



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL WORK SESSION MEETING FOR NOVEMBER 23, 2020

Present: Mayor Frank Bubenik, Council President Nancy Grimes, Councilor Bridget Brooks, Councilor Robert Kellogg, Councilor Paul Morrison, Councilor Maria Reyes, Councilor Valerie Pratt

Mayor Bubenik called the meeting to order at 5:00 p.m.

1. Record Holiday Greeting

2. Clean Water Services Rates for Sewer and Stormwater.

Assistant City Manager Don Hudson presented an update on sewer and stormwater rates. Director Hudson shared current residential rates effective July 1, 2020. He noted Council determined during the last round of increases to hold off on sewer and stormwater rates to see what Clean Water Services would do with their rate. Director Hudson stated Clean Water Services has delayed increases to July 1, 2021 and asked their staff to level any potential future increase. He stated the City was looking at a potential sewer rate increase of 15% and \$0.32 for stormwater pre-pandemic. Director Hudson stated the city has two options currently: implement rate increase as proposed pre-pandemic or to delay rate increases until July 1, 2021. He noted a delayed increase would mean higher than original projected increases in the future.

Councilor Kellogg asked if any of the capital projects that are built in the master plan are critical at this time and what the impacts would be if they are pushed out. Director Hudson stated staff would have to look at the priorities. He noted several of the projects are related to Basalt Creek.

Councilor Brooks asked if there is a potential to use emergency funding for these types of projects. Director Hudson stated he doesn't believe anything would be made available for these types of projects.

Councilor Morrison asked for clarification on Clean Water Services fee increase plan. Director Hudson stated they have to come back with a resolution in January to set the formal action to not increase the rates so they can reassess in July.

Council President Grimes expressed concerns with Clean Water Services and the City increasing their fees at the same time. She would like to see half of the city's rate increase now so that it is more spread out for citizens.

Councilor Pratt asked if the Council delays the fees how long it would take to recover moving forward. Director Hudson stated it would be two years of an 11% increase.

Mayor Bubenik would like to see a small increase now to lessen the impact in the future. He expressed concerns with deferring and the impacts that will have moving forward.

Councilor Kellogg would like to wait until January to make any increases.

Councilor Reyes agreed she would like to evaluate this further in January.

Councilor Brooks would like to see options with step down increments and citizen feedback before making a decision.

Council President Grimes would like to see a list of projects and the priorities so a decision can be made about spreading out the increase.

Council consensus was reached to readdress this in January.

3. COVID-19 Community Grant Program.

Economic Development Manager Jonathan Taylor presented an update on the cities COVID-19 Grant Programs. He stated the city to date has had two areas of focus for grants: small business grants and child care scholarships. Manager Taylor stated these grants are a direct result of the \$680,000 from the federal CARES act funding. He recapped marketing efforts for both programs including email blasts, utility billing mailers, social media, print marketing, and direct engagement. Manager Taylor stated the city to date has spent \$836,000 in local recovery efforts he stated \$584,000 of the \$680,000 has been spent in CARES Act funding. A total of 102 business and 11 children have been assisted from these funds to date. Manager Taylor stated next steps include disbursing the remaining \$95,000 by December 31 as planned and begin preparing for potential additional disbursements by the County. Manager Taylor asked if the Council would like to extend funding to national restaurant chains and offer childcare scholarship to Tualatin workers.

Councilor Pratt asked if the same businesses who applied before can apply again during this freeze. Manager Taylor stated businesses have been qualified for each round of funding. He noted businesses being affected by the current lock down are being prioritized.

Councilor Kellogg would like to continue to focus on local businesses that are effected. He would like to thank staff for their efforts on this.

Council President Grimes asked if businesses can qualify again for another grant. Manager Taylor stated they still qualify and businesses effected by the current lockdown are prioritized.

Council President Grimes asked about the Business Oregon Grants and how they were distributed. She stated she heard they were first come first serve and distributed in 17 minutes. Manager Taylor stated the city still has an additional \$250,000 set side if the need is greater than the \$90,000.

Councilor Brooks stated she would like to extend the childcare grants to Tualatin workers. She asked if there are small entrepreneurial businesses that are not being captured in the grant processes. Manager Taylor stated staff has access to the state business registry and noted the difficulties it sorting out DBAs.

