



City of Tualatin

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APPROVED BY TUALATIN CITY COUNCIL
Date 10-25-10
Recording Secretary W. Smith

TUALATIN CITY COUNCIL WORK SESSION MINUTES OF OCTOBER 11, 2010

PRESENT: Mayor Lou Ogden; Councilors Chris Barhyte, Monique Beikman, Joelle Davis, Jay Harris, Donna Maddux, and Ed Truax; Sherilyn Lombos, City Manager; McKillip, City Engineer; Kent Barker, Police Chief; Don Hudson, Finance Director; Paul Hennon, Community Services Director; Dan Boss, Operations Director; Aquilla Hurd-Ravich, Acting Planning Manager; Ben Bryant; Maureen Smith, Recording Secretary

ABSENT: None.

[Unless otherwise noted, MOTION CARRIED indicates all in favor.]

A. CALL TO ORDER

Mayor Ogden called the work session to order at 5:00 p.m.

Council reviewed the Consent Agenda with no changes.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

1. Poole Quarry Hearing – Tualatin’s Comments

Assistant Planner Cindy Hahn was present to give an update on the Conditional Use Permit submitted to Clackamas County regarding the proposed Poole Quarry. Ms. Hahn distributed a memorandum from Matt Wellner, of Tonquin Holdings summarizing the mining plan and impact mitigation of the Poole Quarry. A revised letter to Clackamas County with Council revisions was distributed. Assistant Planner Hahn said the memorandum from Tonquin Holdings is more of a summary what is already problematic.

Discussion followed on concerns by Council of the impacts the quarry would have to Tualatin and the adjoining neighborhoods.

Noise levels were discussed and the quarry being held to their noise measures. It was also asked and City Manager Lombos replied that she will review all the concerns the Council has and how they would relate if an appeal was made to the Land Use Board of Appeals (LUBA).

Council continued with discussion on their concerns about the quarry proposal. It was suggested to have a professional assess the noise levels, and actually the broader issue of the entire area. Concern was expressed about having “factual” information to present to the County Hearings Officer. Continued discussion on how criteria can be applied to the issues

of the quarry. It was asked in the summary objections to include wording such as "...condition has not been met" as it's done in staff reports. It was asked to determine Washington County's position on this issue. Also asked is whether the hearing could be delayed to allow more time to gather information. It was mentioned Wilsonville is also objecting to the proposed quarry. It was asked to know the governing rules of the hearings officer process.

City Manager Lombos summarized staff will resend the quarry application to Council; discuss with the City Attorney about creating standing for LUBA; restructure Tualatin's response to the County to mimic a standard findings report; discussed hiring a sound engineer to look at the increase in noise with the new quarry operation and examine their noise analysis..

2. *Regional Water Sales Agreement*

City Manager Lombos said staff had discussed earlier in the year various water issues, such as Sherwood's proposal to spend additional funds to upsize pipe, and additional options, etc. Council gave direction to staff not to move forward with Sherwood's proposal, and to revisit the contract with Portland, what is the "trigger" date for discontinuing, and to take a look at the Clackamas River.

City Engineer Mike McKillip gave a brief review of the agreement with Portland and a few sections that are the most important, such as the nature of service, duration and renewal periods. He explained the notice to Portland is given in five year increments, and there would need to be a process to go through if Tualatin were to change from Portland.

Council discussed the ramifications of what could happen if notice is given to Portland or by Portland, and how Tualatin would address. Discussion about how Portland handles supplying water to entities and that they do not have as many customers as they have had in the past. It was asked and explained what alternatives there are if Tualatin chose not to continue with Portland.

Discussion followed on Tigard's decision to change their water supplier, which is from the Clackamas River. Rate structure was also discussed and what Tigard and Lake Oswego are doing to pay for their water. It was asked to go back to the analysis of what was done and what it would cost to change water supply sources. It was suggested to take a look at the last analysis that was done and distribute to Council for review. Some concern was expressed about having a contingency plan, in case Portland were to cancel their contract. Council also asked to review the agreement every years to stay on track and continue to look at options.

City Engineer McKillip also gave an update on Aquifer Storage and Recovery (ASR), and said will be starting to inject water, adding chlorine at the well heads and testing, and should be back in business sometime in the spring.

3. *Service Levels Discussion – Continued*

Finance Director Don Hudson presented an informational PowerPoint on follow-up from the special work session discussion on service levels. He reviewed with Council and explained the side by side comparison chart, the fiscal health analysis, and what the projected "gap" will be in the coming years. The departments are also doing exercise on services provided

and what opportunities could be done to leverage current one-time funds to create future ongoing savings, contracting or sharing services. Finance Director Hudson noted it is a "creative" exercise and no decisions are being made from the exercise. Also reviewed was the timeline for the prioritization process of what will be done this fall, and the beginning the fiscal year process in January. Brief discussion followed.

C. CITIZEN COMMENTS

N/A

D. CONSENT AGENDA

Council reviewed the Consent Agenda at the beginning of the work session with no changes.

