



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR MAY 13, 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 Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Bill Steele; Finance Director Don Hudson; Planning Manager Aquilla Hurd-Ravich; Deputy City Recorder Nicole Morris; 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 Bubenik called the meeting to order at 7:11 p.m.

B. ANNOUNCEMENTS

1. Recognition of Council President Joelle Davis's Service

Mayor Bubenik read the proclamation thanking Councilor Joelle Davis for her dedication to the City of Tualatin. He presented her with a plaque thanking her for her service.

The Council shared sentiments from her service.

Buck Braden thanked Council President Davis for her service to the City of Tualatin.

Council President Davis thanked the community for allowing her to serve the City.

2. Update on the Tualatin Youth Advisory Council's Activities for May 2019

Members of the Youth Advisory Committee (YAC) presented a PowerPoint on their latest activities and upcoming events. Members are finishing preparations for Projects FRIENDS to be held on May 17. The event will be presented to 300 5th graders from Byrom, Bridgeport, Deer Creek, and Tualatin Elementary Schools. This year's Blender Dash fun run for kids ages 6-15 will be held on June 1 at Tualatin Community Park. The committee will be hosting Movies on the Commons again this summer and will be selling concessions as a fundraiser. A list of movies

is available on the cities website.

3. Proclamation Declaring the Week of May 19-25, 2019 as Emergency Medical Services Week in the City of Tualatin

Councilor Grimes read the proclamation declaring the week of May 19-25, 2019 as Emergency Medical Services Week in the City of Tualatin. Metro West staff accepted the proclamation.

4. New Employee Introduction- Bryan LaVigne, Code Compliance Officer

Community Development Director Aquilla Hurd-Ravich introduced Code Compliance Officer Bryan LaVigne. The Council welcomed him.

5. New Employee Introduction- Lindsay Marshall, Management Analyst II

Maintenance Services Manager Clay Reynolds introduced Management Analyst Lindsay Marshall. The Council welcomed her.

6. Tualatin-Sherwood Road Closure May 17-20, 2019

Washington County Engineer Stacy Schindler announced a road closure along Tualatin Sherwood Road from Avery to Boones Ferry from May 17th at 8pm to May 20th at 5am. They will be replacing the railroad crossing to fix a large dip.

Mayor Bubenik asked what detours would be available. Mr. Schindler shared a map with alternative routes.

C. PUBLIC COMMENT

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.

Dale Potts invited everyone to attend the annual Memorial Day Observance and Community Picnic at Winona Cemetery. The event will be held Monday, May 27, starting at 10:45am.

Mark Gensman presented safety concerns with traffic along SW 95th Street. He presented a DVD and petition requesting stop signs at the SW 95th Street and Sagert Street intersection. City Manager Lombos stated the entire area is being evaluated currently and is on the Tualatin Moving Forward project list.

Anthony Stewart submitted a letter formally requesting an amendment to the Tualatin Development Code regarding marijuana facilities. He is interested in a collaborative community approach on this topic.

Deena Ryerson spoke in support of the current ordinance of marijuana facilities. She asked the Council not bring forward any amendments regarding the locations

of dispensaries.

Mark Began and Josh Harrell spoke to the negative impacts of marijuana accessibility and the impacts it has on student use. They requested the Council maintain the current ordinance and continue to limit access.

Cyndy Hillier of Tualatin Together spoke in support of the current ordinance on marijuana dispensaries. She asked the Council to join with Tualatin Together and help protect the potential of Tualatin's youth.

Kim DeMarchi, Empowered Parenting, spoke in favor of the current marijuana dispensaries code. She urged the Council to not make any amendments.

Tualatin High School Stand Up students spoke in opposition of any amendments to the current code on marijuana dispensaries. They asked for the cities support as they continue to raise awareness on the dangers of marijuana.

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 Council President Joelle Davis, SECONDED by Councilor Nancy Grimes 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 Special Work Session of April 15, 2019 and Work Session of April 22, 2019
2. Consideration of **Resolution No. 5434-19** Authorizing an Intergovernmental Agreement with Clean Water Services For the Construction of Sagert Farms Sanitary Sewer Improvements
3. Consideration of **Resolution No. 5436-19** Authorizing the City Manager to Accept Grant Funds from the Tualatin Soil and Water Conservation District for Tualatin Riverbank Restoration and Enhancement
4. Considerations of **Resolution No. 5437-19** Awarding the Contract for Architectural/Design Services for the Tualatin Service Center Project to Scott | Edwards Architecture

E. SPECIAL REPORTS

1. Update from Metro Councilor Craig Dirksen

Metro Councilor Craig Dirksen presented an update from Metro. He stated the Council has three new Councilors this year including a new Council President. Council President Peterson has been working on establishing the Metro agenda for upcoming years. Councilor Dirksen provided an update on the future Chehalem Ridge nature park. Planning for the park is underway and the master plan for the area has been approved. The proposed 2019 Parks and Nature bond would help to build out the area. The bond proposal is a replacement bond for the 1995 and 2006 Metro Natural Areas bonds. Community input on the framework, investment criteria, and project identification for the bond will be forthcoming.

