



TUALATIN CITY COUNCIL AND TUALATIN DEVELOPMENT COMMISSION

Monday, February 13, 2012

CITY COUNCIL CHAMBERS
18880 SW Martinazzi Avenue
Tualatin, OR 97062

WORK SESSION begins at 5:00 p.m.
REGULAR MEETING begins at 7:00 p.m.

Mayor Lou Ogden
Council President Monique Beikman
Councilor Wade Brooksby Councilor Frank Bubenik
Councilor Joelle Davis Councilor Nancy Grimes
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 www.ci.tualatin.or.us/government/CouncilPackets.cfm, the Library located at 18878 SW Martinazzi Avenue, and on file in the Office of the City Manager for public inspection. Any person with 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** 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. Council meetings can also be viewed by live *streaming video* on the City's website, the day of the meeting at 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.

1. Mayor opens the public hearing and identifies the subject.
2. A staff member presents the staff report.
3. Public testimony is taken.
4. Council then asks questions of staff, the applicant, or any member of the public who testified.
5. When the Council has finished questions, the Mayor closes the public hearing.
6. 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, partititions and architectural review.

1. Mayor opens the public hearing and identifies the case to be considered.
2. A staff member presents the staff report.
3. Public testimony is taken:
 - a) In support of the application
 - b) In opposition or neutral
4. Council then asks questions of staff, the applicant, or any member of the public who testified.
5. When Council has finished its questions, the Mayors closes the public hearing.
6. 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 provided 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)* employment of personnel; *ORS 192.660(2)(b)* 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 THE TUALATIN CITY COUNCIL FOR FEBRUARY 13, 2012

A. CALL TO ORDER

Pledge of Allegiance

B. ANNOUNCEMENTS

1. Tualatin Youth Advisory Council Update February, 2012
2. Swearing-in of Police Officer - *Kelley Fugate*
3. Introduction of Employees - *Cathy Hayes, Court Clerk, Finance Department*
Janet Newport, Human Resources Manager
4. Proclamation Declaring Abigail Elder 2011 Employee of the Year

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, I) 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 for the Work Session and Meeting of January 23, 2012
2. Approval of a New Liquor License Application for Christopher Michael Wines

E. SPECIAL REPORTS

1. Quarterly Financial Update
2. 2011 Heritage Center Annual Report

F. PUBLIC HEARINGS – Legislative or Other

G. PUBLIC HEARINGS – Quasi-Judicial

H. GENERAL BUSINESS

1. Resolution Recognizing the Formation of the Commercial Citizen Involvement Organization

I. 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.

J. COMMUNICATIONS FROM COUNCILORS

K. EXECUTIVE SESSION

L. ADJOURNMENT

City Council Meeting

B. 1.

Meeting
Date: 02/13/2012

ANNOUNCEMENTS

Tualatin Youth Advisory Council Update February, 2012

Attachments

A - PowerPoint YAC Update



Council Update February 13, 2012

TUALATIN YOUTH ADVISORY COUNCIL

Project F.R.I.E.N.D.S

- Grant for \$700 from Washington County Commission on Children and Families
- Focus on violence prevention/anti-bullying
- Bridgeport, Byrom and Tualatin Elementary 5th Graders are participating this year
- All curriculum is currently being revised and updated
- April 20, 2012

Tualatin YAC – Youth Participating in Governance



Project F.R.I.E.N.D.S



Tualatin YAC – Youth Participating in Governance

Target Grant for Youth Outreach

- Youth Summit
 - Meets YAC goal of “providing the primary communication link for youth to government”, and “identifying and advocating for needs of youth”
 - Last done in 2009
 - Currently beginning planning phase
 - Plan to hold summit by end of school year

Tualatin YAC – Youth Participating in Governance



Youth Summit



Tualatin YAC – Youth Participating in Governance

City Council Meeting

B. 2.

Meeting

Date: 02/13/2012

ANNOUNCEMENTS

Swearing-in of Police Officer - *Kelley Fugate*

City Council Meeting

B. 3.

Meeting
Date: 02/13/2012

ANNOUNCEMENTS

Introduction of Employees - *Cathy Hayes, Court Clerk, Finance Department*
Janet Newport, Human Resources Manager

City Council Meeting

B. 4.

Meeting
Date: 02/13/2012

ANNOUNCEMENTS

Proclamation Declaring Abigail Elder 2011 Employee of the Year

Attachments

A - Proclamation

Proclamation

Proclamation Declaring Abigail Elder as Tualatin's "2011 Employee of the Year"

WHEREAS the Employee of the Year program is designed to recognize the work and actions which bring credit to the City and improve our ability to deliver excellent service to Tualatin's customers; and

WHEREAS Abigail Elder was selected as Tualatin's 2011 Employee of the Year based on numerous nominations from multiple City departments; and

WHEREAS Abigail Elder was hired on September 29, 2008 as Tualatin's Library Manager and has been an exemplary employee since her first day; known for being warm and friendly, hard-working, flexible positive, courteous and an all-around wonderful person, treating everyone with dignity and respect; and

WHEREAS Abigail inspires greatness in others and is an excellent role model and mentor for library staff and in the Library profession. She is the current President of the Oregon Library Association, serves as a member of the Tualatin School House Pantry Board and is a active volunteer at the Juanita Pohl Center where she can be found every Friday washing dishes; and

WHEREAS Abigail works tirelessly in her position, providing help and guidance wherever help is needed; she is just as likely to be found shelving books as attending policy group meetings, managing the Library budget or escorting a misbehaving patron out the door; and

WHEREAS Abigail makes Tualatin a better place to work and a better place to read and enrich your mind. She initiated a mid-managers book club, inviting employees across department lines to come together to enrich themselves personally and professionally through reading books on topics such as leadership and organizational change; and

WHEREAS Abigail's empowerment of the volunteers in the Library helps to make Tualatin's Library one of the best in the Portland metro – maybe the world! Abigail is a leader, a friend and a wonderful person to so many people in this organization and community. It is clear she loves her job and the Library!

WHEREAS Abigail demonstrates Tualatin's core values of TEAMWORK, RESPECT, ONE CITY, EMPOWERMENT, PROBLEM SOLVING, CUSTOMER SERVICE and being NON-BUREAUCRATIC in a multitude of ways every day.

NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, Oregon that:

ABIGAIL ELDER IS NAMED THE "2011 EMPLOYEE OF THE YEAR."

INTRODUCED AND ADOPTED this 13th day of February, 2012.

CITY OF TUALATIN, OREGON

BY _____
Mayor

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: 02/13/2012

SUBJECT: Approval of the Minutes for the Work Session and Meeting of January 23, 2012

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve the minutes of the Work Session and Meeting of January 23, 2012.

RECOMMENDATION:

Staff respectfully recommends that the Council adopt the attached minutes.

Attachments: A - Work Session Minutes of January 23, 2012
B - Meeting Minutes of January 23, 2012



OFFICIAL MINUTES OF TUALATIN CITY COUNCIL WORK SESSION FOR JANUARY 23, 2012

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

Absent: Council President Monique Beikman

Staff Present: City Manager Sherilyn Lombos; City Attorney Brenda Braden; Community Development Director Alice Rouyer; Operations Director Dan Boss; Finance Director Don Hudson; Planning Manager Aquilla Hurd-Ravich; Assistant to the City Manager Sara Singer; Assistant Planner Colin Cortes; Associate Planner Cindy Hahn; Parks and Recreation Manager Carl Switzer; Program Coordinator Kathy Kaatz; Maintenance Services Division Manager Clayton Reynolds; Management Analyst Ben Bryant; Executive Assistant Maureen Smith

Attendees: Finance Accounting Supervisor Craig Anderson

1. CALL TO ORDER

Mayor Ogden called the work session to order at 5:06 p.m.

2. Fiscal Year Ending June 30, 2011 Audit Report

Finance Director Don Hudson introduced Kammy Austin and Dani Groves, representatives from Merina & Company.

Ms. Austin and Ms Groves began the discussion and distributed the audit for the City and the Development Commission. Questions can be directed to Finance Director Don Hudson if needed. Included were two letters dated December 12, 2011, which are required communications. An additional report that has an improvement for consideration was included along with an executive summary dated today. The auditors gave a brief overview of the communications and financial statements.

They issued a clean opinion, which is the highest level of assurance that can be received for the City, and the Development Commission. Statements were submitted to the Government Finance Officers Association (GFOA). There were two accounts where funds exceeded expenditures, and one deficiency noted, which has to do with fixed assets. Staff has indicated acquiring a fixed assets software program to address those issues. Ms. Austin and Ms. Groves said this is their first audit with Tualatin, and from their standpoint it was a very good audit and went smoothly.

Brief discussion followed on the audit and the budget graphs in the document; it was explained that the graph represents a single point in time and is not looking at the entire amount of revenue. The presentation of that particular graph was questioned, as without an explanation could be interpreted quite differently. It was asked of the auditors if the City has an efficient operation and it was explained that the audit is looking to make sure the City has sufficient controls in place and communicate best practices, but that it doesn't necessarily look at the "efficiency" of the City's operations. It was asked to have the document put on the City's website in a "user-friendly" format so the average person could look at the financial picture of the City. It was also asked when the fixed asset issue will be brought to Council, and Mr. Hudson said he is not certain how long it will be at this point, but staff is currently looking at options.

3. Request to Add West Linn as Member of the Metropolitan Area Communications Commission

Metropolitan Area Communications Commission (MACC) Chair and former councilor Chris Barhyte and MACC staff Fred Crist were present to discuss the recommendation of including the City of West Linn in the MACC Intergovernmental Agreement. MACC oversees Tualatin Valley Community Television cable access programming for Washington County and Lake Oswego. Tualatin is a member of the MACC Intergovernmental Agreement (IGA), which requires that every member jurisdiction approve the addition of any new member. In November, MACC recommended Tualatin, along with the other members approve the addition of the City of West Linn to the membership. Mr. Crist said currently there are 14 jurisdictions, and they initially had received requests from Oregon City and West Linn. West Linn ended up wanting to move forward with joining MACC, bringing the number to 15 jurisdictions. There is no cost or change to the current fees, and actually results in a slight decrease. Also increased membership can offer some clout during negotiations with the cable franchise.

Brief discussion followed. It was asked and answered that Oregon City ended up staying with Willamette Falls Media Center, their local public access. Staff noted that the resolution is on the Consent Agenda portion of the business meeting for approval.

4. Washington County Major Streets Transportation Improvement Program (MSTIP) Project List

Community Development Director Alice Rouyer and Management Analyst Ben Bryant were present and gave an overview of Washington County Major Streets Transportation Improvement Program (MSTIP) Project List. The Washington County Coordinating Committee (WCCC) is seeking input from local jurisdictions on the draft project list.

The process recently started for the next five year cycle; there are three projects that are closely tied to Tualatin. The timeline was reviewed; the County Board will adopt the projects by June, 2012. The draft list will go to WCCC in February and a recommendation will be made to the Board in May. Discussion followed and mention was made of not seeing the County address issues on a stretch of road that has safety issues on Grahams Ferry Road. Since the primary purpose of MSTIP is safety and improvement of roads for multiple uses, it might be a smaller project than some of the others listed. It was suggested that project dollars be set aside that would include the necessary improvements to Grahams Ferry.