Councilor Reyes asked for more information on prioritizing childcare grants. Manager Taylor stated the grants were first prioritized to citizens. He noted there have been Tualatin workers who have inquired about grants who don't live in Tualatin but have childcare and work here that would like access to grants.

Councilor Brooks asked what types of employees are requesting assistance with childcare grants. Manger Taylor stated on-site workers. He explained how work from home situations would qualify.

Councilor Morrison stated he would like to extend the childcare grants to Tualatin workers as well. He also noted he had concerns with the first come first serve grants issued by Business Oregon and the lack of equity in that process.

Councilor Reyes spoke in favor of extending childcare coverage to Tualatin workers.

Council consensus was reached to extend childcare coverage to Tualatin workers.

Mayor Bubenik asked if businesses are aware they can come back for another round of grant funding. Manager Taylor stated they are aware and the businesses have been reached out to.

Council President Grimes asked if self-employed and contract workers are eligible. Manager Taylor stated they are.

4. *Urban Renewal.*

Economic Development Manager Jonathan Taylor presented timelines for urban renewal. He recapped maps for the Leveton Tax Increment District, District 1: Basalt Creek/SW Area, and District 2: North Area. He presented the proposed overall timeline for District 1 and 2. Manager Taylor stated community engagements has included stakeholder meetings, community forums, and council and community visioning. He presented the Leveton Tax Increment District plan amendment to amend the plan document to expend the remaining fund on identified projects. Manager Taylor stated District 1 goal is to develop an urban renewal plan to finance and implement identified projects from area development plans. He stated staff is proposing establishing a district stakeholder task force to advise the Tualatin Development Commission on plan development. Manager Taylor stated District 2 will begin visioning next year. He stated the next 60 day milestones include a URA 101 for the Staff Advisory Team and a Stakeholder Taskforce Resolution.

Councilor Pratt agreed with the timeline and noted she would like to see a stakeholder task force.

Mayor Bubenik asked about the stakeholder task force and who could fill which positions. Manager Taylor explained who could fill each position.

5. *Council Meeting Agenda Review, Communications & Roundtable.*

Councilor Kellogg stated the final SW Corridor Steering Committee was held on Monday and he noted there is hope for federal infrastructure funds that could potentially move the project forward in the future.

Councilor Pratt stated she attended the HBA Housing and Building forecast meeting and the Police Use of Force meeting. She reminded citizens about Small Business Saturday and encouraged everyone to shop locally.

Councilor Morrison stated he attended the Police Use of Force meeting, Tigard-Tualatin School District guidelines meeting, and the C4 committee meeting.

Councilor Brooks stated she attended the LIP meetings, the League of Oregon cities summit, NW Employees Diversity and Equity roundtable, the Tualatin Arts Advisory Committee meeting, the community listening session on Police Use of Force, and the National League of Cities business meeting.

Mayor Bubenik stated he attended the Metro Mayors Consortium, the Greater Portland Inc. meeting, the Washington County Coordinating meeting, the NW Public Employees Diversity conference, and the Community Conversation on Police Use of Force meeting.

Mayor Bubenik adjourned the meeting at 6:57

Sherilyn Lombos, City Manager

Nicole Morris / Nicole Morris, Recording Secretary

Frank Bubenik / Frank Bubenik, Mayor

Signature: 

Email: fbubenik@tualatin.gov

Signature: Nicole Morris
Nicole Morris (Dec 15, 2020 13:48 PST)

Email: nmorris@tualatin.gov









WS Minutes 11-23-20

Final Audit Report

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OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR NOVEMBER 23, 2020

Present: Mayor Frank Bubenik, Council President Nancy Grimes, Councilor Bridget Brooks, Councilor Robert Kellogg, Councilor Paul Morrison, Councilor Maria Reyes, Councilor Valerie Pratt

Call to Order

Mayor Bubenik called the meeting to order at 7:02 p.m.

Moment of silence for those who have lost their lives to COVID-19

Announcements

1. Holiday Events Announcement

Recreation Manager Julie Ludemann shared information on Holiday Events including: the Holiday Lights Parade, Tualatin Gratitude Wall, Letters from Wintertime Characters, and Donuts in the Park Day.

Public Comment

None.

Consent Agenda

Motion to adopt the consent agenda made by Council President Grimes, Seconded by Councilor Brooks.

Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Reyes, Councilor Pratt

MOTION PASSED

1. Consideration of Approval of the City Council Work Session and Regular Meeting Minutes of November 9, 2020

General Business

1. Consideration of **Ordinance No. 1448-20** Relating to Alarm Systems; Amending Tualatin Municipal Code Chapter 6-6; and Creating New Provisions

Police Chief Bill Steele and Program Coordinator Jennifer Massey presented information on the city's alarm permit program and proposed amendments. Coordinator Massey stated the program was established in 1989 and has been modified once in 2004. She noted the program was created to set rules that regulate the use of alarms in homes and businesses. Coordinator Massey stated the program encourages alarm users and businesses to assume increased responsibility to prevent unnecessary police response. She stated the city currently has 2,019 permits and responded to 824 calls last year. Coordinator Massey stated current issues include delinquent accounts, false alarms not being tracked in an automated system, no protective

sweep options, and no late fees. She stated proposed amendments include alarm companies providing a list of alarm users to the city, eliminating the requirement for paper permits, late fees for initial application and renewals, and the option for pre-consent to protective sweeps. Coordinator Massey stated all of these items will help reduce costs and set the stage for a potential transition to a more efficient alarm permit management system.

Councilor Kellogg asked about the lack of transferability between homeowners. Coordinator Massey stated the ordinance puts the onus back on the alarm company to provide new users with information regarding alarm permits.

Council President Grimes asked about the protective sweep option and the potential negative impacts and what that means for homeowners. Chief Steele stated it is of great benefit to the police officer responding so they have the ability to make sure everything is okay both inside and outside of the home. He stated the entry option is optional consent from the homeowner.

Mayor Bubenik asked what would happen if owners don't give consent. Chief Steel stated they would not enter unless there is clear signs of distress in the home.

Councilor Brooks asked about the difference between no knock warrants and community care taking. Chief Steele stated no knock warrants are never authorized in Oregon. He stated community care taking is about potential break-ins and only have the police officer check on the welfare of the home.

Councilor Reyes stated she is in favor of protective sweeps to both protect homeowners and police officers.

Councilor Pratt asked how these updates will help reduce false alarms. Chief Steele stated there are fees in place now for false alarms and having everyone permitted will help to track and reduce those numbers.

Councilor Morrison stated he is happy to see these changes and the streamlining of this process.

Motion for first reading by title only made by Councilor Kellogg, Seconded by Councilor Morrison.

Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Reyes, Councilor Pratt

MOTION PASSED

Motion for second reading by title only made by Councilor Kellogg, Seconded by Councilor Brooks.

Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Reyes, Councilor Pratt

MOTION PASSED

Motion to adopt Ordinance No. 1448-20 relating to alarm systems; amending Tualatin Municipal Code Chapter 6-6; and creating new provisions made by Councilor Kellogg, Seconded by Councilor Brooks.

Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg,

Councilor Morrison, Councilor Reyes, Councilor Pratt
MOTION PASSED

2. Consideration of **Ordinance No. 1449-20** Relating to the Initiative Process; and Amending Tualatin Municipal Code Chapter 1-24

City Attorney Sean Brady stated at the October 23 meeting the Council requested to have the initiative process amended to allow voting at the next statewide primary election. He stated the presented amendments reflect the request.

Motion for first reading by title only made by Councilor Kellogg, Seconded by Councilor Pratt.
Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Reyes, Councilor Pratt

MOTION PASSED

Motion for second reading by title only made by Councilor Kellogg, Seconded by Councilor Pratt.
Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Reyes, Councilor Pratt

MOTION PASSED

Motion to adopt Ordinance No. 1449-20 relating to the initiative process; and amending Tualatin Municipal Code Chapter 1-24 made by Councilor Kellogg, Seconded by Councilor Pratt.
Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Reyes, Councilor Pratt
Voting Nay: Councilor Morrison
MOTION FAILED for lack of unanimity

3. Consideration of **Ordinance No. 1447-20** Establishing a Parks Utility; and Creating Tualatin Municipal Code Chapter 3-7

Parks and Recreation Director Ross Hoover and Parks Planning Manager Rich Mueller presented a parks utility fee for consideration. Director Hoover shared examples of projects a utility fee could help to fund including smart irrigation, park site plans, sport court resurfacing, and park benches. He shared examples of fees and revenues from other cities. Director Hoover shared revenues for what a \$2-5 fee would bring into the city.

