



City of Tualatin

TUALATIN CITY COUNCIL MEETING

TUESDAY, November 13, 2012

COUNCIL CHAMBERS
18880 SW Martinazzi Avenue

WORK SESSION begins at 6:00 p.m.
BUSINESS 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 Announcements, 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.tualatinoregon.gov/meetings, the Tualatin Public 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 on the City's website on the day of the meeting by **live streaming video** at www.tualatinoregon.gov/meetings.

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, conditional use permits, comprehensive plan changes, and appeals from subdivisions, partitions 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 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*, *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

An Executive Session is a meeting of the City Council that is closed to the public to allow the City Council to discuss certain confidential matters. An Executive Session may be conducted as a separate meeting or as a portion of the regular Council meeting. No final decisions or actions may be made in Executive Session. In many, but not all, circumstances, members of the news media may attend an Executive Session.

The City Council may go into Executive Session for certain reasons specified by Oregon law. These reasons include, but are not limited to: 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) information or records exempt by law from public inspection; ORS 192.660(2)(h) current litigation or litigation likely to be filed; and ORS 192.660(2)(i) employee performance of chief executive officer.



OFFICIAL AGENDA OF THE TUALATIN CITY COUNCIL MEETING FOR NOVEMBER 13, 2012

A. CALL TO ORDER

Pledge of Allegiance

B. ANNOUNCEMENTS

1. Tualatin Youth Advisory Council November Update
2. Recognition of the Tualatin Recipients of the 2012 Governor's Awards

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, 1) 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 October 22, 2012
2. Parks System Development Charge (SDC) Annual Report for Fiscal Year 2011/2012
3. Approval of a New Liquor License Application for Millers Homestead Restaurant
4. Approval of a Change of Ownership Liquor License Application for Pacific Northwest Petroleum Inc., trade name "76 of Tualatin"
5. Recommendations from the Council Committee on Advisory Appointments

E. SPECIAL REPORTS

1. Quarterly Financial Update

F. PUBLIC HEARINGS – Legislative or Other

G. PUBLIC HEARINGS – Quasi-Judicial

H. GENERAL BUSINESS

1. An Ordinance Amending Medium Low Density Residential Planning District (RML) Conditional Uses; and Amending TDC 41.030 (PTA-12-04)

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. ADJOURNMENT

City Council Meeting

B. 1.

Meeting Date: 11/13/2012

ANNOUNCEMENTS: Youth Advisory Council Update, November 2012

ANNOUNCEMENTS

Tualatin Youth Advisory Council November Update

Attachments

A - PowerPoint YAC Update



November 13, 2012

TUALATIN YOUTH ADVISORY COUNCIL

Welcome New Members!

- 8th Grade:
 - Evan Marx
- 9th Grade:
 - Collin Beikman
 - Ellie Parker
 - Emma Patton
 - Oscar Zamora
- 10th Grade
 - Jaz Tojong
- 12th Grade
 - Shaelyn Rogers

West Coast Giant Pumpkin Regatta



Tualatin YAC – Youth Participating in Governance



Haunted House 2012



- Theme: Mutant Mayhem
- Over 250 people attended
- Thank you to Facilities crew for helping build!
- Articles in Tualatin Times, Tualatin Life



National League of Cities Congress of Cities

- November 28 – December 1, 2012
- Boston, MA
- Thank you Mayor Ogden for your fundraising efforts!
- Thank you to PGE, Comcast, and Allied Waste



Tualatin YAC – Youth Participating in Governance

Starry Nights and Holiday Lights

- Friday, December 7
- Choir performances
- Holiday tree lighting
- Visit from Santa
- Facepainting
- Crafts
- Holiday cards to soldiers



City Council Meeting

B. 2.

Meeting Date: 11/13/2012

ANNOUNCEMENTS: Recognition of the Tualatin Recipients of the 2012 Governor Awards

ANNOUNCEMENTS

Recognition of the Tualatin Recipients of the 2012 Governor's Awards

SUMMARY

Congratulations to the Tualatin High School Life Skills Class for winning the 2012 Governor's Youth Group Volunteer Award.

Congratulations to Ryan Houlberg; winner of the Regional Governor's Outstanding Youth Volunteer Award.

Attachments

A - Governor's Award Volunteer Awards

RECOGNITION OF THE TUALATIN RECIPIENTS OF THE 2012 GOVERNOR'S AWARDS

Congratulations to Tualatin High School Life Skills Class for winning the 2012 Governor's Youth Group Volunteer Award.

The Tualatin High School Life Skills Class provides opportunities for students with disabilities to contribute to their community while learning basic life skills. In partnership with the City of Tualatin, some of the program's activities include making flags for *Put Down Trees in Tualatin* events, matching and sorting laundered gloves from previous plantings, and getting their hands dirty with at least one tree planting per year. The students cut a flag for each of the 9,000 to 10,000 trees that are planted each year in Tualatin. The flags make it easier for planting volunteers to place plants in the correct location; the flags are removed from the stakes and tied around the saplings so they can be watered during the summer months.

In addition to their service to the City, they package food for the School House Pantry. The class has helped demonstrate everyone can contribute.

Congratulations to Ryan Houlberg the winner of the Regional Governor's Outstanding Youth Volunteer Award. *The region includes Washington and Multnomah Counties.*

Ryan Houlberg was recognized as a Regional winner of the Governor's Outstanding Youth Volunteer award for his 15 years of service to the City of Tualatin. Ryan was only three years old when he began volunteering at *Put Down Roots in Tualatin* events. In 2007, Ryan added T.E.A.M. Tualatin and TOP Teen to his volunteer service resume. In 2010, Ryan became a crew leader for *Put Down Roots in Tualatin*. He currently is serving on the Youth Advisory Council where he has helped with events like the Haunted House, Starry Nights, and Project FRIENDS. Last year, Ryan was on the subcommittee for Project PEACE (a middle school anti-bullying program). Since 2007, Ryan has given over 372 hours of service to the city.

Yearly the City submits the winners of the City's Outstanding Volunteer Awards to compete with other statewide volunteer programs. The City has submitted 14 nominations since 2009 to the Governor's Volunteer Awards. The winners are judged on the following criteria:

- The nominee addresses a critical community need and/or strengthened the City of Tualatin.
- The nominee's service resulted in significant improvements with measurable outcomes for the City of Tualatin.
- The nominee collaborated with others, leveraged community resources and/or employed a unique approach to solving problems.
- The nominee's service reflected a dedicated and sustained commitment of time and effort.
- The nominee reflects their award category and inspires others.



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Maureen Smith, Deputy City Recorder

DATE: 11/13/2012

SUBJECT: Approval of the Minutes for the Work Session and Meeting of October 22, 2012

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve the minutes of the work session and meeting of October 22, 2012.

RECOMMENDATION:

Staff respectfully recommends that the Council adopt the attached minutes.

Attachments: A - Work Session Minutes of October 22, 2012
B - Meeting Minutes of October 22, 2012



OFFICIAL MINUTES OF TUALATIN CITY COUNCIL WORK SESSION FOR OCTOBER 22, 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; Police Chief Kent Barker; Community
Development Director Alice Rouyer; Community Services Director Paul Hennon;
Deputy City Manager Sara Singer; Planning Manager Aquilla Hurd-Ravich;
Associate Planner Cindy Hahn; Project Engineer Dayna Webb; Engineering
Manager Kaaren Hofmann; Deputy City Recorder Maureen Smith

1. **CALL TO ORDER**

Mayor Ogden called the Work Session to order at 5:06 p.m.