Discussion followed. It was suggested to find out what the costs would be to address the safety of the curve. It was asked if there are any other funding sources for safety projects besides MSTIP that should be discussed with the County. Staff recalled there were conversations approximately two years back about that stretch of Grahams Ferry Road. Discussion continued on the unsafe factors on the stretch of road on Grahams Ferry. It was suggested by Council to include planning for some minor improvements to Grahams Ferry in the Basalt Creek Transportation project.

5. Update on the Transportation Task Force

Community Development Director Alice Rouyer began by noting the last status update of the Transportation Task Force was in November, which outlined purpose, composition and an agenda. This update is to review activities since the last status update. An update will also be given at tonight's business meeting agenda.

Associate Planner Cindy Hahn continued with the update and said there have been three Task Force meetings to date, with 45 attendees at the first meeting and nearly that at the second and third. The Task Force has come up with goals and objectives, derived from the value statements. Staff will be personally checking in with each member before the next meeting on February 2, which focuses on the Transportation System Plan (TSP), leading to a list of projects and expectations. The Task Force "Working Groups" are scheduled in February and the discussion topics were reviewed. An open house is set for February 16; the February 23 Task Force meeting focus will be on the "Linking Tualatin" project. Staff noted a lot of activity is happening in February. Brief discussion followed.

6. Discussion About the Next Stafford-Borland Forum

Planning Manager Aquilla Hurd-Ravich presented and reviewed information on the next Stafford-Borland forum. The next forum is scheduled for February 4, 2012, 9:00 a.m. to 12:00 p.m. at Athey Creek School. The purpose of this forum is to discuss transportation impacts to surrounding cities if development occurs.

Issues that have come up in the past on impacts to the area were reviewed by Planning Manager Hurd-Ravich. It was also noted that the joint statement from Tualatin, West Linn, and Lake Oswego was included in this packet that outlines identified impacts in 2009. Possible impacts on Sagert and Nyberg, and possible impacts in the Basalt Creek area were highlighted. Staff is trying to determine if these are still the concerns as a list of talking points need to be submitted to Clackamas County. It also needs to be determined who will speak at the forum from Tualatin. Discussion followed. It was stated that it is important to have someone from Tualatin represented at the next forum to be able to be part of the discussion. Council discussed who would be attending; either or both Councilors Grimes and Truax will attend, if Council President Beikman cannot attend. The Council had a brief discussion about how the forum would play out, the major players attending and what will likely be discussed.

7. Consideration of Appointing a City Council Member to the Ad Hoc Committee to Coordinate the 2012 Arbor Week Celebration

City Manager Lombos noted this is an item on the business meeting Consent Agenda. What is needed is the appointment of a councilor as an Arbor Week representative; Parks and Recreation Manager Carl Switzer gave a brief background on what it would entail. It was asked and answered that the last time this was done, Community Involvement Organizations (CIOs) didn't exist. It was suggested and staff will contact the CIOs about this event. Councilor Grimes volunteered to be on this year's Arbor Week Ad Hoc Committee.

8. Council Meeting Agenda Review, Communications & Roundtable

CONSENT AGENDA REVIEW

Council reviewed the Consent Agenda. City Manager Lombos removed Item D-3 - Update to Personnel Rules in its entirety from the agenda. No other changes or comments were noted.

H. GENERAL BUSINESS

1. Ordinance No. **1338-12** Amending References for Land Use Notice; Adding Citizen Involvement Organizations; and Amending TDC 1.031, 31.060, 31.063, 31.064 and 31.067 (PTA-11-09)

MOTION by Councilor Davis, SECONDED by Councilor Grimes for a first reading by title only. MOTION by Councilor Davis, SECONDED by Councilor Grimes for a second reading by title only. MOTION CARRIED. The poll was unanimous. [Beikman absent.] MOTION by Councilor Truax, SECONDED by Councilor Davis to place adoption of the ordinance on the Consent Agenda. MOTION CARRIED

2. Ordinance No. **1339-12** Changing the Tualatin Planning Advisory Committee into a Planning Commission and Granting Decision-Making Authority over Specified Land Use Applications; and Amending Tualatin Development Code Chapters 1, 2, 31, 33, 34, 35, and 37 (PTA-11-11)

MOTION by Councilor Truax, SECONDED by Councilor Davis for a first reading by title only. MOTION by Councilor Truax, SECONDED by Councilor Grimes for a second reading by title only. MOTION CARRIED. The poll was unanimous [Beikman absent]. MOTION by Councilor Truax, SECONDED by Councilor Grimes to place adoption of the ordinance on the Consent Agenda. MOTION CARRIED.

3. Ordinance No. 1340-12

MOTION by Councilor Truax, SECONDED by Councilor Davis for a first reading by title only. MOTION by Councilor Truax, SECONDED by Councilor Grimes for a second reading by title only. MOTION CARRIED. The poll was unanimous. [Beikman absent.] MOTION by Councilor Truax, SECONDED by Councilor Davis to place adoption of the ordinance on the Consent Agenda. MOTION CARRIED.

4. Ordinance No. 1341-12

MOTION by Councilor Truax, SECONDED by Councilor Grimes for a first reading by title only. MOTION by Councilor Truax, SECONDED by Councilor Grimes for a second reading by title only. MOTION CARRIED. The poll was unanimous. [Beikman absent.] MOTION by Councilor Truax, SECONDED by Councilor Grimes to place adoption of the ordinance on the Consent Agenda. MOTION CARRIED.

COMMUNICATIONS

Productive meeting of the redesign of the website, as mentioned by Bubenik and Davis.

9. ADJOURNMENT

Sherilyn Lombos, City Manager



Maureen Smith, Recording Secretary



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR JANUARY 23, 2012

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

Absent: Council President Monique Beikman

Staff Present: City Manager Sherilyn Lombos; City Attorney Brenda Braden; Community Development Director Alice Rouyer; Community Services Director Paul Hennon; Finance Director Don Hudson; Planning Manager Aquilla Hurd-Ravich; Assistant to the City Manager Sara Singer; Associate Planner Cindy Hahn; Program Coordinator Kathy Kaatz; Maintenance Services Division Manager Clayton Reynolds; Police Captain Mark Gardner; Management Analyst Ben Bryant; Executive Assistant Maureen Smith

A. CALL TO ORDER

Mayor Ogden called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was led by Councilor Grimes.

B. ANNOUNCEMENTS

1. Unveiling of the City of Tualatin 2012 Water Conservation Calendar

Operations Program Coordinator Kathy Kaatz presented the 2012 water conservation calendar. Tualatin partnered with the School District, and narrowed the focus to the district's 4th grade classes to participate in the drawing contest. There were 60 drawings received and each student received a certificate of appreciation, and the student whose art was included in the calendar received a gift card to the Lakeshore Learning Store. All the drawings were on display in the library during the holiday break. Program Coordinator Kaatz said it was a fun project with a positive response, and the calendar also provides conservation tips and FAQs. The calendar is free and is available at all City locations.

C. CITIZEN COMMENTS

Kathy Newcomb, SW Cheyenne Way, Tualatin, OR followed up on concerns she expressed at the last Council meeting on the "Linking Tualatin" project and the planned Open Houses. Her issue was to improve awareness of involving the Citizen Involvement Organizations (CIOs), particularly the residential CIOs with the project, which has substantially improved. Ms. Newcomb also followed up on her issue of the effectiveness of "Open Houses" and believes they are helpful at the end of a project. She noted the effectiveness of the three-part values exercise that was done at the December 15, 2011 Transportation Task Force meeting, which was a version of Ashland's exercise method of involvement.

Ms. Newcomb concluded by noting her appreciation of Councilor Davis' attendance at the last task force meeting and JLA Consulting for facilitating the meetings and welcoming citizen involvement. Councilor Davis thanked Ms. Newcomb for her feedback, and noted Council President Beikman's participation and her "virtual" attendance and providing feedback at the last task force meeting.

D. CONSENT AGENDA

It was noted that Agenda Item "Resolution Updating Changes to the Personnel Rules" was removed from the Consent Agenda in its entirety at the Work Session. Under General Business, Items H-1 through H-4 had first and second readings at Work Session, and placed adoption of the ordinances on the Consent Agenda.

MOTION by Councilor Ed Truax, SECONDED by Councilor Joelle Davis to approve the Consent Agenda as read and amended.

Vote: 6 - 0 MOTION CARRIED

1. Approval of the Minutes for the Work Session and Meeting of January 9, 2012
2. Establishment of an Ad Hoc Committee to Coordinate the 2012 Arbor Week Celebration
3. Resolution No. **5085-12** Adding the City of West Linn as a New Member to the Metropolitan Area Communications Commission
4. Resolution No. **5086-12** Granting a Conditional Use Permit for Seasonal Products on Behalf of PrimeSource Building Products Inc. allowing Building Materials and Supplies, Wholesale Sales, and Warehousing in the General Manufacturing (MG) Planning District at 10295 SW Manhasset Drive (Tax Map 2S1 22DA, Tax Lot 500) (CUP-11-04)
5. Recommendations from the Council Committee on Advisory Appointments
6. (Item H-1) Ordinance No. **1338-12** Amending References for Land Use Notice; Adding Citizen Involvement Organizations; and Amending TDC 1.031, 31.060, 31.063, 31.064 and 31.067 (PTA-11-09)

7. (H-2) Ordinance No. **1339-12** Changing the Tualatin Planning Advisory Committee into a Planning Commission and Granting Decision-Making Authority over Specified Land Use Applications; and Amending Tualatin Development Code Chapters 1, 2, 31, 33, 34, 35, and 37 (PTA-11-11)
8. (H-3) Ordinance No. **1340-12** Creating the Tualatin Planning Commission to Replace the Tualatin Planning Advisory Committee; and Amending Chapter 11-1 of the Tualatin Municipal Code
9. (H-4) Ordinance No. **1341-12** Relating to Noxious Vegetation and Amending TMC 6-4-010, 6-4-060 and 6-4-090

E. SPECIAL REPORTS

1. Update on the Transportation System Plan and Linking Tualatin

Community Development Director Alice Rouyer and Associate Planner Cindy Hahn presented a PowerPoint on the Transportation Task Force activities. A review of events and activities was done, and mentioned there have been three meetings held to date, all well attended. Also a reminder to everyone to go to the website for more information about activities and meetings at www.tualatintsp.org.

Director Rouyer continued with review of future events and displayed the calendar meeting dates during February. A short promotional video was shown that was put together to encourage people to participate in the upcoming "Working Groups. The information has been connected with all social media, and the video will be put on the City's website.

Discussion followed. It was asked and answered that the ideal size of each working group would be from five to fifteen. Council encouraged everyone to take part in a Working Group and thanked staff for all the work that has been done on this project.

2. 2011 Annual Report of the Tualatin Park Advisory Committee (TPARK)

Tualatin Parks and Recreation Advisory Committee (TPARK) chair Dennis Wells presented the annual report, noting it is the 35th year of the formation of the committee, contributing to making Tualatin's parks what they are today. Chair Wells presented a PowerPoint highlighting the accomplishments and events that TPARK took part in this past year, and the action plan for the coming year. TPARK will continue with review of the Tualatin Parks Advisory Committee ordinance to include more specific language about recreation, participate in and collaborate with the new Citizen Involvement Organizations, and assist in public education and involvement activities associated with Arbor Week and celebrating Tualatin's 25th year as a Tree City USA. TPARK presented recommendations for Council consideration, to include updating the Parks and Recreation Master Plan, pursue public financing for expansion of recreation, parks, greenways, and natural areas, expanding sports fields, etc. and continue to support and increase availability of public recreational opportunities for people of all ages as funding becomes available.

