



TUALATIN CITY COUNCIL

Monday, January 11, 2016

JUANITA POHL CENTER

8513 SW Tualatin Road

Tualatin, OR 97062

WORK SESSION begins at 5:45 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 your comments on its agenda, following Announcements, at which time citizens may address the Council concerning any item not on the agenda or to request to have an item removed from the consent agenda. If you wish to speak on a item already on the agenda, comment will be taken during that item. Please fill out a Speaker Request Form and submit it to the Recording Secretary. You will be called forward during the appropriate time; each speaker will be 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 website at www.tualatinoregon.gov/meetings, the 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 by live *streaming video* on the day of the meeting 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 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 JANUARY 11, 2016

A. CALL TO ORDER

Pledge of Allegiance

B. ANNOUNCEMENTS

1. Update on the Tualatin Youth Advisory Council's Activities for January 2016
2. New Employee Introduction- Police Officer Daniel Hernandez
3. New Employee Introduction- Police Officer Jacob Smith
4. New Employee Introduction- Economic Development Manager Melinda Anderson
5. New Employee Introduction- Assistant to the City Manager Tanya Williams

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.

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.

1. Consideration of Approval of the Minutes for the City Council Work Session and Regular Meeting of December 14, 2015
2. Consideration of Approval of a New Liquor License Application for Ugly Fish
3. Consideration of **Resolution No. 5261-15** to Establish the City of Tualatin Water Supply Shortage Curtailment Plan

E. 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.

F. COMMUNICATIONS FROM COUNCILORS

G. ADJOURNMENT

City Council Meeting

Meeting Date: 01/11/2016

ANNOUNCEMENTS: Update on Tualatin Youth
Advisory Council's Activities for
January, 2016

ANNOUNCEMENTS

Update on the Tualatin Youth Advisory Council's Activities for January 2016

A. YAC Update



January 11, 2016

TUALATIN YOUTH ADVISORY COUNCIL

About Us...

- 17 members
 - 5 Seniors
 - 2 Juniors
 - 6 Sophomores
 - 3 Freshman
 - 1 Eighth Grade
- 10 female / 7 male
- General weekly meeting
- Weekly subcommittee meetings
- Average member contributes 85 hours/year



Working toward our goals...

1. Advise City Council on issues that affect youth
 - Monthly updates
2. Provide primary communication link for youth to government
 - TuHS mini-surveys
3. Identify and advocate for the needs of youth
 - Youth Summit
4. Carry out events and activities for youth
 - Project FRIENDS
 - Coffeehouse
 - Kaleidoscope Run

Project F.R.I.E.N.D.S

- Day long anti-bullying workshop for Tualatin 5th graders
- Bridgeport, Byrom, and Tualatin Elementary
- Curriculum will be revised and updated
- Hope to hold workshop in April/ May 2016





STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Nicole Morris, Deputy City Recorder

DATE: 01/11/2016

SUBJECT: Consideration of Approval of the Minutes for the City Council Work Session and Regular Meeting of December 14, 2015

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve the minutes for the City Council Work Session and Regular Meeting of December 14, 2015.

RECOMMENDATION:

Staff respectfully recommends that the Council adopt the attached minutes.

Attachments: City Council Work Session Minutes of December 14, 2015
City Council Meeting Minutes of December 14, 2015



Present: Mayor Lou Ogden; Council President Monique Beikman; Councilor Wade Brooksby; Councilor Frank Bubenik; Councilor Joelle Davis; Councilor Nancy Grimes; Councilor Ed Truax

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Kent Barker; Finance Director Don Hudson; Deputy City Recorder Nicole Morris; Information Services Manager Lance Harris; Assistant City Manager Alice Cannon; Library Manager Jerianne Thompson; Management Analyst II Kelsey Lewis; Parks and Recreation Manager Rich Mueller; Management Analyst II Zoe Monahan; City Engineer Jeff Fuchs

CALL TO ORDER

Mayor Ogden called the meeting to order at 5:16 p.m.

Pedestrian Safety Improvement Projects Update.

City Engineer Jeff Fuchs and Project Engineer Dominique Huffman presented an update on pedestrian safety improvement projects. Engineer Huffman outlined the Traffic Safety Coordination Team including members, the evaluation process, and communication approach. The team also coordinates with the Citizen Involvement Organizations (CIO). Project tracking and prioritization along with typical project costs were described. Engineer Fuchs summarized the six current projects.

Councilor Bubenik asked how costs are estimated for projects. Engineer Fuchs stated the estimates reflect capital construction costs.

Mayor Ogden asked about the ranking process for the projects and how the dollars are allocated. Engineer Fuchs stated the coordination team prioritizes the projects by discussing the concerns holistically. Engineer Fuchs added alternative funding sources including grant opportunities are being explored for future projects.

Councilor Beikman expressed concerns with the Martinazzi Avenue project.

Mayor Ogden expressed concerns with closing of the crosswalk at Alabama Street.

City Facilities Study Update.

