



**OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR
SEPTEMBER 10, 2018**

Present: Mayor Lou Ogden; Council President Joelle Davis; Councilor Nancy Grimes;
Councilor Paul Morrison; Councilor Jeff DeHaan; Councilor Robert Kellogg

Absent: Councilor Frank Bubenik

Staff City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Bill Steele;
Present: Finance Director Don Hudson; Planning Manager Aquilla Hurd-Ravich; Deputy City
Recorder Nicole Morris; Engineer Associate Tony Doran; Teen Program Specialist
Julie Ludemann; Assistant to the City Manager Tanya Williams; Parks and Recreation
Manager Rich Mueller; City Engineer Jeff Fuchs; Management Analyst II Gareth Prior;
Parks and Recreation Director Ross Hoover; Planning Manager Steve Koper

A. CALL TO ORDER

Pledge of Allegiance

Mayor Ogden called the meeting to order at 7:11 p.m.

B. ANNOUNCEMENTS

1. Tualatin Youth Advisory Council Update for September 2018

Members of the Youth Advisory Committee (YAC) presented a PowerPoint on their activities and upcoming events. Members are currently recruiting new members to fill 6-8 open positions for grades 8, 9, and 11. Upcoming events for the YAC include participation in the Pumpkin Regatta and holding their annual Haunted House.

2. TriMet Line 96 Expansion

Management Analyst Gareth Prior announced the TriMet Line 96 expanded hours. He stated the expanded hours will provide buses every 30 minutes in addition to the rush hour service. Analyst Prior also added that public comment on the Tri-County Public Transportation Improvement Plan is now open. He stated an open house will be held in Tigard on September 18. TriMet Manager Tom Mills spoke to the midday service now being offered by the line 96.

Council President Davis thanked TriMet for investing in Tualatin.

3. New Employee Introduction- Kim McMillan, City Engineer

Public Works Director Jeff Fuchs introduced City Engineer Kim McMillan. The Council welcomed her.

4. New Employee Introduction- Steve Koper, Planning Manager

Community Development Director Aquilla Hurd-Ravich introduced Planning Manager Steve Koper. The Council welcomed him.

C. CITIZEN COMMENTS

This section of the agenda allows anyone to address the Council regarding any issue not on the agenda, or to request to have an item removed from the consent 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.

Michelle Stevens stated her property received a complaint regarding her Airbnb. She would like the Council to consider rezoning or modify the code to allow Airbnb in the city.

Linda Moholt spoke to SDC charges in relation to the Parks and Recreation Master Plan. She noted currently major industrial manufacturing zones have no park amenities to them. She would like the Council to reconsider those areas and plan for amenities accordingly.

Leonard Schaber asked about the status of the three city intergovernmental agreement on the urban reserve matter in regards to the Stafford Hamlet area. Mayor Ogden stated staff continue to meet on the matter and plan to have a draft for a meeting next month. City Manager Lombos stated it is staff's goal to have something in place by the end of the year.

Valerie Pratt and Graham Alberty, representing the Tualatin Parks Advisory Committee, spoke on the SDC fees in relation to the Parks and Recreation Master Plan. Ms. Pratt would like to see the Council consider SDC for businesses in Tualatin. The committee would like to see those dollars used to create more path's and access into city parks for businesses. Mr. Alberty stated this type of SDC dollars are being collected in other cities for commercial development and would like to see them applied in Tualatin.

D. CONSENT AGENDA

The Consent Agenda will be enacted with one vote. The Mayor will ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, Items Removed from the Consent Agenda. The entire Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.

MOTION by Councilor Nancy Grimes, SECONDED by Council President Joelle Davis to adopt the consent agenda.

Aye: Mayor Lou Ogden, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Jeff DeHaan, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Councilor Frank Bubenik (Absent)

MOTION CARRIED

1. Consideration of Approval of the Minutes for the Regular Meetings of August 13, 2018
2. Consideration of Approval of a New Liquor License for Tender Loving Empire
3. Consideration of **Resolution No. 5390-18** Amending the City of Tualatin Fee Schedule and Rescinding Resolution No. 5379-18
4. Consideration of **Resolution No. 5394-18** Authorizing the City Manager to Execute an Amendment of a Professional Services Contract with CH2M Hill Engineers, Inc. for Additional Services Relating to the Rehabilitation of the C1 Reservoir
5. Consideration of **Resolution No. 5395-18** Authorizing the City Manager to Execute an Amendment to a Professional Services Contract with OBEC Consulting Engineers for Additional Services
6. Consideration of **Resolution No. 5397-18** Awarding the Contract for Street Sweeping Operations to Great Western Sweeping and Authorizing the City Manager to Execute a Contract
7. Consideration of **Resolution No. 5399-18** Authorizing the City Manager to Execute an Intergovernmental Agreement with the Tigard-Tualatin School District for the Joint Use and Replacement of the Artificial Surface Multi-Use Athletic Field and Joint Use of the Cross Country Running Trail
8. Consideration of **Resolution No. 5400-18** Relating to Miscellaneous Water Fees and Hydrant and Bulk Water Fees; and Amending Resolution No. 5374-18 Sections 8 and 9

E. SPECIAL REPORTS

1. Celebrate Tualatin Moving Forward's First Project Completion

Assistant City Manager Tanya Williams announced the Tualatin Moving Forward bond program has completed its first project. She stated buffered bike lanes and a crosswalk at 115th Ave and SW Hazelbrook Road have been completed. There will be a celebration held on September 15th from 9-11am on 115th Ave. There will be a free community bike ride, booths with bike safety information, and food.