Council thanked Mr. Wells and the members of TPARK, and suggested any kind of outreach that can be done to attract youth to TPARK. Brief discussion followed on TPARK continuing with addressing and pursuing the goals of the committee.

- F. PUBLIC HEARINGS – Legislative or Other**
- G. PUBLIC HEARINGS – Quasi-Judicial**
- H. GENERAL BUSINESS - Items placed on the Consent Agenda at Work Session.**
- I. ITEMS REMOVED FROM CONSENT AGENDA**
- J. COMMUNICATIONS FROM COUNCILORS**
- K. EXECUTIVE SESSION**
- L. ADJOURNMENT**

MOTION by Councilor Ed Truax, SECONDED by Councilor Joelle Davis to adjourn the meeting at 7:44 p.m.

Vote: 6 - 0 MOTION CARRIED

Sherilyn Lombos, City Manager



Maureen Smith Maureen Smith / Recording Secretary



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: 02/13/2012

SUBJECT: Approval of a New Liquor License Application for Christopher Michael Wines

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve a new liquor license application for Christopher Michael Wines.

RECOMMENDATION:

Staff respectfully recommends that the Council approve endorsement of the liquor license application for Christopher Michael Wines.

EXECUTIVE SUMMARY:

Christopher Michael Wines has submitted a new liquor license application under the category of Winery, which allows the licensee to import, bottle, produce, blend, store, transport and export wines, and allows wholesale sales to OLCC and licensees, and retail sales of malt beverages and wine for consumption on or off the licensed premises. The business is located at 19550 SW Cipole Road. The application is in accordance with provisions of Ordinance No. 680-85 which established a procedure for review of liquor licenses by the Council.

Ordinance No. 680-85 establishes 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 Police Department has reviewed the new liquor license application and recommended approval.

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 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 fee has been paid by the applicant.

Attachments: A - Vicinity Map
 B - License Types
 C - Application



OREGON LIQUOR CONTROL COMMISSION LICENSE TYPES & PRIVILEGES

Brewery – public house

Allows the manufacture & sale of malt beverages to wholesalers, & the sale of malt beverages, wine & cider for consumption on or off the premises. [ORS 471.200]

Brewery

Allows the manufacture, importation, storage, transportation & wholesale sale of malt beverages to OLCC licensees. Malt beverages brewed on the premises may be sold for consumption on the premises & sold in kegs to the public. [ORS 471.220] designates a licensee that does not allow tastings or other on premises consumption.

Certificate of Approval

This certificate allows an out-of-state manufacturer, or an importer of foreign wine or malt beverages, to import wine & malt beverages to Oregon licensees. [ORS 471.289]

Distillery

Allows the holder to import, manufacture, distill, rectify, blend, denature & store distilled spirits. A distillery that produces distilled liquor may permit tastings by visitors. [ORS 471.230]

Direct Shipper Permit

Allows manufacturers & retailers to ship wine & cider directly to Oregon residents for their personal use. [ORS 471.282]

Full On Premises Sales

Allows the sale & service of distilled spirits, malt beverages & wine for consumption on the licensed premises. Also allows licensees who are pre-approved to cater events off of the licensed premises [ORS 471.175] license sub-type designates the type of business licensed: F-CAT- caterer; F-CLU- private club; F-COM - commercial establishment; F-PC - passenger carrier; F-PL - other public location.

Growers Sales Privilege

Allows the importation, storage, transportation, export, & wholesale & retail sales of wines made from fruit or grapes grown in Oregon [ORS 471.227]. Designates a licensee that does not allow tastings or other on premises consumption.

Limited On Premises Sales

Allows the sale of malt beverages, wine & cider for consumption on the licensed premises & the sale of kegs of malt beverages for off premises consumption. Also allows licensees who are pre-approved to cater events off of the licensed premises. [ORS 471.178]

Off Premises Sales

Allows the sale of malt beverages, wine & cider in factory sealed containers for consumption off the licensed premises & allows approved licensees to offer sample tasting of malt beverages, wine & cider. [ORS 471.186]

Warehouse

Allows the storage, importing, exporting, bottling, producing, blending & transporting of wine & malt beverages. [ORS 471.242]

Wholesale Malt Beverage & Wine

Allows the importation, storage, transportation & wholesale sale of malt beverages & wine to OLCC licensees & limited retail sales to the public (dock sales). [ORS 471.235]

Wine Self Distribution Permit

Allows manufacturers to sell & ship wine & cider produced by the manufacturer directly to Oregon retailers for resale to consumers. May ship to businesses which have an OLCC endorsement to receive the shipments. [ORS 471.274]

Winery

Allows the licensee to import, bottle, produce, blend, store, transport & export wines, & allows wholesale sales to OLCC & licensees, & retail sales of malt beverages & wine for consumption on or off the licensed premises.[ORS 471.223]



CITY OF TUALATIN

LIQUOR LICENSE APPLICATION

Date 01/20/2012

IMPORTANT: This is a three-page form. You are required to complete all sections of the form.
If a question does not apply, please indicate N/A. Please include full names (last, first middle) and full dates of birth (month/day/year). Incomplete forms shall receive an unfavorable recommendation.
Thank you for your assistance and cooperation.

SECTION 1: TYPE OF APPLICATION

- ☒ Original (New) Application - \$100.00 Application Fee.
☐ Change in Previous Application - \$75.00 Application Fee.
☐ Renewal of Previous License - \$35.00 Application Fee. Applicant must possess current business license. License # _____
☐ Temporary License - \$35.00 Application Fee.

SECTION 2: DESCRIPTION OF BUSINESS

Name of business (dba): Christopher Michael Wines, LLC

Business address 19590 SW Cippole Rd City TUALATIN State OR Zip Code 97062

Mailing address [REDACTED] City Capitola State CA Zip Code 95010

Telephone # 775-901-3007 Fax # NA

Name(s) of business manager(s) First Eric Middle Christopher Last HARMS

Date of birth [REDACTED] Social Security # [REDACTED] ODL# [REDACTED] M X F

Home address [REDACTED] City Capitola State CA Zip Code 95010
(attach additional pages if necessary)

Type of business Winery

Type of food served NONE

Type of entertainment (dancing, live music, exotic dancers, etc.) NONE

Days and hours of operation 9-5 M-F

Food service hours: Breakfast NO Lunch NO Dinner NO

Restaurant seating capacity Na Outside or patio seating capacity Na

How late will you have outside seating? Na How late will you sell alcohol? Na

(Please Complete ALL Pages)

How many full-time employees do you have? 0 Part-time employees? 0

SECTION 3: DESCRIPTION OF LIQUOR LICENSE

Name of Individual, Partnership, Corporation, LLC, or Other applicants Christopher Michael Wines, LLC

Type of liquor license (refer to OLCC form) Winery

Form of entity holding license (check one and answer all related applicable questions):

☐ **INDIVIDUAL:** If this box is checked, provide full name, date of birth, and residence address.

Full name NA Date of birth NA

Residence address NA

☐ **PARTNERSHIP:** If this box is checked, provide full name, date of birth and residence address for each partner. If more than two partners exist, use additional pages. If partners are not individuals, also provide for each partner a description of the partner's legal form and the information required by the section corresponding to the partner's form.

Full name NA Date of birth NA

Residence address NA

Full name NA Date of birth NA

Residence address NA

☐ **CORPORATION:** If this box is checked, complete (a) through (c).

(a) Name and business address of registered agent.

Full name NA

Business address NA

(b) Does any shareholder own more than 50% of the outstanding shares of the corporation? If yes, provide the shareholder's full name, date of birth, and residence address.

Full name NA Date of birth NA

Residence address NA

(c) Are there more than 35 shareholders of this corporation? Yes No. If 35 or fewer shareholders, identify the corporation's president, treasurer, and secretary by full name, date of birth, and residence address.

Full name of president: AN Date of birth: NA

Residence address: NA

Full name of treasurer: NA Date of birth: NA

Residence address: NA

Full name of secretary: NA Date of birth: NA

Residence address: NA

☒ **LIMITED LIABILITY COMPANY:** If this box is checked, provide full name, date of birth, and residence address of each member. If there are more than two members, use additional pages to complete this question. If members are not individuals, also provide for each member a description of the member's legal form and the information required by the section corresponding to the member's form.

Full name: Eric Christopher HARMES Date of birth: [REDACTED]

Residence address: [REDACTED] CAPITOLA CA 95010

Full name: NA Date of birth: NA
Residence address: NA

☐ **OTHER:** If this box is checked, use a separate page to describe the entity, and identify with reasonable particularity every entity with an interest in the liquor license.

SECTION 4: APPLICANT SIGNATURE

A false answer or omission of any requested information on any page of this form shall result in an unfavorable recommendation.

[Signature] 01/20/2012
Signature of Applicant Date

For City Use Only

Sources Checked:

☒ DMV by CA - VALID ☒ LEDS by [Signature] ☒ TuPD Records by [Signature]
☒ Public Records by [Signature] PPDS

Number of alcohol-related incidents during past year for location.

Number of Tualatin arrest/suspect contacts for 0

It is recommended that this application be:

☒ Granted

☐ Denied

Cause of unfavorable recommendation: _____

[Signature] 01/27/2012
Signature Date

Kent W. Barker
Chief of Police
Tualatin Police Department



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Don Hudson, Finance Director

DATE: 02/13/2012

SUBJECT: Quarterly Financial Update

ISSUE BEFORE THE COUNCIL:

An update on the second quarter financial activities of the City of Tualatin.

RECOMMENDATION:

No action is required by the Council.

EXECUTIVE SUMMARY:

Tonight's report is the second quarterly financial report for Fiscal Year 2011-12 and will provide the Council with an update of activities during the second quarter of the fiscal year.

This presentation will provide updates on Council Priorities, information on things that have been accomplished during the second quarter, a status of revenues and expenditures in our three operating funds (General Fund, Building Fund and Operations Fund), and an updated Fiscal Health model projection. Also included in tonight's presentation is a recap of the recently released League of Oregon Cities' "State of the Cities" report and how Tualatin compares. The presentation will conclude with an update of the Fiscal Year 2012-13 budget process, which has begun in earnest at the staff level.

Attachments: A - PowerPoint



City of Tualatin

Quarterly Financial Update

Fiscal Year 2011 – 2012
Second Quarter, ending December 31, 2011

Tonight's Discussion

- ▶ Council Priorities Update
- ▶ 2nd Quarter Accomplishments
- ▶ Revenues and Expenditures
- ▶ Fiscal Health Model Update
- ▶ League of Oregon Cities *"State of the Cities"* Report
- ▶ Fiscal Year 2012–13 Budget Process Update

Council Priorities Update

► Website Redesign

- Consultant selected – Council received update on January 9th
- Target date for launch of new site – June 1, 2012

TUALATIN 2.0

Moving Forward. Staying Connected.