Consultant Sara Singer, J Robertson and Company, presented the Tualatin Facilities Study Phase II Update. Ms. Singer provided a brief recap of Phase I. An update on each alternative was given. The ONA (Aspen Place) Building has gone into escrow and is no longer a viable alternative and has been removed from the scope. Block C is partially owned by the Tualatin Development Commission while three parcels are owned by private parties. The owners of the three parcels have been contacted and did not express interest in selling at this time. The Police Department site was included in the traffic analysis. The Commons site was included in the traffic analysis as the property owners did express interest in selling. It was noted the building does currently have tenants.

Consultant Singer gave a brief overview on the Library Space analysis and cost estimate. She stated SRG Partnership is developing cost estimates for a Library renovation and expansion into the existing City offices which will be available in late January.

Consultant Peter Coffey, DKS Associates, presented the preliminary traffic analysis findings. He prefaced the findings by stating all study intersections meet City minimum mobility standards and are expected to continue to meet standards through 2019. He added no off-site transportation mitigations would be required for any of the potential site options. Each site option was reviewed including the Police Department, Block C, and the Tualatin Commons. Intersection traffic operations for each site remained relatively similar and met City standards.

Councilor Bubenik expressed concerns regarding traffic at the Tualatin Commons site. He is concerned adding extra traffic to the area will have a large impact. He stated potentially the timing of the lights would need to be fixed. City Engineer Fuchs stated the City works with Washington County on timing lights on an ongoing basis to help with traffic flow.

Councilor Truax asked about net new trips to the area as the City Offices are already located in downtown. Consultant Coffey stated the net new trips were estimated conservatively.

Councilor Grimes asked if traffic for the court was factored into the analysis. Consultant Coffey stated that type of activity is included in the national data for municipal offices they used in the analysis. Councilor Grimes followed up by asking if crossing grades were analyzed. Consultant Coffey stated only signals were analyzed.

Consultant Singer stated the next steps for the project include the Library analysis being complete in February. In the meantime City Hall locations need to be narrowed to one to two alternatives to proceed with cost estimates. Once cost estimates are complete a financial analysis will be conducted and a bond package prepared for Council consideration.

Mayor Ogden asked about the feasibility of Block C being purchased. City Manager Lombos stated that at this time Block C is not a viable option.

Council President Beikman stated she would like to pursue further analysis on both the Police Department and Tualatin Commons sites. Once the analysis is complete she would like to see the information presented to the citizens to see which site is

the most favored.

Council consensus was reached to proceed with preparing cost estimates on the Police Department and Tualatin Commons sites.

Southwest Corridor Plan Update.

Assistant City Manager Alice Cannon and Management Analyst Zoe Monahan presented an update on the Southwest Corridor Plan. The Steering Committee will meet on January 11 to reach a decision including the removal of downtown Tualatin as a terminus alternative and removal of the commercial and downtown loop in Tigard. Additional decisions to be made in January and February include further study for serving Portland Community College- Sylvania.

Mayor Ogden stated many items are up in the air and the committee continues to narrow the possibilities so the federal study process can begin. From his perspective there is a lot more information that needs to be gathered regarding ridership and cost benefits before proceeding with the study.

Manager Cannon stated the committee is hoping to have a final decision made by April to move into the study phase.

Policy for Proclamations & Agenda Item Additions.

City Manager Sherilyn Lombos presented a policy for proclamations and agenda item additions. Manager Lombos stated the policy ensures there is a process, support, flexibility, and an atmosphere in which proclamations are special and valued. She noted four tiers for approval of agenda additions have been established.

Mayor Ogden asked for clarification on citizen comment requests. Manager Lombos stated Council could make the decision to handle the request at that time or send them through the process at a work session.

Council Meeting Agenda Review, Communications & Roundtable.

None.

ADJOURNMENT

The work session adjourned at 6:40 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Lou Ogden, Mayor



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR DECEMBER 14, 2015

Present: Mayor Lou Ogden; Council President Monique Beikman; Councilor Wade Brooksby; Councilor Frank Bubenik; Councilor Joelle Davis; Councilor Nancy Grimes; Councilor Ed Truax

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Kent Barker; Community Services Director Paul Hennon; Deputy City Recorder Nicole Morris; Information Services Manager Lance Harris; Teen Program Specialist Julie Ludemann; Assistant City Manager Alice Cannon; Library Manager Jerianne Thompson; Management Analyst II Kelsey Lewis; City Engineer Jeff Fuchs; Project Engineer Dominique Huffman; Human Resources Director Janet Newport; Public Works Director Jerry Postema

A. CALL TO ORDER

Pledge of Allegiance

Mayor Ogden called the meeting to order at 7:00 p.m.

B. ANNOUNCEMENTS

1. Update on Tualatin Youth Advisory Council's Activities for December 2015

Members of the Tualatin Youth Advisory Council (YAC) presented a PowerPoint on their latest activities and upcoming events. The YAC introduced newly appointed members. The YAC participated in the annual Starry Nights and Holiday Lights event. They assisted with choir performances and acted as Santa's elves in which they helped with crafts and making cards for troops overseas. The annual YAC Holiday Party was held and was a success. The YAC is beginning to plan for its Project FRIENDS event to be held in May 2016. Other upcoming events include planning for a Youth Summit, Coffee House nights, and additional youth outreach.