F. PUBLIC HEARINGS – Legislative or Other

1. Consideration of **Resolution No. 5396-18** Authorizing Changes to the Adopted 2018-2019 Budget

Director Hudson presented changes to the adopted 2018-19 budget. He stated at the time of the budget adoption certain project costs were not ascertainable. On August 8th the bonds from the May election were sold and the exact proceeds became known. A supplemental budget for those amounts is now being presented. He stated the supplemental budget creates a Capital Projects Fund and the Transportation Projects Fund, which sets estimated materials and services and capital outlay expenditures and places the remaining balance of bond proceeds into contingency. The supplemental budget also amends the principal and interest amounts that were adopted in June in the General Obligation Bond Fund for the transportation bonds, as well as the refunding bonds.

PUBLIC COMMENT

None.

COUNCIL DISCUSSION

Councilor Kellogg asked where the additional proceeds from the sale of the bonds go. Director Hudson stated the proceeds go into the bond fund and are used as contingency.

MOTION by Council President Joelle Davis, SECONDED by Councilor Nancy Grimes to adopt Resolution No. 5396-18 authorizing changes to the adopted FY 2018-2019 budget.

Aye: Mayor Lou Ogden, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Jeff DeHaan, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Councilor Frank Bubenik (Absent)

MOTION CARRIED

2. Consideration to Plan Text Amendment 18-0002 to amend the Tualatin Development Code Chapter 70: Flood Plain District to Meet Minimum National Flood Insurance Program Requirements

Mayor Ogden opened the public hearing for a request for review of PTA18-0002 FEMA flood plain updates. He read the rules of the hearing in accordance with ORS 197.765(5) and (6) and ORS 197.79(3)(b).

Public Works Director Jeff Fuchs and Engineering Associate Tony Doran presented PTA18-0002 FEMA flood plain updates. Associate Doran stated FEMA mailed notice to the Mayor on April 19th, 2018 with changes to the flood plain. He stated staff sent DLCD a notice of the proposed code changes on August 3. The Tualatin Planning Commission reviewed the changes on August 16 and are recommending adoption without changes. Associate Doran stated there are no lots within the City affected by the updates. Next steps if the PTA is approved is adoption of an ordinance at the September 24 meeting.

PUBLIC COMMENT

None.

COUNCIL QUESTIONS/DELIBERATIONS

None.

MOTION by Council President Joelle Davis, SECONDED by Councilor Jeff DeHaan to approve Plan Text Amendment (PTA) 18-0002 to amend the Tualatin Development Code Chapter 70: Flood Plain District to meet minimum National Flood Insurance Program requirements.

Aye: Mayor Lou Ogden, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Jeff DeHaan, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Councilor Frank Bubenik (Absent)

MOTION CARRIED

G. GENERAL BUSINESS

If you wish to speak on a general business item please fill out a Speaker Request Form and you will be called forward during the appropriate item. 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.

1. Consideration of **Resolution No. 5393-18** Adopting the Tualatin ADA Self-Evaluation and Transition Plan

Public Works Director Jeff Fuchs and Management Analyst Kelsey Lewis presented the ADA Transition Plan. Analyst Lewis presented the history of the project. She noted the projected kicked-off in May 2017 followed by data gathering and ADA Task Force meetings. A public comment period was held March-May of 2018. Analyst Lewis defined a barrier. She stated it can be categorized in four categories: physical, communication, lack of assistive technology, and negative attitudes about disabilities. Analyst Lewis spoke to how projects are prioritized noting public rights of ways and other high priority issues such as locations of an ADA complaint, locations serving government, transportation, and commercial centers are being addressed. Cost estimates to remove barriers in the right of ways total \$62 million and barriers in facilities and parks total \$3 million. She noted the city does not have a dedicated funding source to resolve the barriers. Analyst Lewis stated the city will initially implement the plan through programs such as pavement maintenance, sidewalk and street tree, and the Tualatin Moving Forward Bond program. Next steps for the plan include training for staff, ongoing building and park maintenance, ongoing public works construction code updates, and barrier removal prompted by complaints. Analyst Lewis noted several projects have already been complete. Completed projects include curb ramp replacement during the 2018 pavement maintenance program, new ADA parking in the white lot and Seneca Street lots, and sidewalk panel replacements along Boones Ferry.