Council Priorities Update

► Eastside Redevelopment & Downtown Visioning

- Projects progressing:
 - Transportation System Plan Update
 - Linking Tualatin
 - Tualatin Sherwood Road Improvements
 - Gateway Project



Council Priorities Update

- ▶ Community Recreation
 - Recreation Coordinator hired at Juanita Pohl Center
 - Library Services and Technology Grant
 - Recognize and use the talents and skills of active midlife and older adults
 - Create opportunities for intergenerational learning



Council Priorities Update

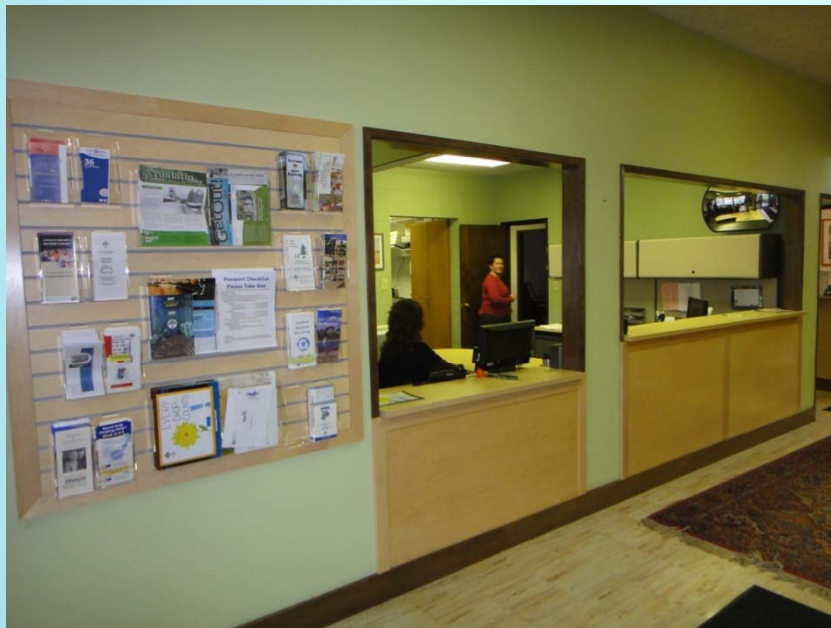
► Community Engagement

- Citizen Involvement Organizations are forming and Council has begun recognizing formed CIO's
 - CIO 1, CIO 2, CIO 5 recognized to date
 - Commercial CIO on tonight's agenda for recognition
- Community engagement strategies integrated into all projects and initiatives