2. Honor Eagle Scout Ammon Hall

Human Resources Manager Janet Newport introduced Ammon Hall. Ammon was awarded the honor of Eagle Scout for building a retaining wall along Hedges Creek trail to prevent erosion into the stream and along the trail. Mayor Ogden congratulated Ammon on receiving the honor of Eagle Scout and presented him with a plaque.

3. Honor Eagle Scout Tyler Dickson

Human Resources Manager Janet Newport introduced Tyler Dickson. Tyler was awarded the honor of Eagle Scout for painting a river deck lookout, demolition and removal of shed near the meeting house at Brown's Ferry Community Center, and filling the trail west of the river deck. Mayor Ogden congratulated Tyler on receiving the honor of Eagle Scout and presented him with a plaque.

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.

Ella Hillier, Eva Newton, and Zoe Olivera spoke in support of regulations against tobacco use in parks in Tualatin.

Jake Calder- President of Stand Up Tualatin, Riley Spireo, and Karin Lopwizinski spoke in support of regulations against tobacco use in parks in Tualatin.

Charlie Benson spoke to emergency preparedness in the Sequoia Ridge neighborhood. He stated they participated in National Night Out and are working to develop a Neighborhood Watch Program.

Cathy Holland, President of the Commercial Citizen Involvement Organization (CCIO), stated they are working on an emergency preparedness plan and hope to have draft framework and a communication plan for the CIO presidents meeting on January 13. After that the group plans to make a request to Council for resources to carry out the plan.

Roy Coup spoke in support of the CCIO's proposed emergency preparedness program.

Ted Saedi, Vice President of the Riverpark CIO, stated their CIO will participate in the emergency preparedness program. Riverpark CIO is also working on increasing pedestrian safety in their area as it is a major concern for residents.

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 Ed Truax, SECONDED by Council President Monique Beikman to adopt the consent agenda.

Aye: Mayor Lou Ogden, Council President Monique Beikman, Councilor Wade Brooksby, Councilor Frank Bubenik, Councilor Joelle Davis, Councilor Nancy Grimes, Councilor Ed Truax

MOTION CARRIED

1. Consideration of Approval of the Minutes for the City Council Work Session and Regular Meeting of November 23, 2015
2. Consideration of Approval of a New Liquor License Application for Bushwhackers
3. Consideration of **Resolution No. 5262-15** to Award a Professional Services Contract to OBEC Consulting Engineers for Design of the Myslony Bridge Project and Authorizing the City Manager to Execute a Contract
4. Consideration of **Resolution No. 5248-15** Authorizing the City Manager to Sign an Intergovernmental Agreement with Clean Water Services for Continued Implementation of the Erosion Control Inspection Program.
5. Consideration of **Resolution No. 5263-15** to Adopt the City of Tualatin Americans with Disabilities Act Policy and Plan

E. SPECIAL REPORTS

1. Flooding Update

Public Works Director Jerry Postema presented an update on the recent flooding in the area and the City's response efforts. He spoke to road closures and other high water events.

Councilor Bubenik asked about the impact of the flooding to the Greenway Trail Project. Director Postema stated most of that project is above the floodway and any damage would be addressed by the contractor.

Councilor Truax thanked the response team for their efforts and great communication during the incident. Councilor Grimes concurred.

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. 1387-15** Relating to Tualatin's Disability Ordinance and Repealing Tualatin Municipal Code Chapter 11-06

City Attorney Sean Brady presented Ordinance No. 1387-15 relating to Tualatin's Disability Ordinance and repealing Tualatin Municipal Code Chapter 11-06. He stated the original discussion regarding this ordinance was held at a work session on November 23. This ordinance removes the Council as the body responsible for hearing ADA complaints.

PUBLIC COMMENT

None.

COUNCIL QUESTIONS/DELIBERATIONS

None.

MOTION by Councilor Ed Truax, SECONDED by Councilor Joelle Davis for first reading by title only.

Aye: Mayor Lou Ogden, Council President Monique Beikman, Councilor Wade Brooksby, Councilor Frank Bubenik, Councilor Joelle Davis, Councilor Nancy Grimes, Councilor Ed Truax

MOTION CARRIED

MOTION by Councilor Ed Truax, SECONDED by Councilor Nancy Grimes for second reading by title only.

Aye: Mayor Lou Ogden, Council President Monique Beikman, Councilor Wade Brooksby, Councilor Frank Bubenik, Councilor Joelle Davis, Councilor Nancy Grimes, Councilor Ed Truax

MOTION CARRIED

MOTION by Councilor Ed Truax, SECONDED by Councilor Nancy Grimes to adopt Ordinance No. 1387-15 relating to Tualatin's Disability Ordinance and repealing Tualatin Municipal Code Chapter 11-06.

Aye: Mayor Lou Ogden, Council President Monique Beikman, Councilor Wade Brooksby, Councilor Frank Bubenik, Councilor Joelle Davis, Councilor Nancy Grimes, Councilor Ed Truax

MOTION CARRIED

G. 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.

H. COMMUNICATIONS FROM COUNCILORS

None.

I. ADJOURNMENT

Mayor Ogden adjourned the meeting at 7:48 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Lou Ogden, Mayor



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Nicole Morris, Deputy City Recorder

DATE: 01/11/2016

SUBJECT: Consideration of Approval of a New Liquor License Application for Ugly Fish

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve a new liquor license application for Ugly Fish.