2. Outside Agencies Allocation of Funds for FY 2012/13

The Council reviewed the funding requests received from Outside Agencies for the current fiscal year. Proposals were solicited through the City's grant process that opened in late August. \$15,000 is allocated in the fiscal year budget to outside agencies, which typically have been awarded to agencies that provide social services to Tualatin. Seven proposals were received. After review and discussion, Council determined the award amounts for six proposals, and referred one proposal to the City's Tualatin Arts Advisory Committee.

3. Transportation System Plan: Update on Transportation Summit

Community Development Director Alice Rouyer and Engineering Manager Kaaren Hofmann presented an update on the Transportation System Plan (TSP).

A PowerPoint was given outlining a summary of the Transportation Summit that was held on September 20. What came out of the Summit was to provide additional traffic analysis for six different scenarios.

The city-wide traffic analysis is currently underway and will be presented at the Task Force and a City Council workshop. Those scenarios include: 1) existing conditions, 2) future no build (assumes population and employment grows, but no projects are built), 3) future low build* without 65th bridge and without Boones Ferry Road widened north of Martinazzi Avenue, 4) future low build* with 65th Avenue two-lane bridge, 5) future low build* with Boones Ferry Road (BFR) widened north of Martinazzi Avenue to five lanes, and 6) future low build* with both 65th Avenue two-lane bridge and Boones Ferry Road widened to five lanes. (*Future low build includes all the projects that the Task Force recommended to move forward in the Transportation System Plan.) The final adoption of the Transportation System Plan

will be before Council at the February 11, 2013 meeting.

Discussion followed. Staff will be getting information out regarding the scenarios before the November 1, 2012 Task Force meeting, and Council will be holding a Special Work Session to review the proposed scenarios. It was asked about the bridges and how they relate to traffic, whether they are valuable as part of the TSP, and will actually relieve traffic. Expanding the study to include all four projects was suggested. It was asked and Engineering Manager Hofmann answered that when the last TSP was done in 2000, it was strictly data-driven, not necessarily travel times analysis, etc.

Discussion followed on the path of the TSP and the need for connectivity, while still being effective when getting to the final choices that are made. Council determined to continue moving forward with the "draft" TSP, the extra put aside and work on as time permits.

4. Linking Tualatin: Discussion and Follow-up about Next Steps in the Project

Planning Manager Aquilla Hurd-Ravich presented an update on the Linking Tualatin Project. A PowerPoint was given that outlined the two project phases and next steps.

Planning Manager Hurd-Ravich explained as a result of Council feedback at the August 13, 2012 work session and changes in the Southwest Corridor Plan schedule, staff is proposing to move the Linking Tualatin project forward in two phases: Phase I, Transportation Project Implementation, and Phase II, Land Use Implementation. Phase I scope was reviewed, which continues through the end of December. Phase II will start in January 2013. Planning Manager Hurd-Ravich reviewed the four areas that comprise Phase II, which are contribute to and integrate components of the Southwest Corridor Plan into the Linking Tualatin Plan, conduct property owner and business outreach, participate in and reflect results of Job Access Mobility Institute (JAMI) work in Linking Tualatin Plan, and refine transit ready place recommendations.

Staff will present this phased approach to the Transportation Task Force, Planning Commission, and TPARK in November. The next presentation on Phase II to Council will be at the January 28, 2013 Work Session.

Discussion followed on the light rail components of the project and how the King City initiative on light rail that passed may affect this project. The outreach plan was discussed and Council asked that staff give more updates on the SWCP to ensure that it stays on the radar with the public.

5. Comments to Metro Regarding Grimm's Fuel

Planning Manager Aquilla Hurd-Ravich began the discussion on Grimm's Fuel Company license renewal of their solid waste facility license/yard debris composting facility. They have started the process with Metro for renewal of their license to continue current operations. Metro sent notice to residents within a quarter-mile radius of Grimm's Fuel, however staff had learned about the renewal late in the process and requested that Metro extend the deadline to allow for Tualatin to

submit comments. Staff has drafted a response letter to Metro.

Council discussion followed on the draft letter. It was asked and answered that Metro's comment period closed last Friday and an extension was made for Tualatin. The type of follow-up the Department of Environmental Quality (DEQ) does when complaints are received was discussed. Council expressed frustration with how that information is transpired back to the City. In review of the last paragraph of the draft letter, it was asked whether complaints received to the City are logged before referring to DEQ, Grimm's or another agency.

The River Park CIO has been monitoring the odor problems but the City has not yet received any information. Staff replied to the question of although it is not required to send a comment letter, it is advisable as the City is the grantor of the Conditional Use Permit (CUP). Discussion followed and Council requested the letter be modified to address only the compatibility issue of the CUP, and also include noting Grimm's participation in community recycling programs, bulky waste events, etc. After the comments made by Council are incorporated into the letter it can be forwarded to Metro.

6. Council Meeting Agenda Review, Communications & Roundtable

CONSENT AGENDA REVIEW

Council reviewed the Consent Agenda with no comments or changes.

COMMUNICATIONS FROM COUNCILORS

Councilor Davis mentioned the Washington County Community Action Organization (CAO) is holding their annual event in November, and asked that Council attend, if possible. Councilor Davis noted the CAO does good work and it would be a good tribute to their program to attend.

7. ADJOURNMENT

Mayor Ogden adjourned the Work Session at 6:38 p.m.

Sherilyn Lombos, City Manager



Maureen Smith, Recording Secretary



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR OCTOBER 22, 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; Police Chief Kent Barker; Community
Development Director Alice Rouyer; Community Services Director Paul Hennon;
Deputy City Manager Sara Singer; Planning Manager Aquilla Hurd-Ravich;
Library Manager Abigail Elder; Engineering Manager Kaaren Hofmann;
Management Analyst Ben Bryant; Deputy City Recorder 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 Brooksby.

B. ANNOUNCEMENTS

1. Presentation of Two Oregon Recreation and Parks Association Awards

Community Services Director Paul Hennon and Parks and Recreation Manager Carl Switzer presented information on the City being the recipient of the 2012 Outstanding Management Award from the Oregon Recreation and Parks Association (ORPA) for management of the Tualatin Commons, and Tualatin also received the 2012 SPRINT Program Award for the Tualatin TRYathlon, a popular triathlon for kids aged 6-15. Parks and Recreation Manager Switzer began by acknowledging Community Services staff and Operations staff, particularly Parks Maintenance, for all their work to make the programs that are held on the Commons possible.

Stephanie Redman, Executive Director, Oregon Recreation and Parks Association (ORPA), was present and spoke on the ORPA, a non-profit agency that holds a statewide awards ceremony in various categories, with this year's winners announced at their September annual conference. Ms. Redman said it is a pleasure to present the awards to Tualatin, the first being a statewide outstanding management award, which recognizes outstanding management of a public facility through its programs, operations, and maintenance. The award was given for the Tualatin Commons development, noting the mix of uses that happen all-year around, and the excellent management of the programs.

Ms. Redman said the second award is the 2012 SPRINT Programming Award for the Tualatin TRYathon. She noted the huge participation and the partnerships that occurred between agencies for the benefit of children in the community. Ms. Redman presented the awards to Mayor Ogden and the City Council.

2. Proclamation Honoring Dan Boss Upon the Occasion of His Retirement

City Manager Sherilyn Lombos recognized Operations Director Dan Boss for his years of service and dedication upon his retirement with the City of Tualatin.

Mayor Ogden and the City Council acknowledged Mr. Boss' years of tenure; his accomplishments and his department's accomplishments over the years, and the legacy he will be leaving behind. Mayor Ogden read the proclamation honoring "Dan Boss Day" in the City of Tualatin.