2nd Quarter Accomplishments

Council Building remodeled to accommodate expanded
Municipal Court



Annual audit completed

2nd Quarter Accomplishments



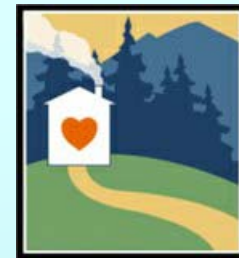
Pumpkin Regatta

Starry Nights
and Holiday
Lights



2nd Quarter Accomplishments

► Donations to Outside Agencies



2nd Quarter Accomplishments

- ▶ Continued work on Transportation System Plan



- ▶ Continued update of Water Master Plan
- ▶ Completed an IT Assessment

2nd Quarter Accomplishments



Pohl Center Remodel
almost completed

Purchased studded
tires for snow plow

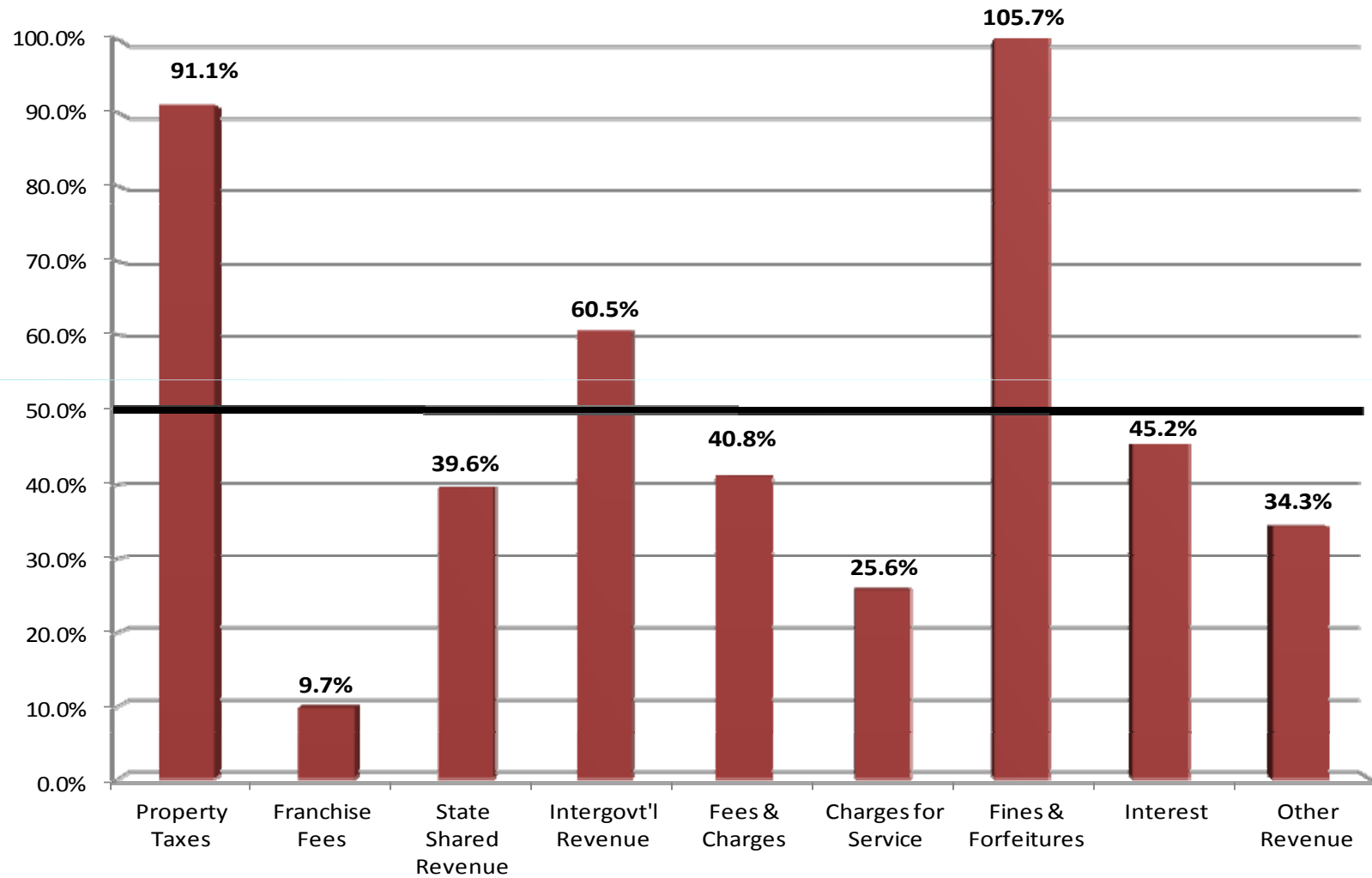


2nd Quarter Accomplishments

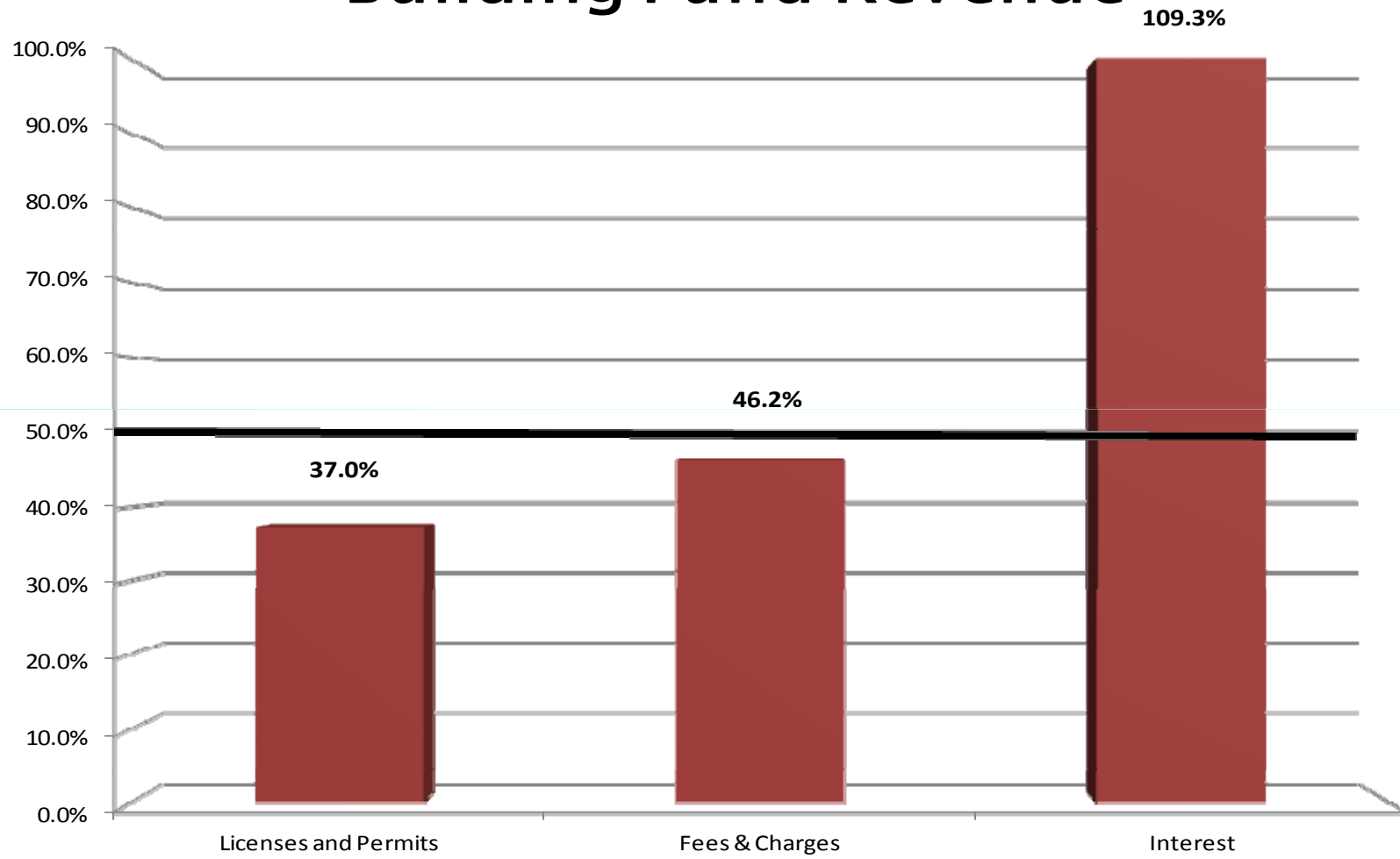
► Tualatin Sherwood Road Improvements



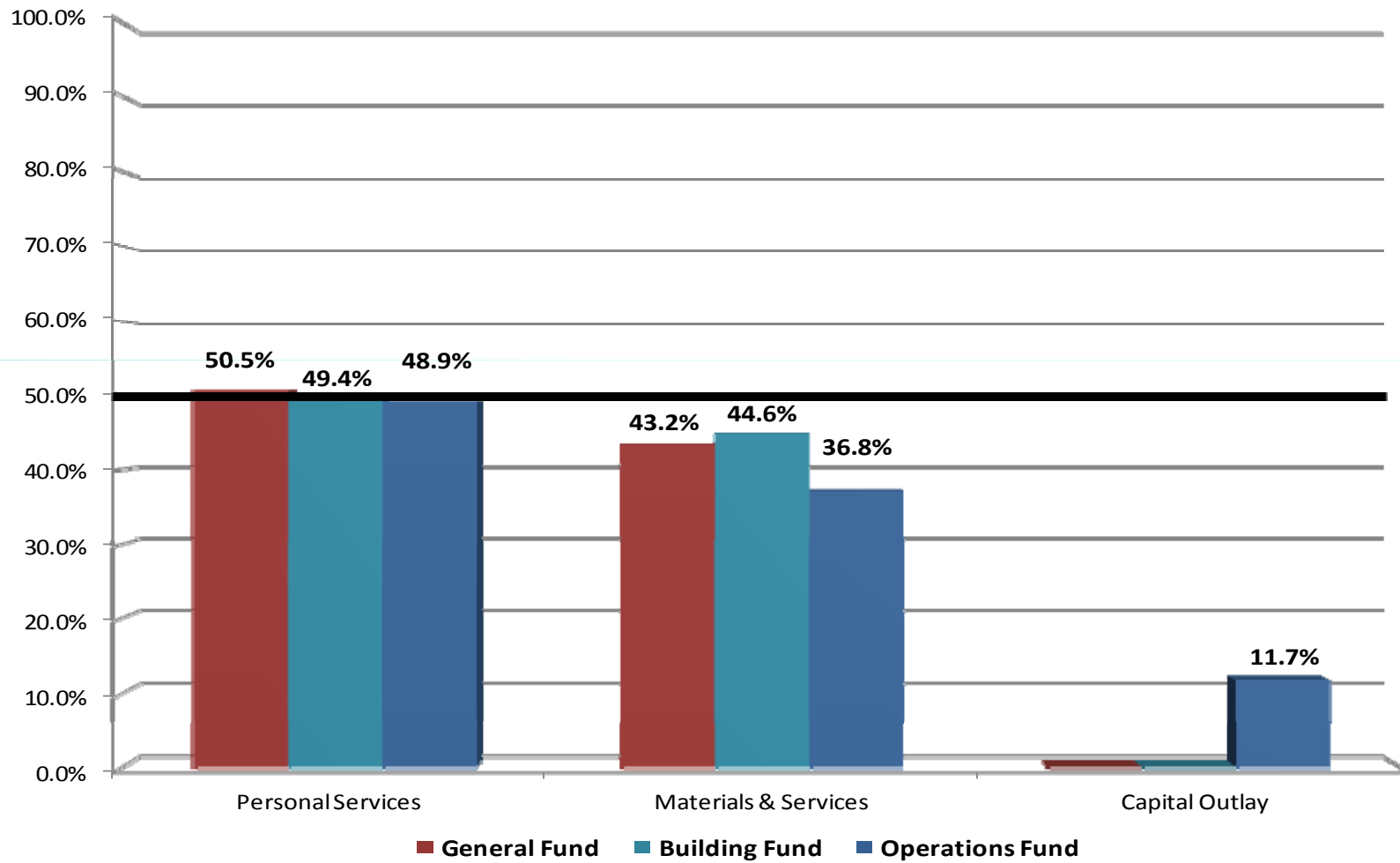
General Fund Revenue



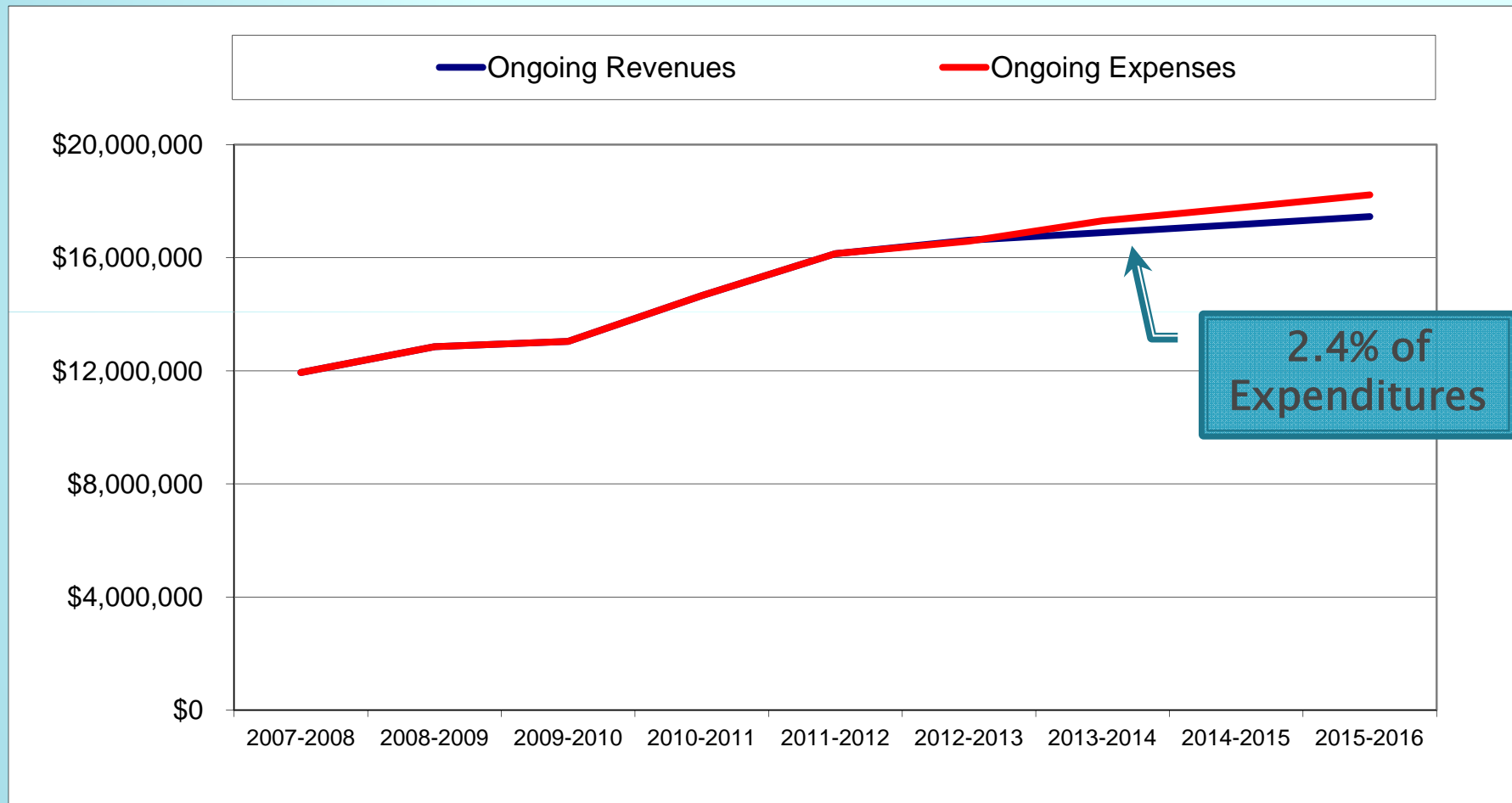
Building Fund Revenue



Operating Expenditures



Fiscal Health Update



League of Oregon Cities

"State of the Cities" Report

- ▶ 178 (of 242) cities responded
- ▶ Analyzed financial reports for statistically representative sample of 50 cities
- ▶ Findings
 - 69% of respondents feel future property tax revenues will fall short of current service level needs
 - General Fund revenues and fund balances have declined over the past five years
 - Cities have had to limit expenditures
 - Citizen demand for services has increased and is expected to continue increasing

League of Oregon Cities

"State of the Cities" Report

- ▶ How Tualatin compares
 - General Fund revenues have increased at a slowed pace over the 5 year analysis period
 - Fund Balance decrease is only about a quarter of the decrease of representative cities
 - Property tax revenues account for 45% of General Fund revenues
 - Departments continually look for efficiencies in their operations to maintain service levels and minimize increases in cost to provide services

Fiscal Year 2012–13 Budget Update

- ▶ Held budget process kick-off meeting with departments on January 10th
 - Maintain the quality of services we provide
 - Invest in infrastructure needed to deliver our services
- ▶ Key dates in process
 - January – April – Budget development
 - May 17th – First Budget Committee Meeting
 - May 30th – Second Budget Committee Meeting
 - June 25th – Budget adoption public hearing

Summary

- ▶ Continued working on Council Priorities
- ▶ Significant 2nd quarter accomplishments
- ▶ The budget process has begun in earnest at the staff level
- ▶ Tualatin continues to provide quality services, while being fiscally prudent



City of Tualatin

City Council Meeting**E. 2.****Meeting Date:** 02/13/2012**Submitted By:** Carl Switzer, Community
Services

SPECIAL REPORTS**2011 Heritage Center Annual Report****SUMMARY**

In 2005, the City of Tualatin, Tualatin Development Commission, and the Tualatin Historical Society partnered to create the Tualatin Heritage Center in the old Methodist Church building which was relocated to the Sweek Pond site and renovated for public use.

The Agreement for Operation of Tualatin Heritage Center contains a provision that the Tualatin Historical Society provide the City an annual report of its Heritage Center operations. Presentation of the attached report fulfills this obligation (see Attachment A - 2011 Tualatin Heritage Center Annual Report).

The partnership between the City of Tualatin and the Tualatin Historical Society has proven to be successful and assisted the Tualatin Historical Society in preserving a historic structure for public use and to provide a venue for historical, cultural, and environmental education, recreation and enrichment, and social gatherings. There are no new issues associated with operation of the Heritage Center that currently require Council action.

Attachments**A - 2011 Tualatin Heritage Center Annual Report**

2011 Tualatin Heritage Center Annual Report



Hours of operation: 10 a.m. to 2:00 p.m. weekdays and by special arrangement.