RECOMMENDATION:

Staff respectfully recommends that the Council approve endorsement of the liquor license application for Ugly Fish.

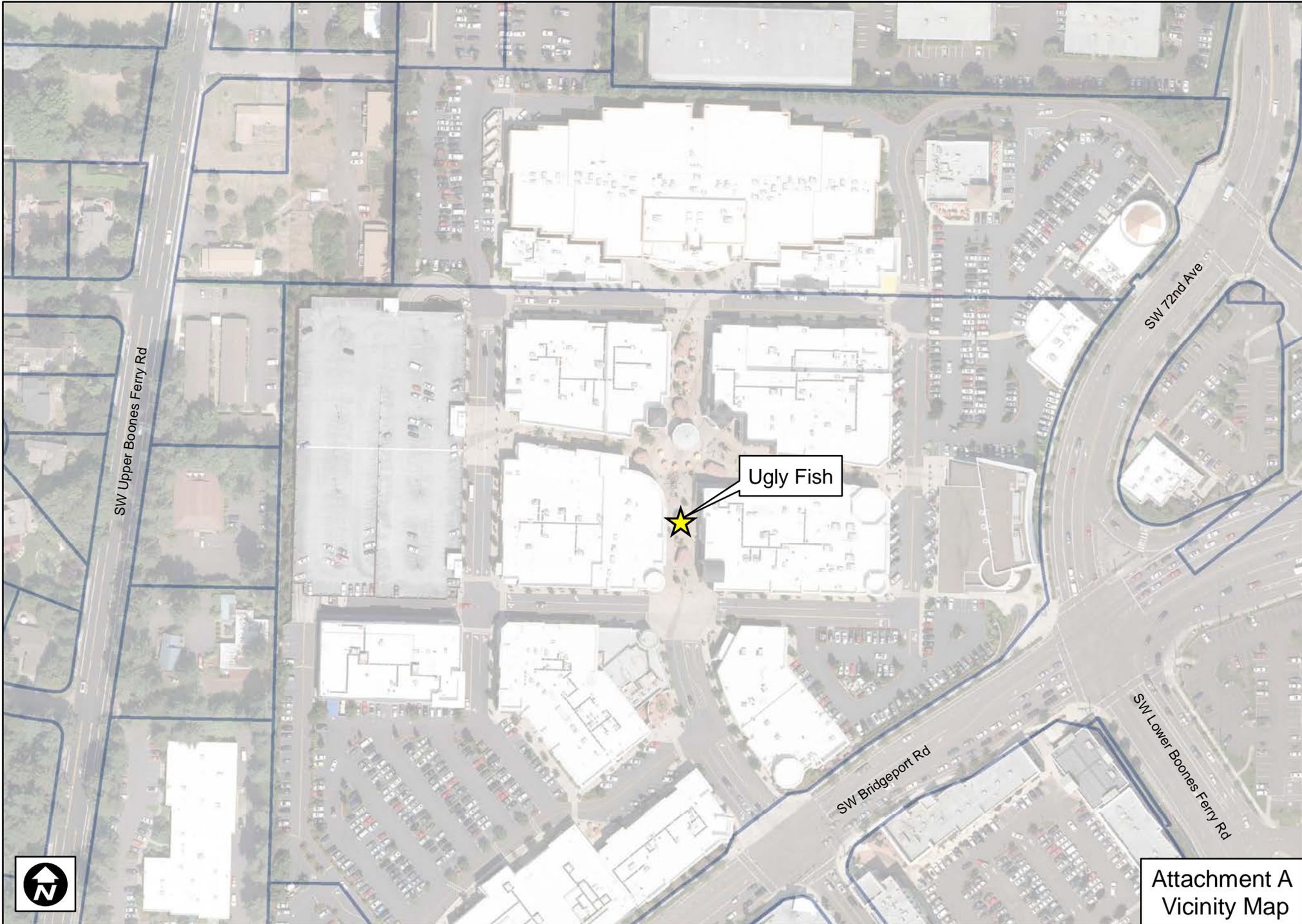
EXECUTIVE SUMMARY:

Ugly Fish has submitted a new liquor license application under the category of full on-premises. This would permit them to sell and serve distilled spirits, malt beverages, wine, and cider for consumption at their location. They would also be permitted to sell malt beverages for off-site consumption in securely covered containers provided by the customer. The business is located at 7403 SW Bridgeport Rd #6. The application is in accordance with provisions of Ordinance No.680-85 which established a procedure for review of liquor licenses by the Council. 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: [Attachment A - Vicinity Map](#)
[Attachment B- License Types](#)
[Attachment C- Application](#)



Ugly Fish

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

WAYNE _____ POLICE _____ ADM _____
FINANCE _____ COM DEV _____ LEGAL _____ OPER _____
COMMSVCS _____ ENG/BLDG _____ LIBRARY _____