C. CITIZEN COMMENTS

Patti Powell, Tualatin Library Foundation Board Member, spoke about the partnership the Library Foundation has with Barnes and Noble and their upcoming grand opening in Bridgeport. The Library Foundation will receive 20% of sales in the opening first week. A coupon will be needed for the Foundation to receive the 20%. The Foundation will also be holding a "book fair" the first weekend of the grand opening. CenterCal Properties has promised to match donations received from the Barnes & Noble grand opening up to \$5,000. Ms. Powell distributed flyers with the associated coupon, and thanked Council for their support.

D. CONSENT AGENDA

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

Vote: 6 - 0 MOTION CARRIED

1. Approval of the Minutes for the Meeting of October 8, 2012
2. Fiscal Year 2011/2012 Water System Development Charge (SDC) Report

E. SPECIAL REPORTS

F. PUBLIC HEARINGS – Legislative or Other

1. Amending Medium Low Density Residential Planning District (RML) Conditional Uses; and Amending TDC 41.030 (PTA-12-04)

Mayor Ogden opened the legislative public hearing.

Planning Manager Aquilla Hurd-Ravich and Assistant Planner Colin Cortes presented the staff report. A PowerPoint was given outlining the purpose of Plan Text Amendment 12-04, which is to undo a "clerical error" that restores the original list of conditional uses to the Development Code that were mistakenly deleted. Plan Text Amendment 09-09 deleted the conditional uses by accidentally duplicating the list of permitted uses within the Medium Low Density Residential Planning District (RML). This clerical error resulted in identical lists of permitted and conditional uses. PTA-12-04 restores the distinction between permitted and conditional uses.

PROPOSERS/OPPONENTS - None.

Mayor Ogden closed the oral portion of the public hearing.

COUNCIL DELIBERATIONS

MOTION by Councilor Joelle Davis, SECONDED by Councilor Nancy Grimes to approve PTA-12-04, amending the Medium Low Density Residential Planning District (RML) Conditional Uses, amending TDC 41.030 and direct staff to prepare an ordinance granting Plan Text Amendment 12-04.

Vote: 6 - 0 MOTION CARRIED

G. PUBLIC HEARINGS – *Quasi-Judicial*

H. GENERAL BUSINESS

1. Resolution No. **5124-12** Recognizing the Formation of Citizen Involvement Organization Four (CIO 4)
-

Deputy City Manager Sara Singer gave a brief background on the formation of Citizen Involvement Organization Four (CIO 4). CIO 4 is the last one to form and be recognized, and they have met all the requirements and have adopted by-laws.

Debbie Maryanov, President of CIO 4, thanked Council for the opportunity to be present. She introduced Kay Dix, Vice-president, and Melinda Wittman, Secretary and Treasurer. Ms. Maryanov thanked Deputy City Manager Sara Singer for all the help she's given. Ms. Maryanov said their CIO is a well-established neighborhood area, having been first developed in 1979, with a number of residents having lived in Tualatin over 20 years. They have held two meetings that were well-attended, and most residents are happy with the way things are going in Tualatin. Their goals for the CIO is to meet the interests of the residents, and it also gives an opportunity to connect and get to know one another. Another meeting and social event is scheduled for December 9. Ms. Maryanov said the committee also discussed holding a Halloween-type of event to engage the neighbors, and hope to get more involved with social media, i.e. "Nextdoor," a social network for neighborhoods.

The Council thanked CIO 4 president Debbie Maryanov, vice-president Kay Dix,

and secretary/treasurer Melina Wittman for their work on the formation of CIO 4.

MOTION by Councilor Ed Truax, SECONDED by Councilor Frank Bubenik to adopt the resolution recognizing the formation of Citizen Involvement Organization Four.

Vote: 6 - 0 MOTION CARRIED

2. Ordinance No. **1351-12** Relating to Development; Amending the Manufacturing Business Park Planning District by Adding the Tonquin Light Manufacturing Overlay; Amending Tualatin Development Code 31.060 to Add a Definition of "Call Center or Customer Service Center;" Amending Tualatin Development Code Map 9-5; and Adding New Provisions (PTA-12-01)
-

MOTION by Councilor Ed Truax, SECONDED by Councilor Frank Bubenik for a first reading by title only. MOTION by Councilor Truax, SECONDED by Councilor Bubenik for a second reading by title only. The poll was unanimous. MOTION CARRIED. [*Beikman absent.*] MOTION by Councilor Truax SECONDED by Councilor Bubenik to adopt the ordinance. MOTION CARRIED.

Vote: 6 - 0 MOTION CARRIED

I. ITEMS REMOVED FROM CONSENT AGENDA

J. COMMUNICATIONS FROM COUNCILORS

K. EXECUTIVE SESSION - None.

L. ADJOURNMENT

MOTION by Councilor Ed Truax, SECONDED by Councilor Joelle Davis to adjourn the meeting at 7:48 p.m.

Vote: 6 - 0 MOTION CARRIED

Sherilyn Lombos, City Manager



Maureen Smith / Recording Secretary



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Becky Savino, Program Coordinator
Paul Hennon, Community Services Director

DATE: 11/13/2012

SUBJECT: Parks System Development Charge (SDC) Annual Report for Fiscal Year 2011/2012

ISSUE BEFORE THE COUNCIL:

The Council will review the Parks System Development Charge (Parks SDC) report for fiscal year 2011/2012 and consider staff recommendations.

RECOMMENDATION:

- Staff respectively recommends that Council accept the attached report including the recommendation that the Community Services Director continue to monitor issues that may arise and review their impact on the Parks SDC legislation or fee, and update the Parks and Recreation Master Plan as soon as is practical.
- No changes to the SDC ordinance or Park SDC methods, procedures, or fees are recommended at this time.

EXECUTIVE SUMMARY:

- Council established the current Parks SDC by adopting Ordinance 833-91 in 1991. The attached report fulfills the requirement of ORS 223.311 to provide an annual accounting of the Parks SDC and to recommend any changes to the SDC ordinance.
- In FY 2011/2012, \$73,914.93 was collected, including \$73,720 in Parks SDC fees and \$194.93 in interest. No credits or installment payments were authorized.
- Expenditures on qualified parks system improvements totaled \$105,177. The specific improvements are listed on page 2 of the attached report.

FINANCIAL IMPLICATIONS:

The Parks SDC beginning fund balance, revenues and expenditures are budgeted in the Park Development Fund (Fund 36).

Attachments: [FY 11/12 Parks SDC Report](#)

PARKS SYSTEM DEVELOPMENT CHARGE (Parks SDC) ANNUAL REPORT FY 11/12

Introduction

The Parks System Development Charge (Parks SDC) consists of an “improvement fee” that covers the cost of new capacity to meet the demands of new development, based on adopted standards and a capital improvement list. The Parks SDC does not include a “reimbursement fee” since the park system does not include any excess capacity that would be used by new development. The fee is charged per new residential dwelling unit.

Council approved the original Parks SDC in 1984 by adoption of Ordinance 655-84. In 1989 the Legislature enacted House Bill 3224 requiring local governments to meet specific statutory requirements and that system development charges be based upon past and future capital improvements to the system for which it is being collected. In 1991, Council adopted Ordinance 833-91 to repeal the original ordinance and bring the City in compliance with ORS 223.297 through 223.314 (System Development Charges). The fee established in the new ordinance went into effect on July 1, 1991.

In January 2004, Council authorized two actions affecting the Parks SDC. First, by adoption of Resolution 4192-04, the 1991 fee was adjusted to present value by applying an adjustment factor consisting of indexes for both land and construction. The second action taken by Council in January 2004, by adoption of Ordinance 1154-04, was to establish an annual adjustment factor indexing both land and construction costs to enable the Parks SDC to have the purchasing power to pay for park projects it is intended to fund. These changes have been incorporated into the Tualatin Municipal Code, Chapter 2-6, System Development Charges.