Tualatin Historical Society Board and Staff

Board:

Norman Parker, Co-President

Larry McClure, Co-President

Art Sasaki, Vice-President

Doris Gleason, Secretary

Barbara Stinger, Treasurer

Yvonne Addington, Past President

Loyce Martinazzi, Honorary Board Member

Staff:

Larry McClure, Tualatin Heritage Center, Director

Lindy Hughes, Tualatin Heritage Center, Assistant Director

Sixth anniversary of a successful City/THS partnership



- Anniversary celebration coming up Sunday, February 12 at historic Winona Grange thanks to Grand Ronde Confederated Tribes
- Verified Ice Age artifacts drop into place as distinctive feature for Tualatin tourism
- Visitation to Center highest ever: 8,278
- Our budget remains steady and balanced despite economy

Our Mission

- Education and Lifelong Learning
- Heritage and Cultural Awareness
- Personal Growth and Enrichment
- Civic Engagement
- Environmental Awareness
- Performing and Visual Arts
- Business Functions
- Family Celebrations

Local History and Heritage

- Santa's sleigh arrives Dec 22 with 25,000 pounds of rocks
- Exhibits and displays change regularly at THC and Tualatin Library
 - Tualatin Fire Department history book coming in February
 - Daytime and evening programs feature interesting speakers
 - Guided tours of Ice Age landmarks in Tualatin/Sherwood area

Santa's sleigh arrives Dec 22 with 25,000 pounds of rocks



Education and Lifelong Learning



- Pioneer Days for all fourth graders in Tualatin public elementary schools
- Travel and other discussion groups
- Research library on Tualatin history; bookstore

Civic Engagement

- Community meetings, such as Citizen Involvement Organizations (CIOs)
 - Rentals by political campaign organizations
 - Neighborhood association meetings
 - Kiwanis Club awards dinner
 - Youth sports organizations
 - Scouts

Personal Growth and Enrichment

- Knitting group grows from 3 persons our first year to over 20 wanting to learn from each other
- Pilates and Yoga classes help participants achieve a healthier lifestyle
- Ride the Rails groups encourage participants to try WES and Max and learn about metropolitan history and resources (as early residents in Tualatin also did)



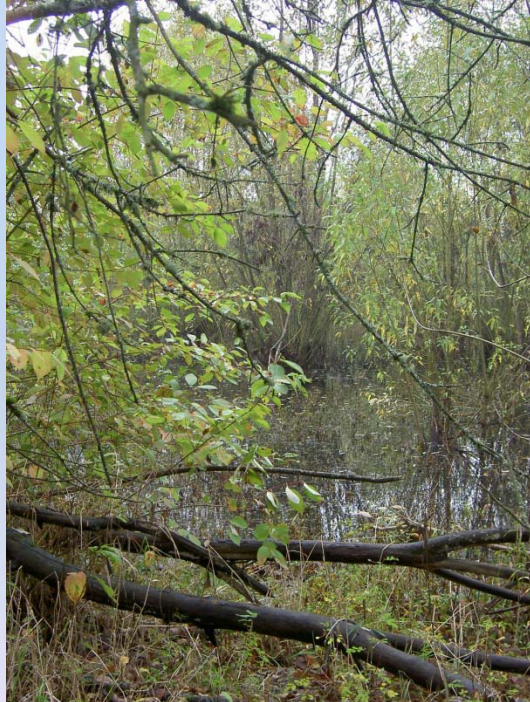
Use of Center by Local Businesses

- Chamber of Commerce holds early Friday morning networking sessions several times a year
- Other companies hold seminars and sales meetings when a warm, friendly setting is desired



Environmental Awareness

- Monthly birdwalks around Sweek Pond led by Wetlands Conservancy
 - Preliminary thinking for an Ice Age Rock Garden with interpretive signage
- New pathway sign to be supported by Confederated Tribes of Grand Ronde focusing on cultural and natural history



Performing and Visual Arts

- Monthly art classes by popular watercolor artist Linda Aman expand
 - New local Women of Watercolor group begins monthly sessions
 - Lumiere Players and Masque Alfresco delight audiences
- Second Wednesday lunchtime Celtic music concerts create following
 - Local bluegrass group overflows house with CD release in April



Family Celebrations

Tualatin residents gradually realizing they own an extra room for holding large or small gatherings:

- Birthday parties
- Anniversaries
- Showers
- Weddings
- Receptions
- Memorial Services
- Holiday celebrations



Financial Picture

- Total income for 2011 was nearly \$48,000 which includes City contribution of \$7,100; rental fees of over \$13,000 and a \$1,000 grant from the Arts Advisory Committee to help support arts-related activities. The only major fund raiser, a fall auction/wine tasting, was best yet with over \$8,000 net gain.
- Expenditures in 2011 were just under \$46,000 which includes a part-time coordinator/manager and related operational expenses such as equipment, supplies, insurance, communication. Planned exhibit and storage expenditures were delayed.

New and Coming

- Installation of our new InFocus state of the art digital projector
- Close collaboration with City and Chamber of Commerce on Ice Age Tourism Plan, including improved exhibits and signage at Heritage Center

2011 Tualatin Heritage Center Annual Report



City of Tualatin – Thank you for your support!



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Sara Singer, Assistant to the City Manager

DATE: 02/13/2012

SUBJECT: Resolution Recognizing the Formation of the Commercial Citizen Involvement Organization

ISSUE BEFORE THE COUNCIL:

According to Chapter 11-9-40 of the Tualatin Municipal Code, Citizen Involvement Organizations must meet the minimum standards set forth in the Code to be recognized by the City Council.

RECOMMENDATION:

Staff recommends adopting the attached Resolution Recognizing the Formation of the Commercial Citizen Involvement Organization.

EXECUTIVE SUMMARY:

In July 2011, the City Council adopted Chapter 11-9 of the Tualatin Municipal Code which establishes and creates the Citizen Involvement Organization Program (CIOP). Included with the adoption of the code language was also the adoption of the CIOP Boundary Map (See Attachment A). The approved boundary map outlines six residential Citizen Involvement Organizations (CIOs), a Commercial Citizen Involvement Organization (CCIO), and a Manufacturing Citizen Involvement Organization (MCIO). The code allows for citizens to come together and form their CIO by meeting the following standards in the Code:

- 1) The CIO must hold an annual election of officers;
- 2) All meetings shall be publicized at least seven days in advance of the meeting date, except in case of emergency, in which case at least 24 hours advance notice shall be given.
- 3) A current list of the names and addresses of the officers must be provided to the City;
- 4) After their initial organizational meeting in the first year of recognition, a minimum of two general meetings each year with time, place and purpose well publicized throughout the CIO prior to each meeting; and
- 5) CIOs must provide an executed copy of their current bylaws.

On November 3, 2011, the CCIO held their first organizational meeting where they voted to form the CIO, and they adopted sections of their bylaws. On January 11, 2012, the CCIO held their second organizational meeting where they adopted the bylaws in their entirety (See Attachment B) and elected officers (See Attachment C). The newly elected officers have submitted all appropriate documents for review by staff. Staff has determined that the minimum standards of Section 11-9-40 of the Tualatin Municipal Code have been met. A Resolution Recognizing the Formation of the Commercial Citizen Involvement Organization has been prepared for adoption by the City Council.

Attachments: A - Resolution Recognizing the Formation of the CCIO
 B - Boundary Map
 C - CCIO Bylaws
 D - CCIO Officers
 E - Tualatin Municipal Code Chapter 11-9

RESOLUTION NO. _____

RESOLUTION RECOGNIZING THE FORMATION OF THE COMMERCIAL
CITIZEN INVOLVEMENT ORGANIZATION

WHEREAS the Citizen Involvement Organization Program (CIOP) was established and created to provide an opportunity for members of the CIOP to meaningfully cooperate with each other and the City of Tualatin on matters affecting the neighborhoods and the City consistent with Tualatin's Principles of Citizen Involvement; and

WHEREAS the Commercial Citizen Involvement Organization (CCIO) has determined that they would like to form to promote communication and a sense of community among the commercial properties in Tualatin.

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

Section 1. The City Manager has confirmed that:

- 1) The CCIO has conducted an annual election of officers, and
- 2) The bylaws adopted by the CCIO provide that meetings be publicized 7 days in advance of the meeting date, except in case of emergency, in which case at least 24 hours advance notice shall be given, and
- 3) A current list of the names and addresses of the officers has been provided to the City, and
- 4) The bylaws adopted by the CCIO provide that a minimum of two general meetings each year with the time, place and purpose well publicized throughout the CIO prior to each meeting, and
- 5) The CCIO has provided an executed copy of their bylaws.

By satisfying the standards of Chapter 11-9-40 of the Tualatin Municipal Code, the CCIO is eligible to be recognized by the City Council.

INTRODUCED AND ADOPTED this 13th day of February, 2012.

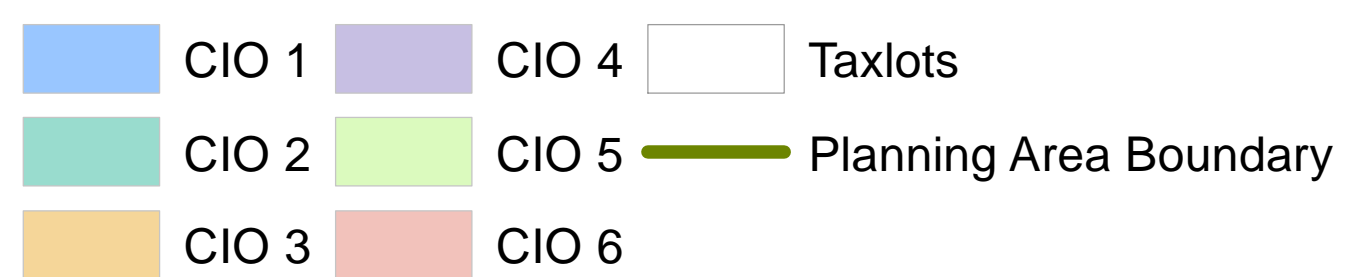
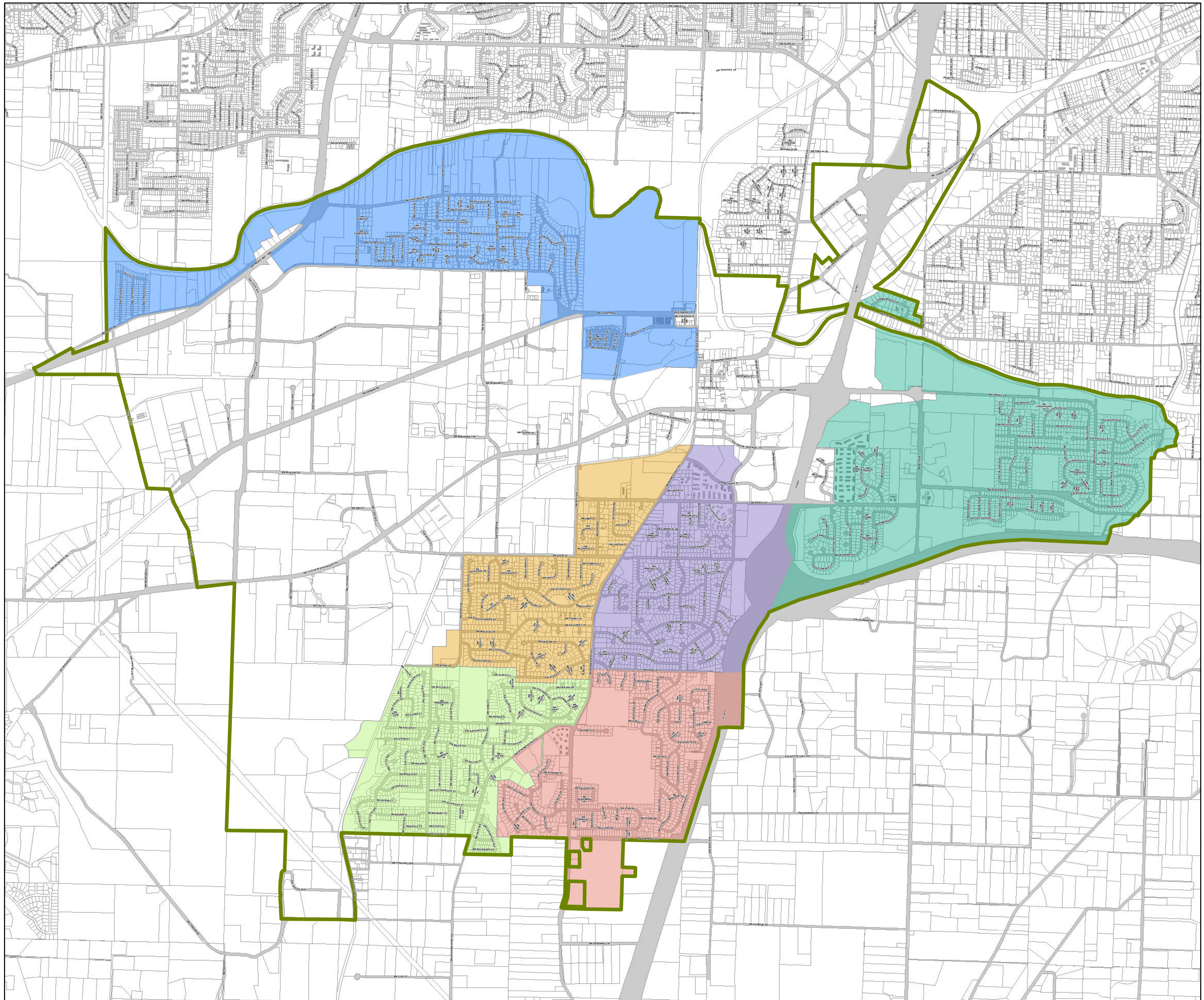
CITY OF TUALATIN, OREGON