Date 12/11/15

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): Ugly Fish

Business address 7403 SW Bridgeport Rd City Tualatin State OR Zip Code 97224

Mailing address 6660 SW Capitol Hwy City Portland State OR Zip Code 97219

Telephone # 503 244-6400 Fax # 503 244 0139

Name(s) of business manager(s) First Gregory Middle John Last Schwab

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

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

Type of business Restaurant

Type of food served Fish + chips, Fish Tacos Sandwiches

Type of entertainment (dancing, live music, exotic dancers, etc.) _____

Days and hours of operation 7 day 10am thru 9pm

Food service hours: Breakfast _____ Lunch 10am-9pm Dinner 10am-9pm

Restaurant seating capacity 0 Outside or patio seating capacity 24

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

How many full-time employees do you have? 10 Part-time employees? _____

SECTION 3: DESCRIPTION OF LIQUOR LICENSE

Name of Individual, Partnership, Corporation, LLC, or Other applicants worknit.inc

Type of liquor license (refer to OLCC form) Full service on premise

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 Gregory John Schwab
Business address 6660 SW Capital Hwy Port. or 97219

(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 Gregory John Schwab 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: Gregory John Schwab 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: _____ 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.

 _____
Date 12/11/15

For City Use Only

Sources Checked:

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

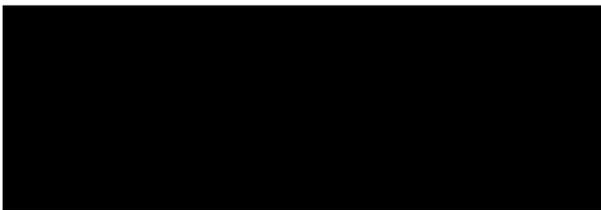
- Number of alcohol-related incidents during past year for location.
 Number of Tualatin arrest/suspect contacts for _____

It is recommended that this application be:

Granted

Denied

Cause of unfavorable recommendation: _____

 _____
Date 12/15/15

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: Carrie Severson, Management Analyst II
Jerald Postema, Public Works Director

DATE: 01/11/2016

SUBJECT: Consideration of **Resolution No. 5261-15** to Establish the City of Tualatin Water Supply Shortage Curtailment Plan

ISSUE BEFORE THE COUNCIL:

Consideration of **Resolution No. 5261-15** to establish the City of Tualatin Water Supply Shortage Curtailment Plan.

RECOMMENDATION:

Staff recommends adopting Resolution No. 5261-15 to establish the City of Tualatin Water Supply Shortage Curtailment Plan.

EXECUTIVE SUMMARY:

Tualatin Municipal Code (TMC) 3-3-200 authorizes the City Council to adopt water use and curtailment rules by resolution. The establishment of a water supply shortage curtailment plan will help guide the City of Tualatin staff in the event of water shortage due to constraints related to the supply or distribution of water resources.

The City's curtailment plan will undertake a variety of curtailment actions depending on the time of year and the expected duration of any water supply shortage. Adoption of the City's curtailment plan will allow the City to communicate with residents about the need to reduce water use and allow for enforcement of water use violations. The Plan has been modified after meeting with and gathering input from the Commercial Citizen Involvement Organization, the Citizen Involvement Organization officer group, and other interested parties.

Staff requests that Council authorize the City Manager to implement and enforce the Water Shortage Curtailment Plan as appropriate.

Attachments: Resolution - Water Curtailment Plan

Attachment - A Water Curtailment Plan

RESOLUTION NO. 5261-15

A RESOLUTION ADOPTING THE CITY OF TUALATIN WATER SUPPLY SHORTAGE CURTAILMENT PLAN

WHEREAS, Tualatin Municipal Code (TMC) 3-3-200 authorizes the City Council to adopt water use and curtailment rules by resolution; and

WHEREAS, the City wants to establish a water supply shortage curtailment plan to guide the City Council and City of Tualatin staff in the event of a water shortage due to constraints related to the supply or distribution of water resources; and

WHEREAS, the City's curtailment plan will undertake a variety of curtailment actions depending on the time of year and the expected duration of any water supply shortage; and

WHEREAS, adoption of the City's curtailment plan will allow the City to communicate with residents about the need to reduce water use and allow for enforcement of water use violations;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The City Council adopts the City's Water Supply Shortage Curtailment Plan, which is attached Attachment A and by this reference incorporated.

Section 2. The City Manager is authorized to implement and enforce the Water Shortage Curtailment Plan as appropriate.

Section 3. This resolution is effective upon adoption.

INTRODUCED AND ADOPTED this 11th day of January, 2016.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

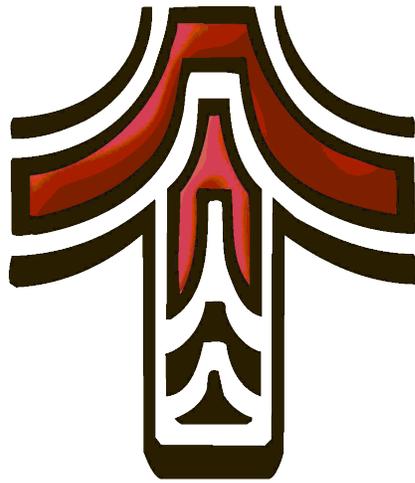
ATTEST:

BY _____
City Attorney

BY _____
City Recorder

Water Supply Shortage Curtailment Plan

City of Tualatin



Updated – January 11, 2016

Table of Contents

I. Introduction	2
II. Phased Curtailment Plan	2
Stage 1: Routine Summer Advisory	2
Water Reduction Goals & Objectives.....	2
Triggers (any of these).....	3
Public Message: Voluntary Conservation Measures	3
Possible City Actions	3
Partners to Contact.....	3
Stage 2: Moderate Water Supply Shortage.....	3
Water Reduction Goals & Objectives.....	4
Triggers (any of these).....	4
Public Message: Voluntary Conservation Measures	4
Possible City Actions.....	5
Partners to Contact.....	5
Stage 3: Severe Water Supply Shortage	5
Water Reduction Goals & Objectives.....	5
Triggers (any of these).....	5
Public Message: Mandatory Curtailment Measures	6
Possible City Actions.....	7
Partners to Contact.....	7
Stage 4: Critical Water Supply Shortage	7
Water Reduction Goals & Objectives.....	8
Triggers (any of these).....	8
Public Message: Mandatory Curtailment Measures	8
Possible City Actions.....	8
Partners to Contact.....	9
III. Enforcement	9

I. Introduction

The City of Tualatin is responsible for providing clean, healthful and reliable water to our community now and in the future. The City of Tualatin's water is purchased from the City of Portland, Portland Water Bureau, primarily from the Bull Run Watershed and the Columbia South Shore Well Field. Additionally the City of Tualatin possesses an aquifer storage and recovery well, and has multiple interties to other regional water sources.

The City of Tualatin adopted a Water Master Plan and the updated Water Management and Conservation plan in 2013. The Water Master Plan and Conservation Plan will be reviewed and updated as necessary. The water supply shortage curtailment plan was developed as part of the City's overall Emergency Preparedness program, taking into account such issues as public health, safety and community economic conditions. The plan will help guide City of Tualatin staff and water users in the event of a water shortage due to circumstances beyond the City's control, including weather conditions, natural catastrophe or human impacts on the City's water supply system or sources making it necessary to apportion the City's water. City of Tualatin may undertake a variety of curtailment actions, depending on the time of year and the expected duration of any water supply shortage.

Throughout any such shortage, City of Tualatin will continue to pursue the following objectives:

- Maintain adequate volume of high-quality potable water supplies for all City of Tualatin customers.
- Provide clear customer communications and rapid customer service. Be consistent with public needs based on information shared to date.
- Promote water use efficiency.
- Control costs that come with curtailed water use, such as losses in revenue, or higher-cost water supplies (e.g., the purchase of peaking water from Portland).
- Have an equitable impact on all users—public and private, urban and suburban, business and residential. Prioritize actions to have the least permanent negative impact.

II. Phased Curtailment Plan

During any stage, no person shall waste City water.

Stage 1: Routine Summer Advisory

City of Tualatin predicts that we will face these conditions each summer, as warm dry weather settles into the region and drawdown of the Water Sources begin. Summer water use typically doubles or triples winter use, as customers begin to irrigate their landscapes, wash cars, and use water for cooling purposes.

Water Reduction Goals & Objectives

Each user should strive to maintain, not exceed, average summer usage levels.

Triggers (any of these)

The City Manager, at his/her discretion, may declare a Stage 1 alert based upon any of the following and shall provide notice to City Council at or before the next regularly scheduled meeting:

- Portland Water Bureau activates groundwater wells for non-maintenance or routine purposes.
- Above Average Temperatures
- Below Average Rainfall
- Greater than average water demand
- Infrastructure related matters such as water main breaks, loss of power, pumps or storage, etc.

Public Message: Voluntary Conservation Measures

- Promote already-existing conservation messages from the Regional Water Consortium (collaboration of water bureaus and water providers around the greater Portland, Oregon area) and the City of Tualatin's Conservation Plan, through the City of Tualatin's website, and social media accounts.
- Ask customers to use the Regional Water Consortium's weekly water widget to voluntarily reduce outdoor watering schedule, based on the weather.
- Place conservation reminders and tips in *Tualatin Today*, bill message, and on City of Tualatin's website. Use various venues to distribute information. Set up public information booths where opportunities exist and look for other opportunities for public outreach, such as speaking engagements, etc.

Possible City Actions

- Encourage water efficiency throughout the City of Tualatin-owned facilities, promoting conservation wherever possible and reporting suspected leaks.
- Stop City of Tualatin hydrant flushing program until fall weather patterns resume or until the water situation improves.
- Partner with Regional Water Providers Consortium to send consistent conservation messages to the media.
- Provide free leak detection test for customers who suspect a leak. City staff will help determine the location of leak, if the leak is outdoors, and offer free brochures with conservation information and free conservation devices when applicable.

Partners to Contact

- Work with local agencies to coordinate resources and provide uniform messages for water customers, and to prepare, review and/or update local water agreements and requirements regarding curtailment enforcement.

Stage 2: Moderate Water Supply Shortage

This may be a temporary condition of several days, caused by service interruptions in the region. During this time, City of Tualatin may redirect supplies to areas experiencing shortages. Or, this may be an intermediate stage of an ongoing water supply shortage. Source water may have begun “summer drawdown,” with no rain in the forecast. Customers should voluntarily limit their use of water.

Water Reduction Goals & Objectives

Decrease overall use by 5 to 10 percent.