E. PUBLIC HEARINGS – Legislative or Other

N/A

F. PUBLIC HEARINGS – Quasi-Judicial

N/A

G. GENERAL BUSINESS

N/A

H. ITEMS REMOVED FROM CONSENT AGENDA

N/A

I. COMMUNICATIONS FROM COUNCILORS

Council President Barhyte, as City representative on the Metropolitan Area Communications Commission (MACC), said they are still working on what services will continue to be provided by Tualatin Valley Community Television (TVCTV). It was explained that Tualatin will not lose any services of what is currently offered. What is in question is "sponsored" programming.

Councilor Beikman said the Washington County Coordinating Committee (WCCC) is looking to make a decision of what projects to present to federal legislators at the National League of Cities conference in March. Traffic priority is a top contender.

Mayor Ogden noted a seminar at Concordia College in November on citizen involvement and suggested sponsoring a few of the Ad Hoc Committee on Citizen Involvement group to attend.

J. EXECUTIVE SESSION

None.

K. ADJOURNMENT

The work session adjourned at 7:01 p.m.

Sherilyn Lombos, City Manager

Recording Secretary / Maureen Smith





TUALATIN CITY COUNCIL MEETING MINUTES OF OCTOBER 11, 2010

PRESENT: Mayor Lou Ogden, Councilors Chris Barhyte, Monique Beikman, Joelle Davis, Jay Harris, Donna Maddux, and Ed Truax; Sherilyn Lombos, City Manager; Mike McKillip, City Engineer; Paul Hennon, Community Services Director; Kent Barker, Police Chief; Maureen Smith, Recording Secretary

ABSENT: None.

[Unless otherwise noted, MOTION CARRIED indicates all in favor.]

A. CALL TO ORDER

Mayor Ogden called the meeting to order at 7:10 p.m.

Colors Posted by Tualatin Police Honor Guard followed by Pledge of Allegiance led by Police Chief Kent Barker.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

1. *Life Saving Award Presentation to Gabe Grossman*

Police Chief Kent Barker began by giving a brief background on the shooting incident last November at a local business in Tualatin, and how Gabe Grossman was instrumental in saving gunshot victim Tony Ochoa. Mr. Ochoa was present and described his injuries by the shooter and Mr. Grossman's efforts to stabilize him until paramedics arrived.

To honor and recognize Gabe Grossman for his life-saving efforts Police Chief Barker presented him with a Life-Saving Medal. A standing ovation followed.

2. *Introduction of Newly Appointed Police Captain, Lieutenant and Sergeant*

Police Chief Barker began by noting he has been with the City of Tualatin for seven years and a lot has changed, and promotions have taken place with changes to the management team.

Police Chief Barker introduced newly promoted police officers Captain Mark Gardner, commander of patrol division, Lieutenant Greg Pickering, Sergeant Jim Noragon, investigative sergeant, and Sergeant Brian Struckmeier, a patrol team supervisor; and gave a brief background on each.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS *[continued from previous page]*

3. *Tualatin Elementary Arts Foundation (TEAF) After School Program (added to the agenda)*
Teacher Kathryn LePore, from Tualatin Elementary School, was present, along with students. Ms. LePore explained she came before Council last month regarding the "Refresh Everything" project that awards grants to various non-profit programs, schools, and services. They are trying again this month to get enough votes to be able to continue the after school program. Ms. LePore said participation is needed by voting for the TEAF program, and she explained the different ways people can vote. Students from the elementary school spoke on their positive experiences with the after school program.

4. *Tualatin's International Walk + Bike to School Day Presentation*
Community Services Director Paul Hennon, Parks and Recreation Manager Carl Switzer and Teen Program Specialist Julie Ludemann were present and were pleased to inform Council of two awards that were received from the Oregon Recreation and Parks Association (ORPA). The City received an award and Ludemann has received an award. Staff also thanked Councilors Barhyte and Beikman for their leadership in the program. A PowerPoint was shown outlining the program and recent event.

Mayor Ogden thanked staff and the Council for their involvement and support of this program. Councilors Barhyte and Beikman also thanked Ms. Ludemann for her work on the program.

5. *2010 West Coast Giant Pumpkin Regatta Announcement*
Parks and Recreation Manager Carl Switzer presented information on the 7th Annual West Coast Giant Pumpkin Regatta. The regatta was voted "2009 Best Festival in Oregon" by the Oregon Festival and Events Association. There is more fun being offered this year, and invited Council and the community to the event on Saturday, October 23, 2010. Parks and Recreation Manager Switzer also noted and thanked the sponsors of the event.

6. *Tualatin Youth Advisory Council Update*
Members of the Youth Advisory Council (YAC) were present and gave an update on activities they have participated in, and upcoming events.

7. *Measure 34-180 Washington County Cooperative Library Services Levy Renewal Information*
Library Manager Abigail Elder presented information on the levy on the November 2010 ballot in Washington County. Ms. Elder explained the Washington County Cooperative Library Services (WCCLS) has been around for 34 years and gave a brief history. The funds received from the co-op fund approximately 25% of the Tualatin Library. If the levy is renewed, it would continue to be the same rate as is currently. More information is available on the WCCLS website and the City's website. An open house is being held on October 26, 2010 at the Library Community Room to get more information.