Councilor Dirksen shared an update on food scraps, recycling, and the 2030 Regional Waste Plan. He stated Metro adopted a regional requirement for high volume businesses to separate food scraps from the garbage starting in 2020. They are working with cities and businesses to amend ordinances and provide education. The updates are part of the 2030 Regional Waste Plan.

Councilor Dirksen spoke to transportation throughout the region. The Metro Council is still looking at whether to pursue a transportation bond measure in November 2020. They recognize it as a high priority and have found there is a high willingness to pay for improvements. Councilor Dirksen spoke to the regional affordable housing bond that was passed in November 2018. He stated a committee of 13 people has been appointed to oversee the greater Portland regions program. Their first meeting was on February 6 and updates on the committee will come in the future. Brief updates on the status of the Oregon Convention Center, the Portland Center for Arts, and the Oregon Zoo were shared.

Councilor Morrison requested a copy of the proposed projects and funding for the 2020 Transportation Bond. Councilor Dirksen stated funding sources have not yet been identified at this time but staff is working on them now.

Councilor Brook asked about the timing of both bonds and how they would affect Tualatin's park system. Councilor Dirksen stated both bonds include a local share for local park providers. Each city would receive a portion of those funds based on population in addition to a capital grant program.

Mayor Bubenik asked who the good scraps program would affect. Councilor Dirksen stated the program is for businesses who produce large quantities of food waste.

2. Recap and Update from Washington D.C. Advocacy Trip

Management Analyst Garet Prior presented a recap from the JPACT Washington DC advocacy trip. Analyst Prior stated Council President Davis and himself met with Oregon representatives and federal staff and officials. He noted four takeaways from the trip including bi-partisan support for the Community Development Block Grant, representatives seeing the state as one unit in relation to transportation investments, funding for transportation projects will be

determined over the coming months, and the upcoming Census is a major opportunity for Oregon and could add an additional Congressional seat.

Council President Davis stated a broad group of cities need to get together and talk about important upcoming transportation projects and work together on funding. She stressed the importance of a complete count during the upcoming census and would like to see Tualatin get involved in that process.

F. 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 **Ordinance No. 1419-19** Relating to Parking; and Amending Tualatin Municipal Code 8-1-252 to Create a Residential Parking Zone on SW Chilkat Terrace

Police Chief Bill Steele and Public Works Director Jeff Fuchs presented a proposed parking zone on SW Chilkat Terrace. Chief Steele stated on April 8 citizens attended a City Council meeting and expressed concerns about parking, access, safety, and congesting caused by student parking on SW Chilkat Terrace. The police department surveyed residences to gauge support. He reported 15 of the 18 residents surveyed were in favor of the parking zone. He presented proposed signage for the area.

PUBLIC COMMENT

Michael Halsman spoke in opposition to the restricted parking area. He stated he does not feel it is a solution to the parking problems at the high school. He would like to see a long term solution put in place for the parking issues at the high school instead.

Scott Brenton spoke in favor of permit parking along the street.

David Grout spoke in favor of permit parking along the street and would like to see a long term solution for the ongoing parking problem at the high school.

Tualatin High School Principal Michael Dellerba spoke to the significant impacts from the ongoing construction at the high school and the effects it has on parking. He stated since his last visit to Council three agreements with surrounding churches have been put in place that allow students to park in those lots.

COUNCIL DISCUSSION

Council Kellogg stated he is glad to see the high school making an effort on the parking situation and glad to see the residents come together to find solutions for their neighborhoods. He stated the only way he believes students will start parking in the church lots is to force them there by restricting parking in the surrounding areas.

Councilor Reyes asked if there is a way to encourage walking and biking to school. Principal Dellerba stated geographic location is a problem for this area.

Councilor Morrison asked if the school district has looked into any additional bus services for the Bull Mountain students. Principal Dellerba stated it is not a discussion at this time.

MOTION by Councilor Robert Kellogg, 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 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. 1419-19 relating to parking; and amending Tualatin Municipal Code 8-1-252 to create a residential parking zone on SW Chilkat Terrace.

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 **Resolution No. 5435-19** Establishing the Parks System Development Charges for the City of Tualatin

The Council took a recess from 9:39-9:48 p.m.