Triggers (any of these)

The City Manager, at his/her discretion, may declare a Stage 2 alert based upon any of the following and shall provide notice to City Council at or before the next regularly scheduled meeting:

- Portland Water Bureau declares a Level 2 curtailment alert.
- City of Tualatin use reaches contractual and/or shared capacity limit for five consecutive days without successful mitigation.
- Governor issues a declaration of drought for Clackamas, Multnomah or Washington County, pursuant to ORS 536.720-740 and a Drought Monitor Rating of D2 or higher for our region.
- Extensive repairs needed on local water infrastructure including pumps, reservoirs, mains and other necessary components.

Public Message: Voluntary Conservation Measures

- Promote Stage 1 Public Message.
- Send official notification of Moderate Water Supply Shortage to City of Tualatin customers.
- In terms of a long term event such as a drought or sustained turbidity that will interfere with supply, the voluntary measures may not be adequate over time. Notification should advise of the possibility of increasing levels of curtailment activities.
- Issue a notice to the local media that the City is in a Moderate Water Supply Shortage.
- Encourage conservation through volunteer events and outreach through existing volunteer opportunities.
- Routinely publish in the *Tigard Times*, and *The Oregonian* the voluntary conservation measures that the customers are requested to follow during a Moderate Water Shortage.
- Encourage reduction in water use by 10 percent (as a rule of thumb, for example, residential customers in a four-person single-family household should try to reduce their use by about 29 gallons per household per day).
- Promote limitation of water use in commercial businesses (e.g., eliminate hosing down outdoor parking/walkway areas, do not serve water to restaurant customers unless specifically requested).
- Request elimination of wasted running water, such as unattended hoses, obvious leaks, etc.
- Encourage reduction watering of lawns, plants, trees, gardens, shrubbery, and flora on private or public property to the minimum necessary. Conduct outdoor watering between 10pm and 5am, when evaporation rates are at their lowest.
- Promote elimination of outdoor water use, including:

-
- a. Washing down of hard surface areas, decks, buildings, gutters, and vehicles;
 - b. Use of freshwater in fountains, reflection ponds, and decorative water bodies for aesthetic or scenic purposes, except where necessary to support aquatic life or for features that recycle water;
 - c. Filling or maintaining private residential swimming pools or hot tubs (excluding use of children’s wading pools);
 - d. Use of fire hydrants for purposes other than firefighting or flushing essential to maintain water quality.

Possible City Actions

Encourage water efficiency throughout the City of Tualatin-owned facilities, promoting conservation wherever possible and reporting suspected leaks.

- Stop City of Tualatin hydrant flushing program until fall weather patterns resume.
- Turn off automatic irrigation where applicable and reduce operating times for water based play features owned by the City of Tualatin
- Postpone enforcement of landscape ordinances.

Partners to Contact

- Partner with Regional Water Providers Consortium to send consistent conservation messages to the media.
- Contact potential institutional partners in water conservation, including local businesses that are the most affected (e.g. landscapers/green industry, commercial carwashes, nurseries, restaurants, water-intensive manufacturers, etc.).
- Make conservation presentations to Community Involvement Organizations (CIOs).
- Notify Tualatin Valley Fire and Rescue of the alert and request refraining from any training activities using City water.

Stage 3: Severe Water Supply Shortage

This is a stage of “restricted” watering; customers still have time to prepare and conserve before a loss of service. Scenarios include protracted period of drought or multi-day disruption of service across the City of Tualatin’s service territory.

Water Reduction Goals & Objectives

Be able to re-direct unaffected supplies without removing any customers from the system. Decrease overall daily City water use by at least 20 percent through reduction of outdoor water use.

Triggers (any of these)

The City Manager, at his/her discretion, may declare a Stage 3 alert based upon any of the following and shall provide notice to City Council at or before the next regularly scheduled meeting:

- Portland moves to groundwater sources entirely.
- The City of Portland notifies wholesale customers that supply cannot or will not be able to meet demand.
- City of Tualatin’s distribution system experiences a significant and sustained reduction of water pressure.
- City of Tualatin use reaches contractual and/or shared capacity limit for five or more consecutive days without successful mitigation.
- Failures in the City’s Water Distribution System impacting the ability to provide reliable water service for a sustained period.

Public Message: Mandatory Curtailment Measures

The City will encourage or promote the following:

Promote Stage 1 and Stage 2 public messages. Focus efforts to educate and encourage indoor and outdoor water conservation. Encourage residents to cache a supply of water for drinking purposes. Reduction of all water use by 20 percent, beginning with outdoor use (as a rule of thumb, for example, residential customers in a four-person single-family household should try to reduce their use by about 58 gallons per household per day). Repair leaks in hoses, faucets, and couplings.