BY _____
Mayor

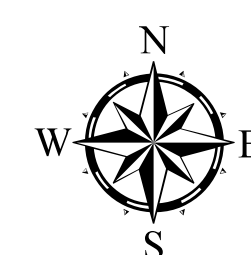
ATTEST:

BY _____
City Recorder

Citizen Involvement Organizations



RF 1:14,400



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.
Printed 7/7/2011

BYLAWS
COMMERCIAL CITIZEN INVOLVEMENT ORGANIZATION
Tualatin, Oregon

ARTICLE I - ORGANIZATION

Section 1. The Name. The name of this Organization is Commercial Citizen Involvement Organization ("CCIO").

Section 2. Purpose. The general purpose is to provide an opportunity for members to meaningfully cooperate with each other and with the City of Tualatin on matters affecting the neighborhoods and the City. A major purpose of the Commercial Citizen Involvement Organization ("CCIO") is to facilitate citizen participation in land use related matters, consistent with the Oregon Statewide Land Use Goal 1. Another major purpose is to promote community and a sense of community. Using best efforts to ensure opportunities for involvement and engagement by all CCIO members, the means of accomplishing this purpose shall include but not be limited to:

- A. Provide a public forum for the review and evaluation of issues affecting the neighborhood, the CCIO, and the City; provide for the education of citizens, groups and government bodies with respect to such issues; and provide for an exchange of views and opinions on such issues;
- B. Provide public forums for CCIO members to present their views and provide input to private and public bodies such as City Council and its advisory boards and committees, and other governmental bodies on issues having an impact on either the CCIO, the City, or the region;
- C. Provide a formalized channel of communication and dissemination of accurate and timely information between the City government, other governmental bodies, and the CCIO and the CCIO's members.
- D. Provide input to City Council and other governmental bodies on land use and other matters affecting the neighborhoods.

Section 3. Boundary. The CCIO boundary shall be as indicated on the attached map and is hereby incorporated by reference. The City Council may amend the boundaries of the CCIO per Tualatin Municipal Code (11-9-060). The CCIO's boundary includes the City of Tualatin and areas outside the city that are included in Tualatin planning districts. Businesses located in the following commercial and residential planning districts are included in the CCIO: commercial office, commercial central, commercial general, commercial recreational, commercial medical center, institutional, and residential (all). Certain businesses located in light manufacturing or general manufacturing planning districts may also be included if the business purpose would permit the firm to be located in a commercial or residential planning districts listed above.

ARTICLE II - MEMBERSHIP

Section 1. Eligibility. The CCIO shall not deny membership rights or access to the benefits of the CCIO to any individual on the basis of race, color, gender, heritage, national origin, sex, age, disability, sexual orientation, religion, political affiliation, or marital status. Membership in the Commercial CIO is governed by Tualatin Municipal Code (11-9). CCIO Membership shall be open to anyone 16 years of age or older; and

- A. A property owner or a representative of the owner(s) of commercial property or properties located in a Tualatin planning districts classified as commercial; or
- B. A person who owns, or a representative of business(es) located within Tualatin planning boundaries in a commercial or residential planning district and licensed by the City of Tualatin, or Metro; or
- C. A person who owns, or a representative of business(es) located in a commercial or residential planning district and is not required by Oregon statute to have a business license; or
- D. A representative of a nonprofit organization located in the Tualatin planning boundaries shall be a member of the Commercial CIO.

Section 2. Membership Dues. No dues or fees shall be required.

Section 3. Voting Rights. Each member of the CCIO present at meetings shall have one vote, as specified in these bylaws. Voting shall be done in person only. All rights, privileges, and responsibilities of membership, including the right to vote on

CCIO business, shall accrue to all members. Regardless if a person or persons owns multiple properties or businesses in Tualatin, there shall be one vote for one member as defined in Article II, Section 1.

ARTICLE III - MEMBER MEETINGS

Section 1. General Meetings. The members of the CCIO shall hold at least two general meetings each year.

- A. Annual Meeting.** One of the general meetings shall be the Annual Meeting, at which election of officers and other business designated by these bylaws and by the CCIO's Executive Board shall occur. The Annual Meeting shall be called and held at a location determined by the Board, but within or near the CCIO boundaries. Written or electronic notice shall be provided no less than 14 days in advance to all members of the CCIO which shall include the date, time, location, and purpose of the Annual Meeting. Posting a written notice in the Tualatin Public Library shall make written notice. Posting an electronic notice on the CCIO Web site and sending an email to the participants of the last two Annual Meetings shall make electronic notice. The Annual Meeting shall be held in the month of April of each year, except for the first year.
- A. General Meetings.** General meeting or meetings in addition to the Annual Meeting shall be called by the Board and held at least once yearly. Notice of a general meeting shall be given at least 7 days in advance and may be in an electronic or written format, unless the schedule of meetings is noticed on an annual basis. If a "special meeting" is found to be necessary by the Board, reasonable effort will be made to electronic notice by posting an electronic notice on the CCIO Web site and sending an email to the participants of the last two General Meetings.

Section 2. Quorum. A quorum for any member meeting shall be 20 members present. Before the next general meeting, the minimum numbers of required members present to constitute a quorum at annual, general or emergency meetings shall be determined by the Board, and which may be amended from time to time by the Board,. Decisions requiring a vote at annual, general, and emergency meetings shall be made by a majority vote of those members present at such meeting, except for amendments or changes to the bylaws or CIO boundaries, as per these bylaws.

Section 3. General. All meetings will be open to members and to the public, and generally follow Robert's Rules of Order. The agenda shall always include "Other business" so that members may introduce a topic for discussion at the meeting. Members shall have the right to introduce agenda items to the published agenda; such items shall be given the President at least 7 days in advance of a meeting in order to be considered by the President as to whether to be placed on the agenda. Minutes will be taken and made available to the public by posting on the CCIO web site; and, the minutes shall provide a best effort meeting summary including agenda items, attendance, motions made, vote count for or against, and actions approved. Members shall conduct themselves in all meetings in a manner exhibiting common courtesy and fairness.

ARTICLE IV - EXECUTIVE BOARD, ELECTION, AND MEETINGS

Section 1. Officers and Executive Board. The officers of the CCIO shall be a President, Vice President, Secretary, Treasurer, and Land Use Officer. The Executive Board ("Board") shall consist of the officers and the chairs of standing committees. A member may hold up to 2 Board positions. A list of current Board members and contact information shall be kept on file with the City of Tualatin and available to the public. Regardless of the number of positions held by anyone person, each Board member shall have one vote on any issue or matter.

Section 2. Election and Term of Office. The officers shall be elected at the Annual meeting by the membership. All nominees shall be submitted to the members present. Every member present shall be entitled to one vote for each Board Officer to be elected. The nominee receiving a majority of the votes cast for each office shall be deemed elected. Each Board Member shall hold office until the successor has been duly elected and take office. In the event of a vacancy, the vacancy shall be filled by a majority vote of the remaining members of the Board, and the member so elected fills the position until the next annual meeting.

Two officers shall be selected by the Board to serve on the Citizen Involvement Coordinating Committee ("CICC"). The CICC as defined in TMC 11-9-100 is a volunteer group made up of the elected board members designated by their participating, recognized CIOs. It shall have no authority over the CCIO. It shall serve as a liaison between the CCIO and other CIOs.

Section 3. Power and Duties. The duties of each office are:

- A. **President.** Set the agenda and preside at all meetings of the CCIO and of the Board; have the authority to speak on behalf of the CCIO and the Board; serve as a contact for all written/oral communications from the City regarding CCIO matters; perform all the duties of supervision and management as pertains to the office of president; ensure that the organization complies with the requirements of the CCIO's Bylaws; and perform those duties as be designated by the Board. Starting with the Annual meeting in 2013, President shall be elected to serve a two-year term in odd number years.
- B. **Vice President.** Serve in the absence of the President; shall assist the President; serve as the chair of the nominating committee, if required; and perform other duties as designated by the Board. Starting with the Annual meeting in 2014, the Vice President shall be elected to serve a two-year term in even number years.
- C. **Secretary.** Shall make best effort to ensure timely preparation and distribution of minutes of all Board, General Membership, and Annual meetings as outlined in Article III, Section 3. The Secretary shall also ensure that attendance registration be kept; meeting notices made; current lists of officers and committee chair members' names and contact information maintained; a current copy of CCIO Bylaws filed with the City of Tualatin; documentation of majority/minority positions on issues prepared; and perform other duties as designated by the Board. A copy of minutes shall be maintained for no less than 3 years. Starting with the Annual meeting in 2013, Secretary shall be elected to serve a two-year term in odd number years.
- D. **Treasurer.** Shall receive, deposit, disburse, and account for all CCIO funds; prepare and present operating statements at each general meeting or as otherwise requested by the Board; and perform other duties as designated by the Board. Starting with the Annual meeting in 2014, the Treasurer shall be elected to serve a two-year term in even number years.
- E. **Land Use Officer.** Shall keep current on land use issues pertinent to the CCIO; shall have the authority to speak on behalf of the CCIO pertaining to land use issues at City Council, Metro, Washington County or Clackamas County hearings; shall be a member of the Land Use Committee; shall make available to membership pertinent land use information; and perform other duties as designated by the Board. Starting with the Annual meeting in 2013, Land Use Officer shall be elected to serve a two-year term in odd number years.

Section 4. Executive Board Meetings. Board meetings will be held periodically at such time and place as determined by the Board; however the Board shall hold at least two meetings each year, open to the public, with notice requirements of a General Meeting being followed. Robert's Rule of Order will generally be followed. Board decisions requiring a vote shall be decided by affirmative vote of a majority of those voting members present but no vote is valid unless a quorum is present. A quorum for the Board shall be 51% of officers and Board members, no fewer than 2 of which shall be officers, except in the initial year when a quorum may be 2 officers.

Section 5. Removal of an Officer. A member may request removal of any elected officer by providing to the Board, in writing, a petition signed by 3 members and stating the reasons for removal. The Board shall set a special meeting within 30 days from the receipt of the letter and then:

- A. Provide notice to members to remove an officer at least 14 days prior to the meeting by posting a meeting notice on the CIO web site and by sending an email notice to the attendees at the last Annual Meeting.
- B. To hold a vote at the meeting, at least 40 voting members must be present.
- C. To remove the officer, a vote of 2/3 of members must cast their vote for removal.
- D. If the officer is removed, the remaining Board members shall designate a temporary replacement until such time that the membership can vote on a permanent replacement.
- E. The permanent replacement shall serve out the remaining term.