Purpose

The purpose of this report is to fulfill the requirements of ORS 223.311, which requires an annual accounting of Park SDC's be performed, and to recommend any changes in the Parks SDC as adopted by the City of Tualatin.

Revenue

During the period covered by this report (July 1, 2011 to June 30, 2012), the City of Tualatin collected \$73,914.93 in Parks SDC fees and interest on the fee income (\$73,720.00 in fees and \$194.93 in interest).

Credits

No credits were authorized.

Installment Payment Agreements

No installment payment agreements were authorized.

Expenditures

Parks SDC funds were used in the following projects in FY 11/12.

<u>Project Description</u>	<u>Parks SDC Amount</u>
1. Master Plan for Blake St. Right of Way (Helenius Greenway)	23,810.00
2. Tualatin River Greenway Trail	
a. Connection to Ki-a-Kuts Bridge at Community Park between field and dog park	9,450.00
b. Community Park at Juanita Pohl Center	55,000.00
3. Transfer to General Fund	16,917.00
Total Expenditures	105,177.00

Recommendation

It is recommended the Community Services Director continue to monitor issues that may arise and review their impact on the Parks SDC legislation or fee, and update the Parks and Recreation Master Plan as soon as is practical.

No changes to the methodology, procedures, or fees for the Parks SDC are recommended at this time.



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Maureen Smith, Deputy City Recorder

DATE: 11/13/2012

SUBJECT: Approval of a New Liquor License Application for Millers Homestead Restaurant

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve a new liquor license application for Millers Homestead Restaurant.

RECOMMENDATION:

Staff respectfully recommends that the Council approve endorsement of the liquor license application for Millers Homestead Restaurant.

EXECUTIVE SUMMARY:

Millers Homestead Restaurant has submitted a new liquor license application under the category Limited On-Premises Sales which allows the sale of malt beverages, wine and cider for consumption on the licensed premises and the sale of kegs of malt beverages for off premises consumption. The business is located at 17933 SW McEwan 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 New Application fee of \$100 has been paid by the applicant.

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



Millers Homestead Restaurant

Lower Beanes Ferry Rd

Interstate 6

McEwan Rd



OREGON LIQUOR CONTROL COMMISSION LICENSE TYPES

FULL ON-PREMISES SALES

- **Commercial Establishment**
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location (*this is the license that most “full-service” restaurants obtain*). Sell malt beverages for off-site consumption in securely covered containers provided by the customer. Food service required. Must purchase distilled liquor **only** from an Oregon liquor store, or from another Full On- Premises Sales licensee who has purchased the distilled liquor from an Oregon liquor store.
- **Caterer**
Allows the sale of distilled spirits, malt beverages, wine, and cider by the drink to individuals at off-site catered events. Food service required.
- **Passenger Carrier**
An airline, railroad, or tour boat may sell and serve distilled spirits, malt beverages, wine, and cider for consumption on the licensed premises. Food service required.
- **Other Public Location**
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location, where the predominant activity is not eating or drinking (for example an auditorium; music, dance, or performing arts facility; banquet or special event facility; lodging fairground; sports stadium; art gallery; or a convention, exhibition, or community center). Food service required.
- **Private Club**
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location, but only for members and guests. Food service required.

LIMITED ON-PREMISES SALES

Sell and serve malt beverages, wine, and cider for onsite consumption. Allows the sale of malt beverages in containers (kegs) for off-site consumption. Sell malt beverages for off-site consumption in securely covered containers provided by the customer.

OFF-PREMISES SALES

Sell factory-sealed containers of malt beverages, wine, and cider at retail to individuals in Oregon for consumption off the licensed premises. Eligible to provide sample tastings of malt beverages, wine, and cider for consumption on the premises. Eligible to ship manufacturer-sealed containers of malt beverages, wine, or cider directly to an Oregon resident.

BREWERY PUBLIC HOUSE

Make and sell malt beverages. Import malt beverages into and export from Oregon. Distribute malt beverages directly to retail and wholesale licensees in Oregon. Sell malt beverages made at the business to individuals for consumption on or off-site.

WINERY

Must principally produce wine or cider in Oregon. Manufacture, store, and export wine and cider. Import wine or cider *If bottled, the brand of wine or cider must be owned by the licensee*. Sell wine and cider to wholesale and retail licensees in Oregon. Sell malt beverages, wine, and cider to individuals in Oregon for consumption on or off-site.



CITY OF TUALATIN

LIQUOR LICENSE APPLICATION

Date 10-16-12

10/16/12 Pd. ac#13376

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): MILLERS HOMESTEAD

Business address 17933^{SW} MCEWANRD City TIGARD State OR Zip Code 97224

Mailing address SAME City _____ State _____ Zip Code _____

Telephone # 503-684-2831 Fax # 503-624-7861

Name(s) of business manager(s) First LYNSEY Middle _____ Last JORDAN

Date of birth _____ Social Security # _____ ODL# _____ M _____ F X

Home address _____ City SHERWOOD State OR Zip Code _____
(attach additional pages if necessary)

Type of business RESTAURANT

Type of food served BREAKFAST - HOME COOKED FOOD.

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

Days and hours of operation 6-3pm

Food service hours: Breakfast 6-3pm Lunch _____ Dinner _____

Restaurant seating capacity 120 Outside or patio seating capacity NONE

How late will you have outside seating? — How late will you sell alcohol? 9pm

How many full-time employees do you have? 5 Part-time employees? 5

SECTION 3: DESCRIPTION OF LIQUOR LICENSE

Name of Individual, Partnership, Corporation, LLC, or Other applicants PIONEER RESTAURANT LLC

Type of liquor license (refer to OLCC form) LIMITED-ON PREMISES

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 _____ Date of birth _____
Residence address _____

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 _____ Date of birth _____
Residence address _____
Full name _____ Date of birth _____
Residence address _____

CORPORATION: If this box is checked, complete (a) through (c).
(a) Name and business address of registered agent.
Full name _____
Business address _____

(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 _____ Date of birth _____
Residence address _____

(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: _____ Date of birth: _____
Residence address: _____
Full name of treasurer: _____ Date of birth: _____
Residence address: _____
Full name of secretary: _____ Date of birth: _____
Residence address: _____

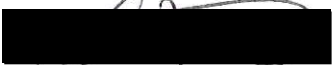
LIMITED LIABILITY COMPANY: If this box is checked, provide full name, date of birth, and residence address of each member. If there are more than two members, use additional pages to complete this question. If members are not individuals, also provide for each member a description of the member's legal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

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

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 of Applicant _____ Date 10-16-12

For City Use Only

Sources Checked:

DMV by [Signature] LEDS by [Signature] TuPD Records by [Signature]
 Public Records by [Signature]

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


Number of Tualatin arrest/suspect contacts for _____

It is recommended that this application be:

Granted

Denied

Cause of unfavorable recommendation: _____


Signature _____ Date 10/19/12

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: Maureen Smith, Deputy City Recorder

DATE: 11/13/2012

SUBJECT: Approval of a Change of Ownership Liquor License Application for Pacific Northwest Petroleum Inc., trade name "76 of Tualatin"

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve a change of ownership liquor license application for Pacific Northwest Petroleum Inc.

RECOMMENDATION:

Staff respectfully recommends that the Council approve endorsement of the change of ownership liquor license application for Pacific Northwest Petroleum, trade name "76 of Tualatin."

