



**OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR
JANUARY 28, 2019**

Present Mayor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Paul Morrison, Councilor Robert Kellogg, Councilor Maria Reyes, Councilor Bridget Brooks

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, Teen Program Specialist Julie Ludemann; Parks and Recreation Manager Rich Mueller; Parks and Recreation Director Ross Hoover, Planning Manager Steve Koper

A. CALL TO ORDER

Pledge of Allegiance

Mayor Bubenik called the meeting to order at 7 01 p.m

B ANNOUNCEMENTS

1. Proclamation Declaring January 2019 as School Board Appreciation Month

Councilor Grimes read the proclamation declaring January 2019 as School Board Appreciation Month

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.

None

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 Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Bridget Brooks, Councilor Maria Reyes, Councilor Paul Morrison, Councilor Robert Kellogg

MOTION CARRIED

- 1 Consideration of Approval of the Minutes for the Regular Meeting of December 10, 2018 and Work Session and Regular Meeting of January 14, 2019
2. Consideration of **Resolution No. 5418-19** Authorizing Stop Sign Changes on Myslony Street at 112th Avenue and 118th Avenue in conjunction with the opening of the Lou Ogden Bridge
3. Notice and Filing with the City Council of the 2018 Urban Renewal Agency Annual Financial Report from the Tualatin Development Commission
- 4 Consideration of **Resolution No. 5421-19** Authorizing the City Manager to Execute an Intergovernmental Cooperative Procurement Agreement

E. **SPECIAL REPORTS**

- 1 Tualatin Arts Advisory Committee Community Enhancement Award to Marquis - The Community

Recreation Supervisor Julie Ludemann and Tualatin Arts Advisory Committee (TAAC) member Mason Hall presented the recommendation for the Community Enhancement Award to The Community at Marquis Mr Hall explained the community enhancement award was created to recognize individuals and organizations for their contributions to significant art endeavors and experiences within the Tualatin Community The TAAC has identified The Community at Marquis for their display of Tualatin Elementary School historical objects as the next award recipient

The Council accepted the recommendation and granted the award to The Community at Marquis Amanda Ballard, representing The Marquis, accepted the award and thanked the community for their support

F **PUBLIC HEARINGS – *Quasi-Judicial***

- 1 Consideration of **Ordinance No 1416-19** Annexing Territory Located at 11605 SW Hazelbrook Road into the City of Tualatin and Withdrawing the Territory from the Washington County Enhanced Sheriff Patrol District and the County Urban Road Maintenance District (Tax Lot 1401, 2S1 15C) (File No ANN-18-0001)

Mayor Bubenik opened the hearing for consideration of annexing territory at 11605 SW Hazelbrook Road into the City of Tualatin He read the rules of the hearing in accordance with ORS 197.763(5) and (6) and ORS 197.796(3)(b).

Planning Manager Steve Koper and Assistant Planner Tabitha Boschetti presented ANN 18-0001. Planner Boschetti stated the applicant is the City of

Tualatin, represented by Rich Mueller, Parks Planning and Development Manager, owner of the 0.77-acre Tax Lot 1401 (Map 2S1 15C) with the address of 11605 SW Hazelbrook Road. She noted the land is located in the low-density residential (RL) planning district. The annexation meets all the criteria for annexation. She stated there is no proposed development at this time as the property was acquired for future parkland. Manager Koper stated staff recommends approval.

Parks Planning and Development Manager Rich Mueller spoke on behalf of the City stating the land adds value to the city as park land.

PUBLIC COMMENT

None.

COUNCIL DELIBERATION

None

MOTION by Council President Joelle Davis, **SECONDED** by Councilor Paul Morrison for first reading by title only.

Aye Mayor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Bridget Brooks, Councilor Maria Reyes, Councilor Paul Morrison, Councilor Robert Kellogg

MOTION CARRIED

MOTION by Council President Joelle Davis, **SECONDED** by Councilor Paul Morrison for second reading by title only.