Councilor Harris stressed the importance of this levy and ask for support. Mayor Ogden explained that only factual information about the levy has been provided by staff. He also recited the benefits of the library and the increased use over the past few years.

8. *Commuter Rail / High Speed Rail Update*

City Engineer Mike McKillip presented a PowerPoint on the Commuter Rail train horn noise mitigation. He noted work is progressing and information and outreach has been done. The work is on schedule for completion in December. Photographs were displayed of the work being done. It was asked about a pedestrian gate on the corner of Community Park and City Engineer McKillip said the pathway has a gate. It was asked to consider placing a pedestrian gate over the tracks, due to the amount of foot traffic at that location. It was also asked to be sure information on the train horn noise mitigation is given to the railroad engineers.

City Engineer McKillip continued with a brief update on high speed rail, and noted Clackamas County is working on a letter to send to the Oregon Transportation Commission regarding the project. It was asked and staff will double-check to be sure cities are also included in the letter, not just the county. It was asked and explained there is apparently a committee forming on "funding" of the rail, and City Engineer McKillip said he will get more information to Council as soon as is possible.

C. CITIZEN COMMENTS

None.

D. CONSENT CALENDAR

MOTION by Councilor Barhyte, SECONDED by Councilor Maddux to adopt the Consent Agenda as read:

1. Approval of the Minutes of the Work Session and Meeting of September 13, 2010 and the Special Work Session of September 14, 2010

MOTION CARRIED.

E. PUBLIC HEARINGS – Legislative or Other

None.

F. PUBLIC HEARINGS – Quasi-Judicial

1. Public Hearing to Consider an Ordinance Changing the Planning District Designation From Low-Density Residential (RL) to Medical Center (MC) of Parcels of Land Located on SW Borland Road (21E 19C 1700 & 2000) and .25 Acres of Abutting Right-of-Way; and Amending the Community Plan Map 9-1 (PMA-09-03)

Mayor Ogden opened the public hearing and noted it was continued from October 11, 2010. There has been a request by the applicant to continue the hearing to November 8, 2010.

MOTION by Councilor Barhyte, SECONDED by Councilor Davis to continue the hearing to November 8, 2010 . MOTION CARRIED.

G. GENERAL BUSINESS

1. Consideration of a Development Agreement Between the City of Tualatin and Legacy Health Systems

It was noted this item is also continued to the November 8, 2010 City Council meeting.

2. Resolution No. 5007-10 To Accept the Southwest Concept Plan

Senior Planner Aquilla Hurd-Ravich presented information on the Southwest Concept Plan, Alternative IV. The plan and map, if accepted, will be forwarded to Metro to complete the second of four milestones per the Intergovernmental Agreement with Metro. Ms. Hurd-Ravich went through the maps and Lombos noted the latest map indicates no Blake Street extension. What is on the screen is different than what is in the packet. Questions were asked about what is indicated on the latest map, with Blake Street extension not part of the map. Senior Planner Hurd-Ravich continue her review of the maps and explained the positive results from the concept plan.

Questions followed on how water would become part of the growth in the plan area, and better model with perhaps a regional facility with a public/private partnership. Senior Planner Hurd-Ravich said as work continues, there can be discussions with Clean Water Services (CWS) on the stormwater issue. Revegetation was mentioned and concern about areas not having vegetation when the work is done. Language can be included that can address those concerns. Timing issues of the plan was also discussed.

It was clarified that what is before Council is the concept plan that has been in the works for years, and essentially Council is asked to accept or not accept the plan. It is what Metro is requiring the City do and would release funds. It was proposed that Blake Street ends in a cul-de-sac, west of the railroad tracks, be modified in the plan. Also asked and answered were questions on the Transportation System Plan (TSP) and the employment base. Also addressed was the amount of traffic that would be generated from the concept plan.

Ms. Lombos explained the modified resolution, and the new language that was added to acknowledge the area that will be in coordination with the Basalt Creek planning area.

PROPOSERS/OPPONENTS – None.

COUNCIL DISCUSSION

MOTION by Council President Barhyte, SECONDED by Councilor Maddux to accept the Southwest Concept Plan, with the modification to Blake Street, west of the railroad.

MOTION CARRIED. [Vote: 7-0]

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. EXECUTIVE SESSION

None.

J. COMMUNICATIONS FROM COUNCILORS

Councilor Davis said on October 21, 2010, the Washington County Human Rights Council will be holding a Hate Crimes Forum at the Hillsboro Civic Center.

Councilor Maddux mentioned she has discussed with the city manager that Council has not done an evaluation of City Manager Sherilyn Lombos since her first year of employment. Councilor Maddux proposed having an evaluation done by the current Council before the end of the year, and said Council owes it to the city manager and the City to get it done. Council agreed they will discuss prior to the next work session.

K. ADJOURNMENT

MOTION by Councilor Truax, SECONDED by Councilor Barhyte to adjourn the meeting at 8:50 p.m. MOTION CARRIED.

Sherilyn Lombos, City Manager

Recording Secretary / Maureen Smith

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