Councilor Grimes asked if all crosswalks would be updated to include visual and audio cues. Director Fuchs stated the County is working on a strategy to add audible signals throughout the County.

Council President Davis asked how many curb ramps need to be changed out in the city. Director Fuchs stated it is in the thousands. Council President Davis stated the ADA updates are having major impacts on every single community throughout the entire state. She would like to see a follow-up on the cities progress in six months to a year.

MOTION by Council President Joelle Davis, SECONDED by Councilor Paul Morrison to adopt Resolution No. 5393-18 adopting the Tualatin ADA Self-Evaluation and Transition Plan.

Aye: Mayor Lou Ogden, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Jeff DeHaan, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Councilor Frank Bubenik (Absent)

MOTION CARRIED

2. Consideration of **Resolution No. 5398-18** Supporting the Southwest Corridor Steering Committee's Preferred Alternative Report

Community Development Director Aquilla Hurd-Ravich and Management Analyst Gareth Prior presented a resolution supporting the SW Corridor Steering Committee's Preferred Alternative Recommendation. Analyst Prior provided a brief overview of the resolution which includes the history of the plan and declares Council's support for the preferred alternative recommendations. He stated the steering committee met on August 13 where they unanimously voted to support a locally preferred alternative route from the draft environment impact statement options. Analyst Prior stated the Land Use Final Order (LUFO) steering committee recommends boundaries for the route, stations, lots, maintenance facilities, and highway improvements. The committee unanimously voted to support the steering committee's decision. Next steps for the plan include review by the Transportation Policy Alternatives Committee, Joint Policy Advisory Committee of Transportation, and Metro. It will then move to Final Draft Environment Impact Statement (FEIS) which will include Bridgeport station design, traffic analysis, minimum operable segment, and a work plan.

Mayor Ogden thanked everyone for their work on this plan. He asked for clarification on the direction with what will happen with the Village Inn. He noted he asked the committee to consider ways to avoid or minimize impacts to the Village Inn.

Councilor Grimes asked if there was a timeline on the decision with the Village Inn. TriMet Staff Dave Unsworth stated the design phase will begin in February 2019 followed by a vote in November 2020. The next step if the measure passes is to go to the federal level for funding.

Councilor DeHaan asked if there was potential to extend the plan into downtown Tualatin. Mr. Unsworth stated there is always an opportunity for another phase but would require a separate plan.

Councilor Morrison stated Tualatin already has rail service and would like to see enhancements made to that.

Council President Davis asked what would happen if the Council voted no on this resolution. Mr. Unsworth stated Metro Council would have to consider the vote but it would still continue to move through Metro's process. Director Hurd-Ravich stated the final action is with Metro and this resolution is to show support.

PUBLIC COMMENT

Ryan Sweeny, co-owner of The Village Inn, thanked the Council for considering their position on the matter regarding the location of a potential station.

MOTION by Council President Joelle Davis, SECONDED by Councilor Nancy Grimes to adopt Resolution No. 5398-18 supporting the Southwest Corridor Steering Committee's Preferred Alternative Report.

Aye: Mayor Lou Ogden, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Jeff DeHaan, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Councilor Frank Bubenik (Absent)

MOTION CARRIED

3. Consideration of Recommendations from the Council Committee on Advisory Appointments

MOTION by Councilor Nancy Grimes, SECONDED by Councilor Robert Kellogg to accept the recommendations.

Aye: Mayor Lou Ogden, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Jeff DeHaan, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Councilor Frank Bubenik (Absent)

MOTION CARRIED

H. COMMUNICATIONS FROM COUNCILORS

Council President Davis stated she is very happy with the quality and quantity of the candidates interested in serving on City committees. She is proud of the community for stepping up and filing these roles.

Mayor Ogden stated he had a conversation with a group of people about the potential for having a YMCA in the area. He met and spoke with the YMCA Regional President who stated there may be potential funding sources for a privately fundraised center. He asked if the Council has any interest in doing a market study to see if it is feasible.

Mayor Ogden asked if the Council has interest in discussing home share in Tualatin. Councilor Kellogg stated the top it will be looked at as part of the development code update. Sepcifically it would fit in with the discussion on ADUs.

Mayor Ogden asked how home shares such as Airbnb are handled. City Manager Lombos stated they are addressed on a complaint driven basis. City Attorney Brady stated code enforcement will go and speak to them or will send a compliance letter. He noted these types of rentals are covered under home occupations. Council consensus was reached to discuss short term rentals in phase two of the code update.

I. ADJOURNMENT

Mayor Ogden adjourned the meeting at 9:21 p.m.

Sherilyn Lombos, City Manager

Nicole Morris / Nicole Morris, Recording Secretary

Joelle Davis / JOELLE DAVIS
/ Lou Ogden, Mayor PROTEM