Parks and Recreation Director Ross Hoover and Parks Development Manager Rich Mueller presented a rate discussion on Parks System Development Charges (SDC). Director Hoover stated in December the Council voted on SDC framework and staff is back now to set rates in discussion with the budget process. He stated staff presented information at the April 15th Budget meeting and looked at potential rates that would go in effect on July 1, 2019. Director Hoover presented current rates comparisons from neighboring cities including Beaverton, McMinnville, Sherwood, Hillsboro, and Tigard. He presented comparison for different non-residential and residential types using both the 60% and 50% of the maximum allowable rate.

Councilor Morrison asked if the value for the residential estimates is based off the assessed value or the real value. City Manager Lombos stated it is an apples to

apples scenario based comparison from the McKenzie Study.

Councilor Grimes asked why the city property tax is not included in the total costs. Director Hoover stated it is included in the chart as a further level of comparison and does not impact the upfront costs of construction.

Councilor Reyes asked if the percentages across both types can be different or if they have to be the same. Director Hoover stated the consultant recommended keeping the types and ratios together for the highest level of justification. Councilor Reyes stated she would like to offer incentives for affordable housing and set the rates high enough to be competitive in the nonresidential category.

PUBLIC COMMENT

Chamber of Commerce Director Linda Moholt spoke in opposition of the proposed rates. She stated it is hard to justify a high industrial rate when there are no parks in the industrial manufacturing areas for their employees to utilize.

Parks Advisory Committee Members Valerie Pratt and Denise Wells stated they are in favor of the proposed SDC rates. Member Pratt stated the rates would allow funding to develop parks in industrial areas. Member Wells stated the methodology is based on need and fairness throughout the entire community. He noted they understand the rates will only partially fund what was outlined in the master plan.

COUNCIL DISCUSSION

Councilor Morrison stated he doesn't feel the need to begin charging a Parks SDC rate. He stated he would like staff to look at creating a Recreation District that would be able to fund these projects.

Councilor Brooks stated she wants to see the same rate across all types.

Councilor Grimes stated she wants Tualatin to continue to be a business friendly environment. She was glad to see that the city would continue to have the lowest rates with the presented numbers. She added she is not in favor of a Recreational District.

Councilor Kellogg proposed a rate of 43% the maximum allowable rate as that would be a reasonable 20% rate increase for residential properties from the current rate. He proposed 50% the maximum allowable rate for nonresidential as it continues to make us a competitive place to locate a business.

Council President Davis stated business employees don't currently have the opportunity to use parks in industrial areas because SDC were not originally charged. She stated it is important to have parks in those areas that is why it is important that we charge the fee now. She stated she is amenable to the proposal Councilor Kellogg has brought forth.

Mayor Bubenik wants to ensure residential housing is affordable by keeping the rates to a minimum overall increase. He stated he feels the 50% maximum allowable rate is reasonable for nonresidential. Mayor Bubenik stated he is not in favor of a Recreation District as there are lots of bond measures coming down the

pipeline and citizens are going to start getting bond fatigue.

City Manager Lombos suggested staff prepare a resolution with a 43% maximum allowable for residential and 50% maximum allowable for nonresidential for consideration at the next meeting.

Councilor Brooks states she would like to see the same number across the board for all uses.

Council consensus was reached to bring back the item prepared as the City Manager suggested.

G. COMMUNICATIONS FROM COUNCILORS

Councilor Morrison stated he attended the Clackamas County Coordinating Committee where they are looking to endorse a letter for transportation funding for Clackamas County for funds that would be used for the 2040 Transportation Planning process.

Councilor Brooks stated she attended a session on advancing racial equity and the rotary auction over the past weeks.

Councilor Kellogg participated in the SW Corridor Steering Committee meeting where they approved an at grade crossing for the 72nd intersection. In addition, the committee received support from ODOT and Washington County about making sure the train makes its way to Bridgeport Village. He noted the decision on the location of the park and ride will be made in December.

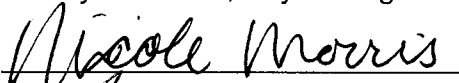
Mayor Bubenik stated he conducted the following activities over the past weeks: met with the Family Justice Center where they provided an update, attended the Mayors Luncheon in Beaverton, attended the Ride Connection Lunch in Motion Fundraiser, attended the Riverpark CIO meeting, and participated in the Policy Advisory Board meeting with the Washington County Housing Authority.

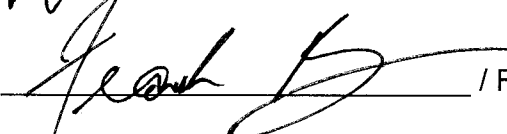
Mayor Bubenik asked if there was Council consensus to address the marijuana facilities issue at a future work session. Council consensus was reached to review the topic at a future meeting not yet determined.

H. ADJOURNMENT

Mayor Bubenik adjourned the meeting at 11:23 p.m.

Sherilyn Lombos, City Manager

 / Nicole Morris, Recording Secretary

 / Frank Bubenik, Mayor