Councilor Morrison stated he is not in favor of adding another utility rate as he doesn't want to add additional hardship to citizens. He stated he would want authorization from voters before voting in favor of this fee.

Councilor Reyes stated the community survey that was conducted did not show citizens in favor of a utility fee. Mayor Bubenik corrected her stating they were not in favor of a levy.

Councilor Pratt stated the city needs to take care of what they currently have and this would start funding those repairs. She added this is not a solution but it gets the city moving forward.

Councilor Brooks asked how many items are on the level 4 need based on their assessments. Director Hoover stated 42% of items are rated 4 or above. Councilor Brooks stated she has concerns with safety and doesn't want to further the asset management problems.

Councilor Kellogg expressed concerns with a blanket fee for all utility users in the sense that not everyone may use the parks.

Councilor Pratt and Councilor Brooks respectfully disagreed with Councilor Kellogg as the costs need to be carried by everyone in the city.

Councilor Reyes stated she feels citizens are not currently utilizing the parks to the extent they have in the past.

Council President Grimes stated one of the few things right now that remains viable and accessible during these times is outdoor activities including use of community parks. She believes this fee is a great first step for raising necessary funds.

Motion for first reading by title only made by Councilor Brooks, Seconded by Councilor Pratt.

DISCUSSION ON THE MOTION

Councilor Kellogg stated he doesn't disagree the parks need funding but he doesn't agree to the mechanism. He would like to see a levy on the ballot.

Councilor Morrison concurred he would like to see a park operating levy passed.

Councilor Reyes stated she would get on bored with a funding mechanism that is more impactful such as a levy or a bond.

Councilor Brooks called the question to end the debate. Councilor Pratt seconded.

Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Reyes, Councilor Pratt

MOTION PASSED

Motion for second reading by title only made by Council President Grimes, Seconded by Councilor Brooks.

Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Reyes, Councilor Pratt

MOTION PASSED

Motion to adopt Ordinance No. 1447-20 establishing a Parks Utility; and creating Tualatin Municipal Code Chapter 3-7 made by Council President Grimes, Seconded by Councilor Brooks.

Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Pratt

Voting Nay: Councilor Kellogg, Councilor Morrison, Councilor Reyes

MOTION FAILED for lack of unanimity

4. Consideration of **Ordinance No. 1445-20** Relating to Cannabis Regulations; Amending Tualatin Development Code Chapter 80; and Making Minor Amendments to Other Tualatin Development Code Chapters

Councilor Brooks stated she sees this as a land use decision and not a discussion about people's right's to use these types of products. She understands people's concerns around this topic and wants to break the stigmatism around use.

Councilor Pratt stated she doesn't see any evidence that this increases crime or use by children.

Council President Grimes is concerned with community standards and she would like to see the Council come to an agreement that includes the feedback the Council has received regarding the west side of I-5 and adjacent areas.

Councilor Morrison expressed concerns with the ease of accessibility for youth. He stated he would prefer to see all recreational facilities in an industrial area.

Motion for third reading by title only made by Councilor Brooks, Seconded by Councilor Kellogg. Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Reyes, Councilor Pratt

MOTION PASSED

Motion to adopt Ordinance No. 1445-20 relating to cannabis regulations; amending Tualatin Development Code Chapter 80; and making minor amendments to other Tualatin Development Code Chapters made by Councilor Kellogg, Seconded by Councilor Pratt.

Voting Yea: Mayor Bubenik, Councilor Brooks, Councilor Kellogg, Councilor Reyes, Councilor Pratt

Voting Nay: Council President Grimes, Councilor Morrison

MOTION PASSED

Council Communications

Councilor Brooks stated she attended the Governor's staff meeting hosted by the League of Oregon Cities where they discussed changes from phases to threat levels. She noted more information should be coming about this soon.


Adjournment

Mayor Bubenik adjourned the meeting at 8:51 p.m.

Sherilyn Lombos, City Manager

Nicole Morris / Nicole Morris, Recording Secretary

Frank Bubenik / Frank Bubenik, Mayor

Signature: 

Email: fbubenik@tualatin.gov

Signature: 
Nicole Morris (Dec 15, 2020 13:48 PST)

Email: nmorris@tualatin.gov









CC Minutes 11-23-20

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