The City will Mandate the following prohibitions of City water Use	
Type of Use Prohibited	Exceptions
i. Irrigation of established lawns/grass /turf (those at least six weeks old); Chemical applications to lawns/grass/turf that requires subsequent watering	Commercial sod farms, high-use athletic fields used for organized play, and daycare providers.
ii. General landscaping	Hand watering of edible garden plants, ornamental plants and flowers permitted between 10pm and 5am
iii. Washing down of hard surface areas, decks, buildings, gutters, or vehicles.	
iv. Ornamental fountains, reflection ponds, and decorative water bodies for scenic purposes.	Water used to support aquatic life
v. Filling of swimming pools, hot tubs or water based play features	
vi. Use of fire hydrants	Firefighting or flushing essential to maintain water quality
vii. Expansion of commercial nursery facilities, placing new irrigated agricultural land in production, or planting or landscaping when required by site design review process.	

viii. Water served only upon request in restaurants and other commercial facilities	
ix. Installations of new, additional, further expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains or other water service facilities of any kind	

Possible City Actions

- Place messages in *Tualatin Today*, bill message and on the City Web site/social media, as well as on billboards, bus-sides, TV, radio, and movie theatre ads. Turn off automatic irrigation where applicable and decrease time availability of water features owned by the City of Tualatin.
- Issue a statement that the City is experiencing a Severe Water Supply Shortage; notify the local media and send official notification to City of Tualatin customers.
- Routinely publish in the *Tigard Times*, *Tualatin Life* and *The Oregonian* the mandatory restrictions to be placed on the use of water supplied by the City.
- Publicize the penalties to be imposed for violations of mandatory restrictions and the procedures to be followed if a variance in the restrictions is requested, through the media and public outreach efforts, including door hangers.
- Activate conservation information line, including the current supply situation, voluntary measures, and conservation tips.
- Implement the enforcement provisions of City of Tualatin’s *Water Supply Shortage Curtailment Plan*.
- City of Tualatin will not reimburse customers for bottled water or hotel stays resulting from any Water Supply Shortage.

Partners to Contact

- Contact critical water users to discuss preparation and planning for a Stage 4 curtailment situation. Inform landscape / green industry of prohibitions on irrigation and chemical applications that require irrigation.
- Inform landscape / green industry of prohibitions on irrigation and chemical applications that require irrigation.
- Work with CIOs and HOA’s to temporarily suspend regulations that require the use of water (Landscape requirements, etc.).
- Notify Tualatin Valley Fire and Rescue of the alert and request to refrain from any training activities using City water and request measures to establish and enforce a ban on open burning.

Stage 4: Critical Water Supply Shortage

This may include emergency conditions under which little or no water is flowing to customers (as in the case of natural disasters that result in sudden and acute water loss). It may be necessary for the City to proceed directly to Stage 4. Or, this scenario may indicate an

extended period of time in which demand outstrips supply.

Water Reduction Goals & Objectives

Protect safety, health, and economic livelihood.

Triggers (any of these)

The City Manager, at his/her discretion, may declare a Stage 4 alert based upon any of the following and shall provide notice to City Council at or before the next regularly scheduled meeting:

- Portland reduces and/or is unable to provide water to the City of Tualatin, from its system, or the City cannot meet customer demands for water.
- Supplies are either physically cut off or become unavailable.
- City of Tualatin use reaches contractual and/or shared capacity limit for five consecutive days without successful mitigation.
- Governor declares statewide drought, U.S. Drought Monitor identifies a regional drought of D3 or greater.
- The City of Tualatin declares a water related emergency.

Public Message: Mandatory Curtailment Measures

The City will Mandate the following prohibitions of City water Use	
Type of Use Prohibited	Exceptions
i. All outdoor water use	
ii. Non-essential residential water use	Basic sanitation, drinking and culinary uses
iii. Non-essential commercial and industrial water use	Fire protection, human health and sanitation
iv. Installations of new, additional, further expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains or other water service facilities of any kind	

- Additional curtailment conditions may be implemented by, or on behalf of the Portland Water Bureau or the State of Oregon.

Possible City Actions

- Issue a statement that the City is experiencing a Critical Water Supply Shortage.
- Issue media releases.
- Place reminder messages in *Tualatin Today*, in the bill message and on the City Web site/social media, as well as on billboards, bus-sides, TV, radio, and movie theatre ads.
- Activate conservation information line on the current supply situation, voluntary measures, and conservation tips.

-
- Contact ORWARN (Oregon Water/Wastewater Agency Response Network) for utility help if appropriate.
 - Enact the appropriate provisions of the Emergency Management Plan and if necessary, conduct the following emergency actions:
 - a. Activate City of Tualatin’s Emergency Operations Center (EOC).
 - b. Begin rationing water as needed.
 - c. Activate any curtailment agreements previously negotiated with customers.
 - d. Open interconnections with neighboring water suppliers.
 - e. Bring ASR well on-line.
 - City of Tualatin will not reimburse customers for bottled water or hotel stays resulting from any Water Supply Shortage.

Partners to Contact

- Notify Tualatin Valley Fire and Rescue of the alert and request to refrain from any training activities using City water.
- Activate any previously agreed upon curtailment arrangements with customers.
- Inform developers of the moratorium on all new water service connections and water main extensions.
- Notify and work with neighboring water providers.
- Activate partnerships with bottled water manufacturers, National Guard, Red Cross or other water distributors if needed.
- Contact the Washington County Emergency Management Cooperative for additional resources and open burning, fire pit and fireworks ban.

III. Enforcement

Violation of this Curtailment Plan is considered prohibited conduct under TMC 3-3-200(1) and subject to civil infraction as provided in TMC 3-3-200(2).