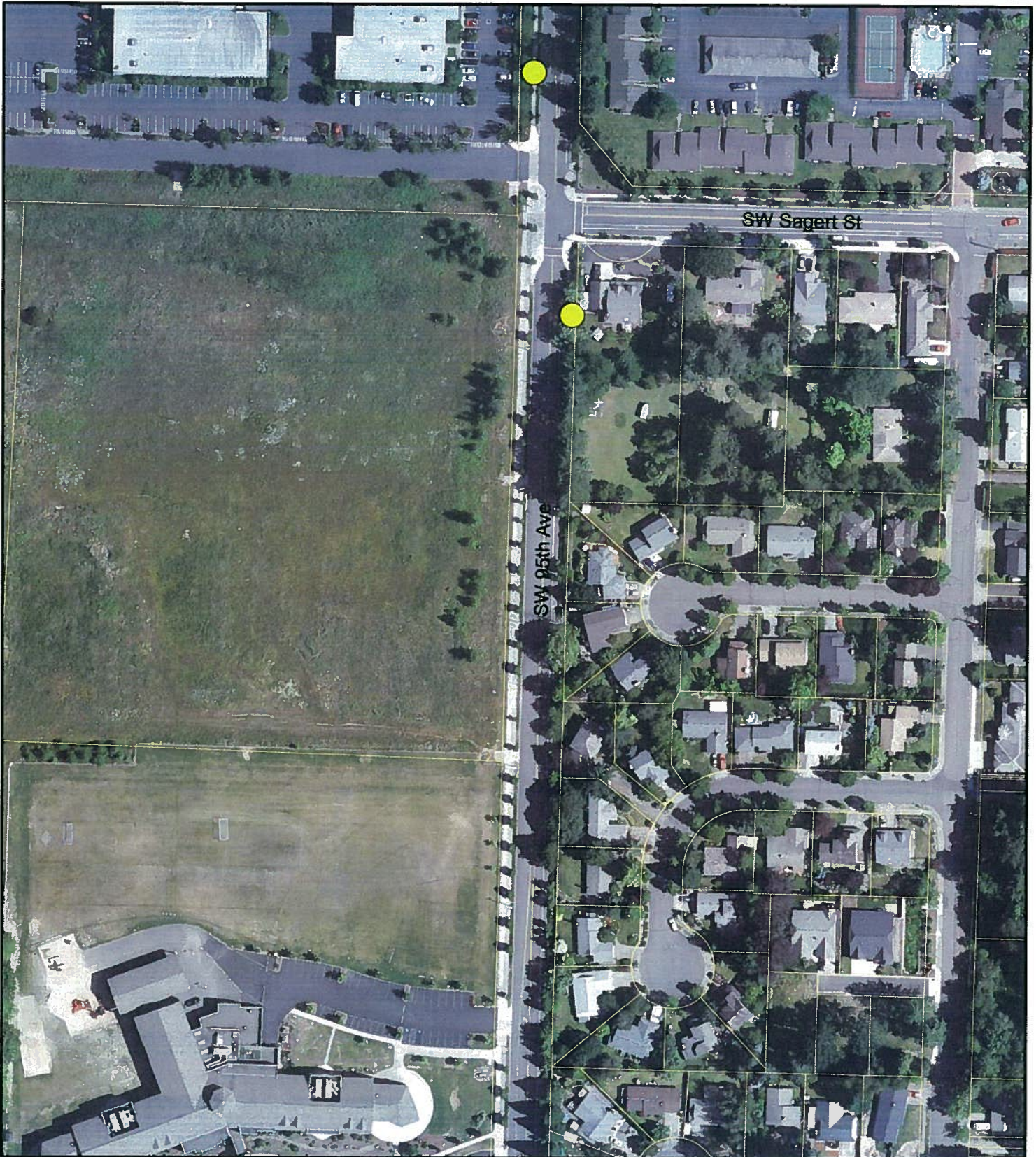
### ALTERNATIVES TO RECOMMENDATION:

If this modification is not approved, the existing school zones will remain in their current location.