Aye Mayor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Bridget Brooks, Councilor Maria Reyes, Councilor Paul Morrison, Councilor Robert Kellogg

MOTION CARRIED

MOTION by Council President Joelle Davis, **SECONDED** by Councilor Paul Morrison to adopt Ordinance No. 1416-19 annexing territory located at 11605 SW Hazelbrook Road into the City of Tualatin and withdrawing the territory from the Washington County Enhanced Sheriff Patrol District and the County Urban Road Maintenance District.

Aye Mayor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Bridget Brooks, Councilor Maria Reyes, Councilor Paul Morrison, Councilor Robert Kellogg

MOTION CARRIED

2. Consideration of **Ordinance No. 1417-19** Annexing Territory Located at 12150 SW Tualatin-Sherwood Road into the City of Tualatin and Withdrawing the Territory from the Washington County Enhanced Sheriff Patrol District and the County Urban Road Maintenance District (Tax Lots 500 and 701, 2S1 27C) (File No ANN-18-0002)

Mayor Bubenik opened the hearing for consideration of annexing territory at 12150 SW Tualatin-Sherwood into the City of Tualatin. He read the rules of the hearing in accordance with ORS 197.763(5) and (6) and ORS 197.796(3)(b).

Planning Manager Steve Koper and Assistant Planner Tabitha Boschetti presented ANN 18-0002. Planner Boschetti stated the applicant is Matthew Dolan of KPFF Consulting Engineering, representing Kenneth E. Iteel, owner of the 43.73-acre site comprised of Tax Lots 500 and 701 (Map 2S1 27C) with the address of 12150 SW Tualatin-Sherwood Road. She noted the parcel is currently designated as Manufacturing Business Park (MBP). The annexation meets all the criteria for annexation. It was noted there is no proposed development at this time. Manager Koper stated staff recommends approval.

Portland General Electric staff introduced themselves as the new property owners. They requested Council approve the annexation.

PUBLIC COMMENT

None

COUNCIL DELIBERATIONS

None

MOTION by Council President Joelle Davis, SECONDED by Councilor Nancy Grimes for first reading by title only.

Aye: Mayor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Bridget Brooks, Councilor Maria Reyes, Councilor Paul Morrison, Councilor Robert Kellogg.

MOTION CARRIED

MOTION by Council President Joelle Davis, SECONDED by Councilor Nancy Grimes for second reading by title only.

Aye: Mayor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Bridget Brooks, Councilor Maria Reyes, Councilor Paul Morrison, Councilor Robert Kellogg.

MOTION CARRIED

MOTION by Council President Joelle Davis, SECONDED by Councilor Robert Kellogg to adopt Ordinance No. 1417-19 annexing territory located at 12150 SW Tualatin-Sherwood Road into the City of Tualatin and withdrawing the territory from the Washington County Enhanced Sheriff Patrol District and the County Urban Road Maintenance District.

Aye: Mayor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Bridget Brooks, Councilor Maria Reyes, Councilor Paul Morrison, Councilor Robert Kellogg.

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. 5422-19** Authorizing the City Manager to Execute an Intergovernmental Agreement with the Cities of Lake Oswego and West Linn Relating to Stafford Concept Planning

Mayor Bubenik opened the floor for public comment and discussion on the Intergovernmental Agreement (IGA) with the cities of Lake Oswego and West Linn relating to Stafford Concept Planning. He noted the Council discussed the IGA on December 10, 2018 where it was a tie vote.

PUBLIC COMMENT

Jeff Goodman spoke in favor of the IGA as a good first step in the process. He stated the agreement provides for a way for all three cities to work together. He submitted information for the record.

Ezra Hammer, representing the Portland Home Builders Association, spoke in opposition of the IGA. He urged Council to adhere to the 90-day continuance as requested by Clackamas County Commission Chair Bernard.

Peter Watts spoke in opposition of the IGA. He addressed concerns with the buildable lands inventory and the constraints the IGA will cause. He submitted a letter for the record.