EXECUTIVE SUMMARY:

Pacific Northwest Petroleum Inc., formerly Tualatin Space Age Gas Station, has submitted a change of ownership liquor license application. The license is for Off-Premises Sales with Fuel Pumps (which allows the sale of factory-sealed containers of malt beverages, wine, and cider at retail to individuals in Oregon for consumption). The business is located at 20599 SW 115th Avenue. 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 - OLCC License Types
 C - Application



Pacific Northwest Petroleum



Attachment A
Vicinity Map

OREGON LIQUOR CONTROL COMMISSION LICENSE TYPES

FULL ON-PREMISES SALES

- **Commercial Establishment**
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location (*this is the license that most “full-service” restaurants obtain*). Sell malt beverages for off-site consumption in securely covered containers provided by the customer. Food service required. Must purchase distilled liquor **only** from an Oregon liquor store, or from another Full On- Premises Sales licensee who has purchased the distilled liquor from an Oregon liquor store.
- **Caterer**
Allows the sale of distilled spirits, malt beverages, wine, and cider by the drink to individuals at off-site catered events. Food service required.
- **Passenger Carrier**
An airline, railroad, or tour boat may sell and serve distilled spirits, malt beverages, wine, and cider for consumption on the licensed premises. Food service required.
- **Other Public Location**
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location, where the predominant activity is not eating or drinking (for example an auditorium; music, dance, or performing arts facility; banquet or special event facility; lodging fairground; sports stadium; art gallery; or a convention, exhibition, or community center). Food service required.
- **Private Club**
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location, but only for members and guests. Food service required.

LIMITED ON-PREMISES SALES

Sell and serve malt beverages, wine, and cider for onsite consumption. Allows the sale of malt beverages in containers (kegs) for off-site consumption. Sell malt beverages for off-site consumption in securely covered containers provided by the customer.

OFF-PREMISES SALES

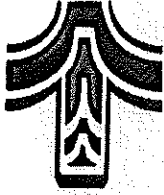
Sell factory-sealed containers of malt beverages, wine, and cider at retail to individuals in Oregon for consumption off the licensed premises. Eligible to provide sample tastings of malt beverages, wine, and cider for consumption on the premises. Eligible to ship manufacturer-sealed containers of malt beverages, wine, or cider directly to an Oregon resident.

BREWERY PUBLIC HOUSE

Make and sell malt beverages. Import malt beverages into and export from Oregon. Distribute malt beverages directly to retail and wholesale licensees in Oregon. Sell malt beverages made at the business to individuals for consumption on or off-site.

WINERY

Must principally produce wine or cider in Oregon. Manufacture, store, and export wine and cider. Import wine or cider *If bottled, the brand of wine or cider must be owned by the licensee*. Sell wine and cider to wholesale and retail licensees in Oregon. Sell malt beverages, wine, and cider to individuals in Oregon for consumption on or off-site.



CITY OF TUALATIN
LIQUOR LICENSE APPLICATION

Date 10/16/12

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): 76 of TUALATIN

Business address 20599 SW 115th Avenue City Tualatin State OR Zip Code 97062

Mailing address Pacific Northwest Petroleum Inc City _____ State _____ Zip Code _____
15786 SW Upper Boones Ferry Rd.

Telephone # Lake Oswego, OR 97035 Fax # 503 639 5800
office 503 639 5800

Name(s) of business manager(s) First ROHIT Middle _____ Last SHARMA

Date of birth [redacted] Social Security # [redacted] ODL# [redacted] (M) F

Home address [redacted] City WILSONVILLE State OR Zip Code 97070
 (attach additional pages if necessary)

Type of business gas station

Type of food served N/A

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

Days and hours of operation 6AM-12AM Su - Sat

Food service hours: Breakfast N/A Lunch N/A Dinner N/A

Restaurant seating capacity N/A Outside or patio seating capacity N/A

How late will you have outside seating? N/A How late will you sell alcohol? 12AM

How many full-time employees do you have?

Part-time employees?

SECTION 3: DESCRIPTION OF LIQUOR LICENSE

Pacific Northwest Petroleum Inc.
15786 SW Upper Boones Ferry Rd.
Lake Oswego, OR 97035

Name of Individual, Partnership, Corporation, LLC, or Other applicants

Type of liquor license (refer to OLCC form)

off premises sales with fuel pumps

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

Date of birth

Residence address

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

Date of birth

Residence address

Full name

Date of birth

Residence address

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

(a) Name and business address of registered agent

Full name

Business address

ROHIT SHARMA

Pacific Northwest Petroleum Inc.
15786 SW Upper Boones Ferry Rd.
Lake Oswego, OR 97035

(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

Date of birth

Residence address

NO

(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: *Rohit Sharma*

Date of birth: [REDACTED]

Residence address: [REDACTED]

Full name of treasurer: *none*

Date of birth: [REDACTED]

Residence address:

Full name of secretary: *Raakhi Batra-Sharma*

Date of birth: [REDACTED]

Residence address: [REDACTED]

Wilsonville, OR 97070

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:

Date of birth:

Residence address:

Full name:


Date of birth:

Residence address:

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.

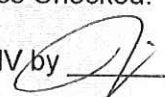
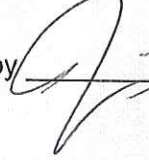
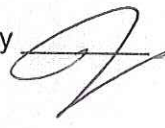

SECTION 4: APPLICANT SIGNATURE

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

Signature of Applicant  Date 10/16/12

For City Use Only

Sources Checked:

DMV by  LEDS by  TuPD Records by 
 Public Records by 

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

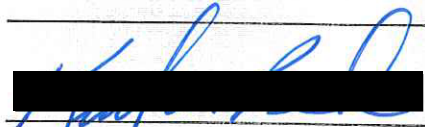
Number of Tualatin arrest/suspect contacts for _____

It is recommended that this application be:

Granted

Denied

Cause of unfavorable recommendation: _____

 10/19/12
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: Maureen Smith, Deputy City Recorder

DATE: 11/13/2012

SUBJECT: Recommendations from the Council Committee on Advisory Appointments

ISSUE BEFORE THE COUNCIL:

Should the City Council approve appointments to various Advisory Committees and Boards?

RECOMMENDATION:

Staff recommends the City Council approve the recommendations from the Council Committee on Advisory Appointments (CCAA) and appoint the below listed individual(s).

EXECUTIVE SUMMARY:

The Council Committee on Advisory Appointments met and interviewed citizens interested in participating on City advisory committees and boards. The Committee recommends appointing and/or reappointing the following individual(s):

<i>Individuals</i>	<i>Advisory Committee / Board</i>	<i>Term</i>
Alan Feinstein	Tualatin Library Advisory Committee	Reappointment Term expiring 10/31/15
Victoria King	Tualatin Library Advisory Committee	Reappointment Term expiring 10/31/15
Marcus Young	Tualatin Library Advisory Committee	Partial Term expiring 10/31/14
Dan Gaur	Tualatin Budget Advisory Committee	Reappointment Term expiring 12/31/15
Mike Ward	Architectural Review Board	Partial Term (lay member) expiring 06/30/14
David Solomon	Tualatin Tomorrow Advisory Committee	One Year Term expiring 12/31/13

Attachments:



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: 11/13/2012

SUBJECT: Quarterly Financial Update

ISSUE BEFORE THE COUNCIL:

An update on the first quarter financial activities for fiscal year 2012-13.

RECOMMENDATION:

No action is required by the Council.

EXECUTIVE SUMMARY:

Tonight's report will provide the Council with an update of financial activities during the first quarter of fiscal year 2012-13.

This presentation will provide updates on departmental goals, information on things that have been accomplished during the first 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. Staff will also update the Council on the 2012-13 tax roll, certified by both Washington and Clackamas Counties for properties in the City of Tualatin.