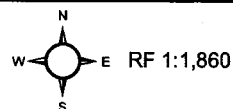
---

**Attachments:**     A - Map of 95th Avenue  
                          B - Map of Avery Street  
                          C - Resolution

# Tualatin Elementary School Zone Signs



 20 MPH - When Children Are Present



This map is derived from various digital database sources. While an attempt has been made to provide an accurate map, the City of Tualatin, OR assumes no responsibility or liability for any errors or omissions in the information. This map is provided "as is". -Engineering and Building Dept. Plotted 3/2/2011



# Tualatin Elementary School Zone Signs



● School Zone Signs  
7am - 5pm

▲ Radar Signs

RF 1:2,200



This map is derived from various digital database sources. While an attempt has been made to provide an accurate map, the City of Tualatin, OR, assumes no responsibility or liability for any errors or omissions in the information. This map is provided "as is". Engineering and Building Dept. Plan 202411

RESOLUTION NO. 5024-11

A RESOLUTION ESTABLISHING SCHOOL ZONES AT TUALATIN ELEMENTARY SCHOOL AT SW 95<sup>TH</sup> AVENUE AND SW AVERY STREET AND RESCINDING RESOLUTION NO. 4218-04

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. In accordance with the provisions of Tualatin Municipal Code 8-3.030, school zones from 7 am – 5 pm on school days as defined in ORS 811.111(1)(e)(A)(ii) at the following locations are hereby authorized:

1. SW Avery Street – SW Elk Horn Court to SW 93<sup>rd</sup> Avenue
2. SW 95<sup>th</sup> Avenue – From SW Avery Street to a point 485 feet north of the SW Avery Street centerline

Section 2. In accordance with the provisions of Tualatin Municipal Code 8-3.030, school zones when children are present as defined in ORS 811.111(1)(e)(B)(ii) at the following locations are hereby authorized:

1. Crosswalk on SW 95<sup>th</sup> Avenue at SW Sagert Street

Section 3. The Operations Director is hereby authorized to implement the provisions of this resolution by maintaining the appropriate signs and/or markings at the above listed locations.

INTRODUCED AND ADOPTED THIS 14<sup>TH</sup> DAY OF MARCH, 2011

CITY OF TUALATIN, OREGON

By  \_\_\_\_\_  
Mayor Pro Tem

ATTEST:

By  \_\_\_\_\_  
City Recorder



## STAFF REPORT CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council  
**THROUGH:** Sherilyn Lombos, City Manager  
**FROM:** Maureen Smith, Executive Assistant  
**DATE:** 03/14/2011  
**SUBJECT:** Approval of 2011 Liquor License Renewals Late Submittal(s)

---

### ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve liquor license renewal applications for 2011. The business listed below submitted their 2011 renewal application too late to be included in the renewals approved at the February 28, 2011 Council meeting. Copies have not been included with this staff report but are available at the City Offices for review.

### RECOMMENDATION:

Staff respectfully recommends that the Council approve endorsement of the following liquor license application renewals for 2011:

Players  
Wong's Restaurant

### EXECUTIVE SUMMARY:

Annually the Oregon Liquor Control Commission (OLCC) requires all liquor licenses be renewed. According to the provisions of City Ordinance No. 680-85, establishing procedures for liquor license applicants, applicants are required to fill out a City application form, from which a review by the Police Department is conducted, according to standards and criteria established in Section 6 of the ordinance. The liquor license renewal applications are in accordance with all ordinances and the Police Department has conducted reviews of the applications.

According to the provisions of Section 5 of Ordinance No. 680-85 a member of the Council or the public may request a public hearing on any of the liquor license renewal requests. If such a public hearing request is made, a hearing will be scheduled and held on the license. It is important that any request for such a hearing include reasons for said hearing.

### FINANCIAL IMPLICATIONS:

A renewal fee of \$35 has been paid by each applicant.

---

### Attachments:



# STAFF REPORT

## CITY OF TUALATIN

APPROVED BY TUALATIN CITY COUNCIL

Date 3-14-2011

Recording Secretary M. Smith

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Sara Singer, Assistant to the City Manager

**DATE:** 03/14/2011

**SUBJECT:** Resolution Supporting HB 3225

---

### ISSUE BEFORE THE COUNCIL:

The Cities of Tualatin, Sherwood, and Wilsonville are currently working together with Washington County on the preliminary design for SW 124th Avenue which is proposed to serve new industrial areas within these three cities. A little over 1,900 acres of industrial land was added to the Portland Metropolitan Urban Growth Boundary between 2002 and 2004. SW 124th Avenue is proposed to serve this land and the anticipated industrial jobs. In addition to providing access to new industrial land, SW 124th is proposed to serve as piece of a network that connects Oregon Route 99 W to Interstate 5.

House Bill 3225 is sponsored by Representative Parrish, Representative Wingard, Senator Devlin, and Senator George at the request of the South Metro Business Alliance. The Bill was introduced on February 14, 2011, and has been referred to the House Transportation and Economic Development Committee. HB 3225 specifies conditions under which a new or extended city street or county road may be developed on land designated as urban reserve by a metropolitan service district. Under current law this development would be prohibited. The passage of this bill could allow for the development of SW 124th Avenue in the urban reserve, and therefore would provide a critical transportation link in the regional transportation plan.