ARTICLE V - COMMITTEES

Section 1. Standing Committees. CCIO Committees shall be designated and responsibilities assigned to them by the Board, except as required by these bylaws. Committees shall develop a statement of organization and implementation methods to be approved by the Board. A Chair shall be elected from the committee by a simple majority vote of those in attendance and shall serve on the Board. Minutes and attendance list shall be kept of all committee meetings and made available to the Board. Members on a committee shall be from the CCIO membership.

The following are Permanent Committees:

- A. **Community Connection.** This Committee shall be a permanent committee with the primary purpose to engage members in events and issues, which build and increase a sense of community.
- B. **Land Use.** This Committee shall be a permanent committee with the primary purpose to engage members in the discussion of and provide timely information to members on land use matters of the City and the region.

The Committee shall review such matters as, but not limited to, land use, traffic, development proposals, providing a forum for member discussion of issues.

Section 3. General. Meetings shall be open to the public and notice requirements of a general meeting shall be followed. All decisions will be decided by a simple majority of members in attendance and the definition of a quorum shall be 51% of the committee members. Committees shall make recommendations to Board for approval; however, with specific authorization from the Board, the Committees may have the power to act on behalf of the CCIO. Each Committee should meet at least twice yearly. Members shall conduct themselves in all meetings in a manner exhibiting common courtesy and fairness.

ARTICLE VII – MISCELLANEOUS

Section 1. Grievances. Any member objecting to or challenging any action of an officer, committee, or Board shall provide written notice to the officer or members of the committee and to the Board within 14 days of such action specifying the action objected to or challenged and the grounds for the objection or challenge. The Board shall review the written objection or challenge and shall respond in writing. A grievance will only be considered if the grievance is an objection or challenge in which a representative of the CCIO exceeded the authority granted by these bylaws or an action was illegal.

Section 2. Annexed Areas. When the City of Tualatin annexes new areas into the city limits, a new boundary will be drawn and an altered map attached to the bylaws.

Section 3. Nonpartisan. The CIO shall be nonpartisan and will not support or oppose candidates for public office.

Section 4. Notice. The requirements for notice to all members will be considered met when notice is provided and made available to members by written and/or electronic means, such as but not limited to posting on a CIO web site.

ARTICLE VI - STANDARDS OF RECOGNITION

Section 1. Recognition. To be recognized by the City Council, CCIO must present an application to be recognized to the City Manager, or designee. The City Manager or designee must confirm that the application meets the standards listed in Chapter 9-11-040 of Tualatin Municipal Code before presenting the application to the City Council for approval and recognition.

Standards for Recognition:

- A. Annual election of officers;
- B. All meetings shall be publicized at least 7 days in advance of the meeting date, except in the case of an emergency, in which case at least 24 hours advance notice shall be given.
- C. A current list of the names and addresses of the officers has been provided;
- D. After at least one initial organizational meeting in the first year of recognition, a minimum of two general meetings each year with the time, place and purpose well publicized throughout the CCIO prior to each meeting;
- E. CCIO must provide an executed copy of their current bylaws.

Section 2. Termination of the Organization. Recognition of CCIO may be terminated by the City Council if the association fails to abide by the standards in Tualatin Municipal Code 11-9-040. Before the Council terminates recognition, it must notify the CCIO 60 days in advance of determining that the CCIO is no longer in compliance with the standards. If the deficiency is not corrected after 60 days, the City Council will then hold a public hearing and allow representatives from the CCIO a reasonable opportunity to be heard.


ARTICLE VIII - AMENDMENTS

Section 1. Amendments. The bylaws may be amended at the Annual Meeting of the general membership at which a quorum is present by a 2/3rd favorable vote of all members present, provided that notice and substance of such an amendment shall have been given per Article III, Section 1. A. of these bylaws. If the amendment is approved, the amended executed bylaws shall be submitted to the City of Tualatin per Tualatin Municipal Code 11-9-40 and to the CICC.

Section 2. Placement. An executed copy of the bylaws shall be kept by the CCIO's secretary, by the City of Tualatin, and shall be available to the membership.

Approved this date of: January 11, 2012

By:

_____, President

_____, Secretary

**Commercial CIO Officer Board
Citizen Involvement Organization
Roster**

Jonathan Crane

Position: President
Original Appt: 1/11/2012

Ron Audette

Position: Vice President
Original Appt: 1/11/2012

Cathy Holland

Position: Secretary
Original Appt: 1/11/2012

Christine Tunstall

Position: Treasurer
Original Appt: 1/11/2012

Cheryl Dorman

Position: Land-Use Officer
Original Appt: 1/11/2012

Chapter 11-9**Citizen Involvement Organization Program (CIOP)****Sections:****11-9-010 Citizen Involvement Organization Program (CIOP) Created.****11-9-020 Purpose.****11-9-030 Citizen Involvement Organizations (CIOs).****11-9-040 Membership and Standards.****11-9-050 Termination of Recognition.****11-9-060 Boundaries.****11-9-070 City Support.****11-9-080 Input to Council.****11-9-090 Authority.****11-9-100 Citizen Involvement Coordinating Committee (CICC).****11-9-010 Citizen Involvement Organization Program (CIOP) Created.**

The Tualatin Citizen Involvement Organization Program (CIOP) is established and created. [Ord. 1328-11 §1, 08/22/11]

11-9-020 Purpose.

The general purpose of the CIOP is to provide an opportunity for members to meaningfully cooperate with each other and with the City of Tualatin on matters affecting the neighborhoods and the City consistent with Tualatin's Principles of Citizen Involvement. A major purpose of the Citizen Involvement Organization (CIO) is to promote communication and a sense of community. Using best efforts to ensure opportunities for involvement and engagement by all CIO members, the means of accomplishing this purpose shall include but not be limited to:

(1) Provide a public forum for the review and evaluation of issues affecting the neighborhoods, the CIO, and the City; provide educational opportunities for citizens, groups and government bodies with respect to such issues; and provide for an ex-

change of views and opinions on such issues; and

(2) Provide a public forum for community members to present their views and provide input to City Council and other governmental and community bodies such as the City advisory boards and committees, service clubs, and other community organizations, and on land use and other matters affecting neighborhoods, the City, or the region; and

(3) Provide a formalized channel of communication and dissemination of accurate and timely information between the City government, other governmental bodies, and the CIO and the CIO's members.

[Ord. 1328-11 §2, 08/22/11]

11-9-030 Citizen Involvement Organizations (CIOs).

(1) Citizen Involvement Organization Program (CIOP): the CIOP is composed of Citizen Involvement Organizations and the Citizen Involvement Coordinating Committee (CICC) should one be formed.

(2) Citizen Involvement Organizations (CIOs): CIOs are formalized and distinct groups of community members within specified boundaries.

(3) CIO Map: The CIO map and the CIO map boundaries are established in order to optimize and promote citizen involvement. The initial CIO Map is attached as Figure 11-9-1 and included herein by reference. [Ord. 1328-11 §3, 08/22/11]

11-9-40 Membership and Standards.

(1) Membership in a residential CIO is open to all persons age 16 and older who are Tualatin residents living within the recognized boundary of that CIO; membership in the commercial or the manufacturing CIO is open to a business owner or owner's representative, non-profit organization representative, or property owner within the recognized boundary of the respective CIO (i.e. anywhere within the Planning Area of the City of Tualatin – see *Figure 11-9-1*), without regard to income, race, color, national origin, sex, age, disability, sexual orientation, religion, political affiliation, or marital status.

Tualatin residents living outside the boundaries of any residential CIO may belong to the residential CIO nearest to their residence.

(2) To be recognized by the City Council, a CIO must satisfy the standards below. The City Manager, or designee, confirms that these standards have been met and presents the application to the City Council for approval and recognition:

(a) Annual election of officers;
 (b) All meetings shall be publicized at least 7 days in advance of the meeting date, except in case of emergency, in which case at least 24 hours advance notice shall be given.

(c) A current list of the names and addresses of the officers has been provided;

(d) After at least one initial organizational meeting in the first year of recognition, a minimum of two general meetings each year with the time, place and purpose well publicized throughout the CIO prior to each meeting;

(e) CIOs must provide an executed copy of their current bylaws. [Ord. 1328-

11 §4, 08/22/11]

11-9-050 Termination of Recognition.

Recognition of a CIO may be terminated by the City Council if the association fails to abide by the standards in TMC 11-9-040. Before the Council terminates recognition, it must notify the CIO 60 days in advance of determining that the CIO is no longer in compliance with the standards. If the deficiency is not corrected after 60 days, the City Council will then hold a public hearing and allow representatives from the CIO a reasonable opportunity to be heard.

[Ord. 1328-11 §5, 8/22/11]

11-9-060 Boundaries.

Boundaries of residential CIOs are adopted by the City Council. Residential CIO areas must be mutually exclusive of other recognized residential CIOs. Residential CIO boundaries should be logical, contiguous, and follow identifiable physical features such as streets, property ownership boundaries, topographic features, boundaries of political jurisdictions, or public rights-of-way. The Commercial and Manufacturing CIOs' boundaries are designated as the boundary of the entire Planning Area of the City of Tualatin (see *Figure 11-9-1*). The City Manager, or designee, shall keep on file a current map of the CIO boundaries.

Any amendment to the CIO boundaries must be adopted by the City Council. [Ord.

1328-11 §6, 8/22/11]

11-9-070 City Support.

The City may, subject to City Council's judgment concerning availability of resources and budgetary limitations, provide support and assistance which may include human, financial and information resources and access to public meeting spaces. [Ord.

1328-11 §7, 8/22/11]

11-9-080 Input to Council.

The CIOs, or the CICC should one be formed on behalf of the CIOs, may make input to the City Council and the Tualatin Development Commission, City advisory Committees, and the City Staff on matters affecting livability and land use. [Ord. 1328-11 §8, 8/22/11]

(5) The CICC must provide an executed copy of their bylaws. [Ord. 1328-11 §10, 8/22/11]

11-9-090 Authority.

The CIOs, or the CICC should one be formed, shall have no authority to make any expenditure of funds on behalf of the City or to obligate the City for payment of funds without first obtaining the approval of the City. [Ord. 1328-11 §9, 8/22/11]

11-9-100 Citizen Involvement Coordinating Committee (CICC).

A Citizen Involvement Coordinating Committee (CICC) which is a volunteer group made up of the elected board members designated by their participating, recognized CIOs may be created by the CIOs. The CICC may serve as a liaison between the CIOs and between the CIOs and the City offices and departments designated by the City. The CICC is a separate and distinct entity from the City of Tualatin.

The standards for CICC recognition by the City are:

- (1) Annual election of officers;
- (2) All meetings shall be publicized at least 7 days in advance of the meeting date, except in case of emergency, in which case at least 24 hours advance notice shall be given.
- (3) A current list of the names and addresses of the officers has been provided;
- (4) After at least one initial organizational meeting in the first year of recognition, a minimum of two general meetings each year, with the time, place and purpose well publicized throughout the CIOP prior to each meeting;