Attachments: [A - PowerPoint](#)



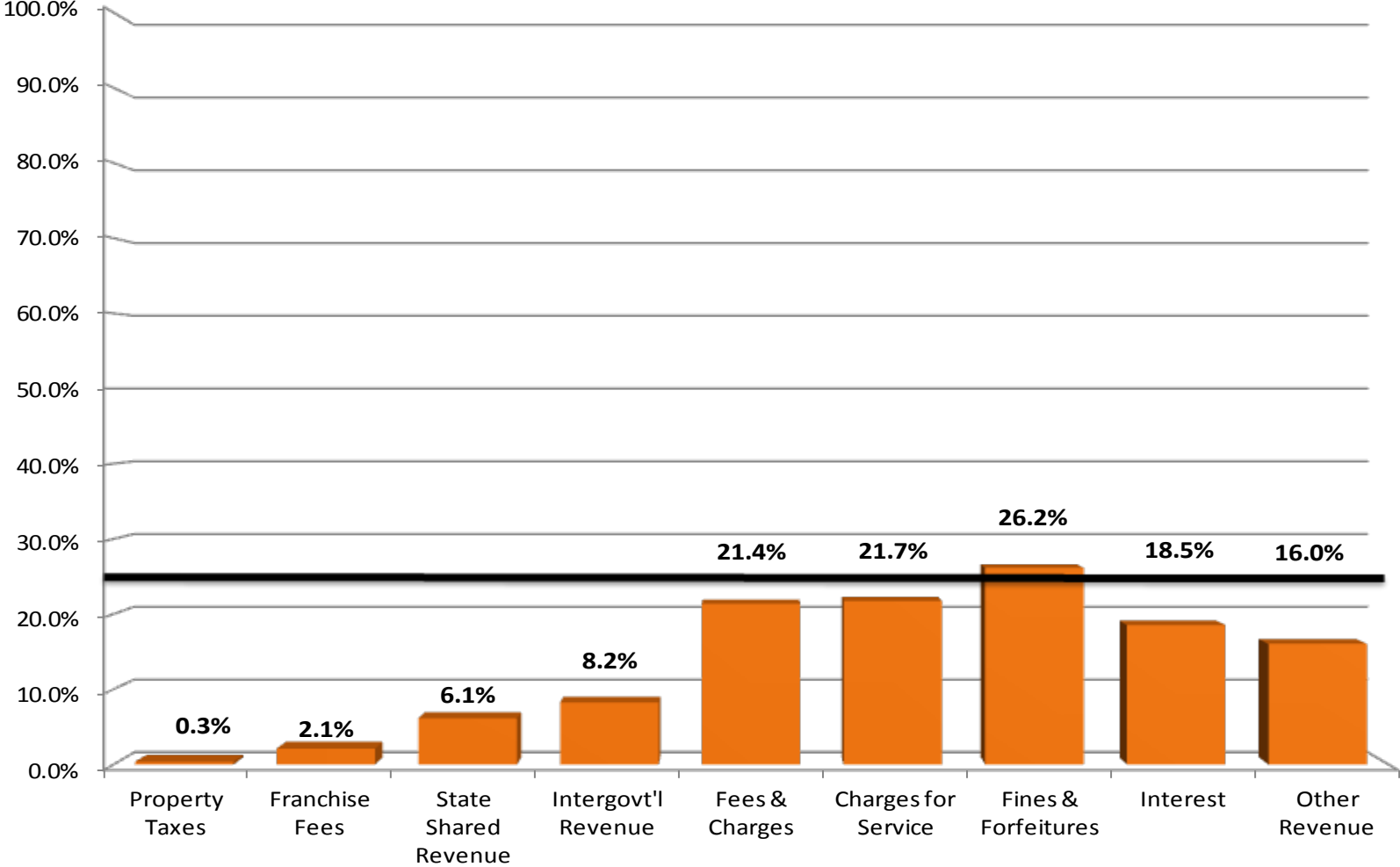
City of Tualatin

QUARTERLY FINANCIAL UPDATE

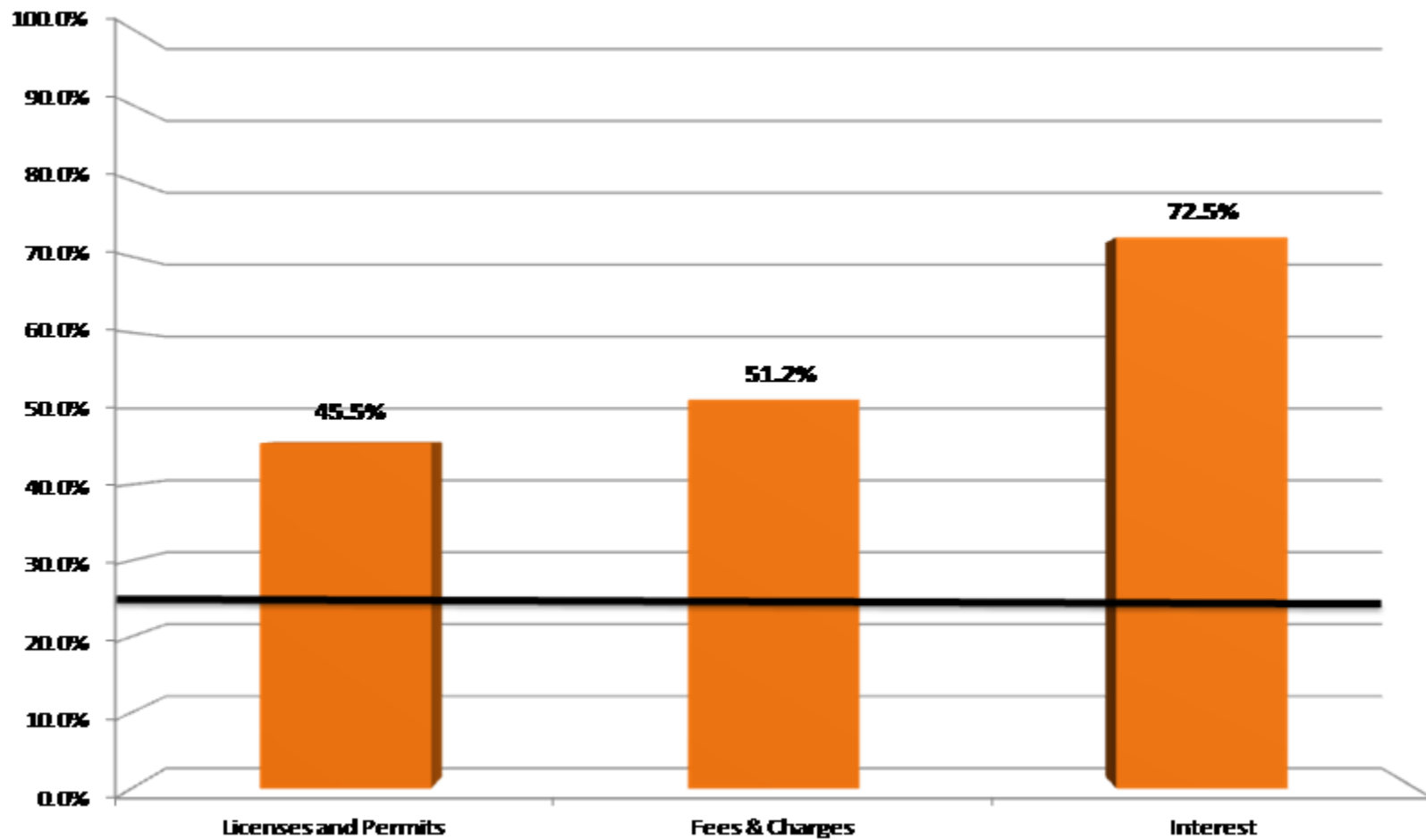
Fiscal Year 2012 – 2013

First Quarter, ending September 30, 2012

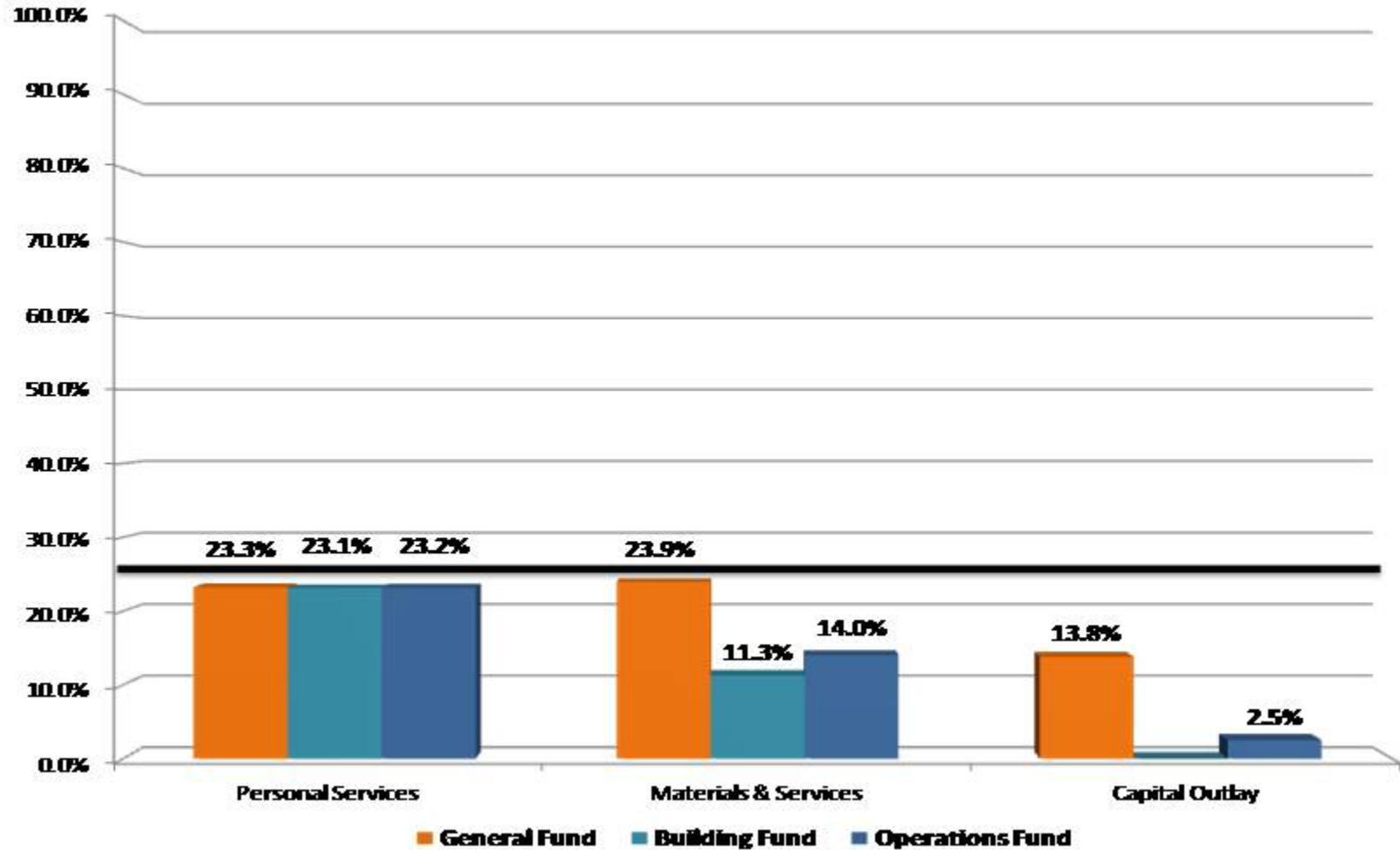
General Fund Revenue



Building Fund Revenue



Operating Expenditures



Another Successful Summer on the Commons



Juanita Pohl Center

- ▣ Center operations shifted from Loaves and Fishes to City
- ▣ Carpet tiles replaced



Replaced Electric Cart Used at the Commons



Purchased Turbidity Analyzers



- ▣ Installed at source where water comes in from Portland
- ▣ Hooked up to SCADA system
- ▣ Gives Water staff up front alert to any turbidity issues

Pavement Maintenance Program

- ❖ Mohawk Street from BFR to Martinazzi
 - ❖ 72nd Ave from Delaware to Sagert
 - ❖ Jurgens Road from Tualatin Rd to Hazelbrook
 - ❖ Warm Springs St from BFR to Tonka
 - ❖ Arikara Dr from BFR to Columbia
 - ❖ Nez Perce Court
 - ❖ Martinazzi Ave from BFR to Nyberg and Warm Springs to Sagert