### RECOMMENDATION:

Staff recommends adopting the attached resolution supporting the passage of House Bill 3225.

---

**Attachments:** A - Resolution  
B - House Bill 3225

# House Bill 3225

Sponsored by Representative PARRISH; Representative WINGARD, Senators DEVLIN, GEORGE (at the request of South Metro Business Alliance)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Specifies conditions under which new or extended city street or county road may be developed on land designated as urban reserve by metropolitan service district.

### A BILL FOR AN ACT

1 Relating to development in urban reserves.

2 **Be It Enacted by the People of the State of Oregon:**

3 **SECTION 1. (1) As used in this section:**

4 (a) "Lawfully established unit of land," "lot" and "parcel" have the meanings given those  
5 terms in ORS 92.010.

6 (b) "Urban reserve" has the meaning given that term in ORS 195.137.

7 (2) A local government may, alone or in partnership with public or private partners, de-  
8 velop a new or extended city street or county road on land designated as urban reserve by  
9 a metropolitan service district only if:

10 (a) The development impacts fewer than 150 acres of land designated as urban reserve;

11 (b) The new or extended road right-of-way consumes a net developable area of less than  
12 100 acres of land designated as urban reserve;

13 (c) The land impacted by development is in an area of land designated as urban reserve  
14 that is:

15 (A) Adjacent to the urban growth boundary of a metropolitan service district; and

16 (B) Not currently used for farm or forest operations; and

17 (d) The new or extended city street or county road:

18 (A) Provides a direct connection between two county roads that are part of a county-wide  
19 road system adopted by the governing body of the county;

20 (B) Is a limited access road with two or fewer public street intersections;

21 (C) Does not provide access to lots, parcels or lawfully established units of land lying  
22 outside of the urban growth boundary;

23 (D) Is included as an option in the transportation system plan of a city's acknowledged  
24 comprehensive plan and land use regulations;

25 (E) Is consistent with the regional transportation plan except that the new or extended  
26 street or road lies outside the urban growth boundary;

27 (F) Is identified on the financially constrained project list in the applicable regional  
28 transportation plan;

29 (G) Is identified as part of a regional system and a necessary link to make other parts  
30 of the system function properly;  
31

NOTE: Matter in boldfaced type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in boldfaced type.

1       **(H) Serves industrial employment areas in two cities and coincides with the jurisdictional**  
2 **boundary of the two cities; and**

3       **(I) Is adjacent to and provides access to land designated as a regionally significant in-**  
4 **dustrial area in an acknowledged regional framework plan.**

5

---

RESOLUTION NO. 5025-11

RESOLUTION SUPPORTING HOUSE BILL 3225

WHEREAS the economic vitality of the Portland metropolitan region is critical to the prosperity of the State of Oregon, and;

WHEREAS the south metro area is essential to the economic vitality and the recovery of the health of the economy of the region, and;

WHEREAS the area between the cities of Tualatin, Wilsonville and Sherwood has been identified as an area of industrial significance, and;

WHEREAS Tualatin is seeking the support of the State of Oregon to help develop the infrastructure to serve the areas that have been identified for Tualatin to serve, and;

WHEREAS that same geographical location has been the subject of at least three current or ongoing planning efforts, Basalt Creek Planning Study, Southwest Concept Plan, and the Sherwood Employment Area Plan, and ;

WHEREAS the planning and development of adequate transportation infrastructure is vital to the future successful development of the Basalt Creek, Southwest Concept, and Sherwood Employment Area plans, and;

WHEREAS the Basalt Creek, Southwest Concept Plan, and Sherwood Employment Areas have been identified by Metro as the potential location for the creation of more than 4,000 new family wages jobs, and;

WHEREAS the City of Tualatin will play an active and strategic role in the development and management of the Basalt Creek, Southwest Concept Plan, and Sherwood Employment Area

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The development of strategic transportation is determined to be of critical importance to the citizens of the Tualatin, Sherwood, and Wilsonville and the prosperity of the community at large, and;

Section 2. The Tualatin City Council resolves and ascertains its support for House Bill 3225 now before the 76<sup>th</sup> Oregon Legislative Assembly, and;

Section 3. The members of the Tualatin City Council do respectfully urge the passage and signing of House Bill 3225 to achieve the economic prosperity and vitality of our community, the Portland metropolitan region and therefore the State of Oregon.

INTRODUCED AND ADOPTED this 14<sup>th</sup> day of March, 2011.

CITY OF TUALATIN, OREGON

BY  \_\_\_\_\_  
Mayor

ATTEST:  
BY  \_\_\_\_\_  
City Recorder