Leonard Shaver spoke in opposition of the IGA. He submitted a letter for the record addressing his concerns.

Mike Stewart spoke in opposition of the IGA. He requested the city comply with the 90-day continuance as requested by Clackamas County Commission Chair Bernard.

David Marks spoke in opposition of the IGA.

COUNCIL DISCUSSION

Councilor Morrison stated he is in favor of an IGA, but not in favor of this IGA as presented. His concerns are with the timing of concept planning as outlined in section 2A and lack of language regarding binding arbitration. He would like to align this document with the language in the original five party IGA. He is not opposed to honoring Chair Bernard's request for a 90-day waiting period.

Councilor Reyes stated she does not feel comfortable making a decision tonight as she needs clarification on information.

Councilor Kellogg addressed concerns for those in opposition of the IGA. He addressed their concerns with funding for a transportation study, the moratorium, concerns with potential litigation, density transfers, and language for a revenue sharing agreement for infrastructure costs. He stated he is in favor of the IGA as

presented as he feels it is the right next step

Councilor Grimes concurred with Councilor Kellogg's sentiments. She stated this is a joint process with the other cities and the IGA is a good step in a cooperative approach.

Council President Davis stated her primary concern is around appropriate transportation planning. She feels the IGA is the first step to having the traffic study completed. Council President Davis expressed concerns that if the IGA passes tonight that Clackamas County may block funds to have the transportation study completed.

Councilor Morrison stated Metro and Clackamas County are attempting to resolve two civil suits in the Stafford area before they will begin studies on transportation and public infrastructure.

Mayor Bubenik stated Chair Bernard reached out for the first time about the IGA on Friday afternoon. He stated Clackamas County should have reached out sooner if it was an actual concern for them. Mayor Bubenik is in favor of the IGA and would like to move forward and begin figuring out the areas of interest.

MOTION by Councilor Robert Kellogg, SECONDED by Councilor Nancy Grimes to adopt Resolution No. 5422-19 authorizing the City Manager to execute an Intergovernmental Agreement with the cities of Lake Oswego and West Linn relating to Stafford Concept Planning.

Aye: Mayor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Bridget Brooks, Councilor Robert Kellogg

Nay: Councilor Maria Reyes, Councilor Paul Morrison

MOTION CARRIED

H. COMMUNICATIONS FROM COUNCILORS

Councilor Morrison thanked Community Development Director Aquilla Hurd-Ravich for all her representation on committees throughout the region.

Councilor Brooks stated she attended the LOC Cities Day in Salem, the Basalt Creek Open House, the SW Corridor Open House, and the Tualatin River Keepers celebration over the past couple of weeks.

Councilor Reyes stated she toured Pacific Medals where they shared feedback that they are now using 124th Street for shipping.

Mayor Bubenik reminded citizens to review the proposed SW Corridor Locally Preferred Alternatives in relation to the Bridgeport Terminus options. Public comment is still being accepted on the alternatives.

Mayor Bubenik stated Community Development Block Grants applicants were interviewed last week. An affordable housing development in downtown Beaverton was awarded \$1.2 million.

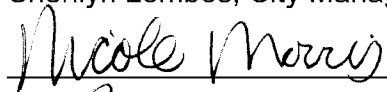
Mayor Bubenik stated Grimm's Fuel license renewal is out for public comment thru February 5 Metro held an interested parties meeting on the license renewal More information is available on their website

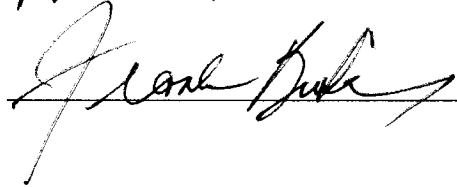
Mayor Bubenik stated he will be attending a press conference tomorrow for the Metro's Mayors were they will present their legislative agenda.

I ADJOURNMENT

Mayor Bubenik adjourned the meeting at 8 30 p m

Sherilyn Lombos, City Manager

 / Nicole Morris, Recording Secretary

 / Frank Bubenik, Mayor