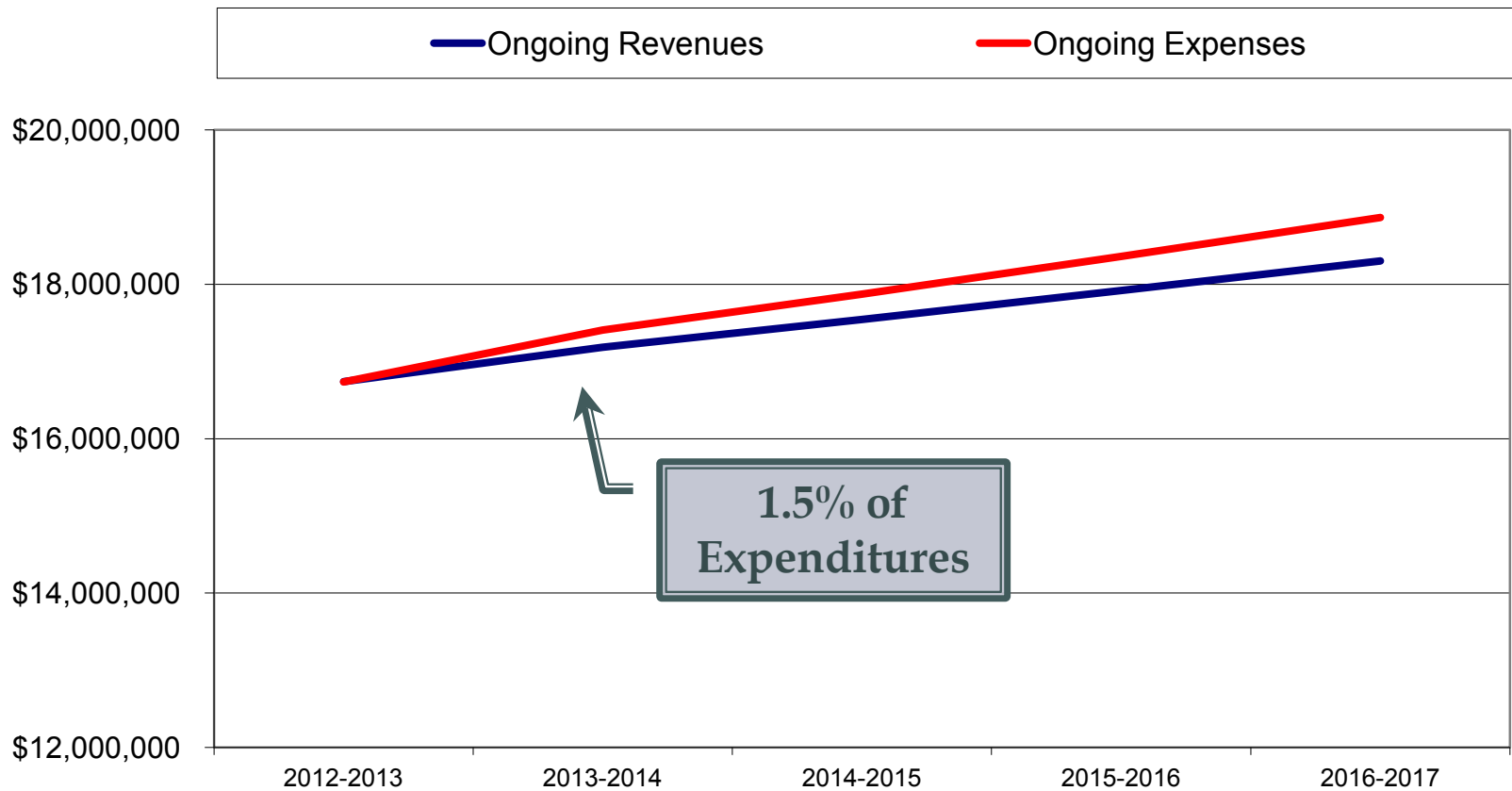


Parking Lot Repair

- ▣ Drive aisle in white parking lot repaired
- ▣ Part of Core Area Parking District



Fiscal Health Update



City Received GFOA Award for 21st Consecutive Year

Certificate of Achievement for Excellence in Financial Reporting

Presented to

City of Tualatin
Oregon

For its Comprehensive Annual
Financial Report
for the Fiscal Year Ended
June 30, 2011

A Certificate of Achievement for Excellence in Financial Reporting is presented by the Government Finance Officers Association of the United States and Councils to government units and public employee retirement systems whose comprehensive annual financial reports (CAFRs) achieve the highest standards in government accounting and financial reporting.



Christopher P. Merrill
President

Jeffrey R. Emmer
Executive Director

Property Tax Certification

- ▣ Real Market Values
 - Overall decreased 2% (5.5% decrease previous year)
 - RMV in Washington County down 2.29%, Clackamas County up 0.15%
- ▣ Assessed Values
 - Washington County increased 1.81%, Clackamas County increased 3.02%
 - Overall increase of 1.95% (budgeted for 1% increase)
- ▣ Estimated increase in revenue - \$68,000
 - Compression loss for City of Tualatin - \$4.96

Summary

- ▣ Revenues and Expenditures in operating funds are tracking as expected, with Building Fund revenues trending higher
- ▣ Expenditures include budgeted priorities
- ▣ Positive property tax data
- ▣ City of Tualatin continues to experience fiscal stability



City of Tualatin



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Linda Odermott, Paralegal
Sean Brady, City Attorney

DATE: 11/13/2012

SUBJECT: An Ordinance Amending Medium Low Density Residential Planning District (RML) Conditional Uses; and Amending TDC 41.030 (PTA-12-04)

ISSUE BEFORE THE COUNCIL:

Council will consider an Ordinance that restores the original list of conditional uses to the code that were mistakenly deleted.

RECOMMENDATION:

Staff recommends that the City Council approve the Ordinance restoring the list of conditional uses, mistakenly deleted by PTA-05-05.

EXECUTIVE SUMMARY:

On October 22, 2012, Council held a public hearing on the Plan Text Amendment (PTA-12-04) to decide whether to approve the Ordinance. Council approved the decision in a 6-0 vote with Councilor Beikman absent. Council directed staff to bring back an Ordinance at the next Council meeting.

Attachments: [Ordinance](#)

ORDINANCE NO. _____

AN ORDINANCE AMENDING MEDIUM LOW DENSITY RESIDENTIAL
PLANNING DISTRICT (RML) CONDITIONAL USES; AND AMENDING TDC
41.030 (PTA-12-04)

WHEREAS upon the application of the Community Development Department, a public hearing was held before the City Council of the City of Tualatin on October 22, 2012, related to a Plan Text Amendment of the Tualatin Development Code (TDC); and amending TDC 41.030 (PTA-12-04); and

WHEREAS the City provided notice to the Oregon Department of Land Conservation and Development as provided under ORS 197.610; and

WHEREAS the Council conducted a public hearing on October 22, 2012, and heard and considered the testimony and evidence presented by the City staff and those appearing at the public hearing; and

WHEREAS after the conclusion of the public hearing, the Council vote resulted in approval of the application by a vote of [6-0] with Councilor Beikman absent; and

WHEREAS based upon the evidence and testimony heard and considered by the Council, especially the City staff report dated October 22, 2012, makes and adopts as its Findings of Fact the findings and analysis in the staff report dated October 22, 2012 are incorporated by this reference; and

WHEREAS the City Council finds that granting the amendment is in the public interest; the public interest is best protected by granting the amendment at this time; the amendment conforms with the Tualatin Community Plan and the amendment complies with the applicable provisions of TDC 1.032.

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

Section 1. TDC 41.030 is amended to read as follows:

~~No building, structures or land shall be used, and no building or structures shall be erected, enlarged or altered, except for the following uses:~~

- ~~(1) Townhouses and multi-family dwellings, including duplexes and triplexes.~~
- ~~(2) Condominiums constructed in accordance with TDC 40.030(2).~~
- ~~(3) Manufactured dwelling parks, in the locations designated by the Tualatin Community Plan Map and constructed in accordance with TDC 34.190.~~
- ~~(4) Single family dwellings in a small lot subdivision.~~

~~(5) Greenways, and Natural Areas, including but not limited to bike and pedestrian paths and interpretive stations.~~

~~(6) Density transfer project approved by the City prior to April 25, 1994, subject to TDC 41.320.~~

~~(7) Residential homes.~~

~~(8) Residential facilities.~~

~~(9) Nursing facility.~~

~~(10) Family day care provider, provided that all exterior walls and outdoor play areas shall be a minimum distance of 400 feet from the exterior walls and pump islands of any automobile service station, irrespective of any structures in between.~~

~~(11) Sewer and water pump stations and pressure reading stations.~~

~~(12) Wireless communication facility attached, provided it is not a single-family dwelling or its accessory structures.~~

~~(13) Wireless communication facility located within 300 feet of the centerline of I-5.~~

~~(14) Accessory dwelling units in a small lot subdivision as provided in TDC 34.300-34.310.~~

~~(15) Transportation facilities and improvements.~~

The following uses and their accessory uses are permitted as conditional uses when authorized in accordance with TDC Chapter 32.

(1) A conditional use listed in TDC 40.030(4).

(2) Small-lot subdivisions conforming to the following:

(a) All subdivision improvements shall conform to TDC Chapter 36.

(b) All dwelling units constructed shall conform to the construction standards of the State of Oregon Uniform Building Code as adopted by the City of Tualatin.

(c) The minimum lot area shall be 4,500 square feet.

(d) The minimum average lot width shall be 30 feet.

(e) The minimum lot width shall be 30 feet on a cul-de-sac street.

(f) The maximum building coverage shall be 45 percent.

(g) For flag lots the minimum lot width at the street shall be sufficient to comply with at least the minimum access requirements contained in TDC 73.400(8)-(12).

(3) Wireless communication facility, except within approved small lot subdivisions.

INTRODUCED AND ADOPTED this 13th Day of November, 2012.

CITY OF TUALATIN, OREGON

BY _____
Mayor

ATTEST:

BY _____
City Recorder

APPROVED AS TO LEGAL FORM

BY _____
City Attorney