



MEMORANDUM CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

FROM: Sherilyn Lombos, City Manager

DATE: May 22, 2017

SUBJECT: Work Session for May 22, 2017

5:30 p.m. (30 min) – Garden Corner Curves Concept Study Update. The design team will update Council on work that has been completed for the Garden Corner Curves Concept Study and discuss public outreach, design alternatives and next steps.

6:00 p.m. (45 min) – Sanctuary City / Welcoming Community Status. At the May 8, 2017 City Council meeting, several individuals spoke during the Citizen Comment portion of the meeting requesting that the Council adopt a resolution declaring the City of Tualatin a sanctuary city. After discussion, the Council directed staff to dedicate time at this work session to discuss the issue, including the potential for a series of listening sessions to address the need and concern of the broader community to feel safe and welcome in the City of Tualatin. There is an item on the General Business section of tonight's City Council Meeting with a draft resolution.

6:45 (15 min) - Council Meeting Agenda Review, Communications & Roundtable. This is an opportunity for the Council to review the agenda for the May 22, 2017 Council meeting and take the opportunity to brief the rest of the Council on any issues of mutual interest.



MEMORANDUM

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Dominique Huffman, Project Engineer
Jeff Fuchs, Public Works Director / City Engineer

DATE: 05/22/2017

SUBJECT: Garden Corner Curves Concept Study Update

ISSUE BEFORE THE COUNCIL:

The design team will update Council on work that has been completed for the Garden Corner Curves Concept Study and discuss public outreach and design alternatives.

EXECUTIVE SUMMARY:

The Garden Corner Curves corridor consists of three narrow contiguous roadways on the west side of Tualatin: SW 108th Avenue, SW Blake Street, and SW 105th Avenue. The roadway in this corridor is narrow, has limited visibility, and lacks bicycle or pedestrian facilities. This concept study evaluated the corridor to develop potential solutions for providing a safer corridor for all roadway users, including bicycle riders and pedestrians. The City hired Wallis Engineering and Alta Planning + Design to lead the public outreach program and develop alternatives that address safety concerns and meet the needs of the neighborhoods.

The concept study was based on an extensive public involvement program that included meetings with key stakeholders, kitchen table meetings with interested neighbors, a Saturday road closure and on-site open house, a project website, and a detailed public opinion poll. Attachment A summarizes the public involvement program and the feedback we received from the public outreach process.

Common themes heard from the community included the following:

- People do not feel safe walking or biking on this corridor
- Safe and convenient routes for walking or biking between neighborhoods do not exist
- The corner of SW Blake Street and SW 108th Avenue has been the site of several crashes
- People are concerned about speeding and tailgating
- There is a desire to reduce the impact to trees along the corridor

Four options for improving the corridor were developed based on the results of the public

involvement effort, the corridor constraints (right of way, trees, topography), and design standards. A brief summary of each option is included below. Graphics illustrating each alternative are included as Attachment B.

Alternative A – East Shared Use Path

- Two 10-foot wide vehicle lanes
- A 12-foot wide shared use path on the east side of the roadway
- Pedestrians and bicyclists have a continuous route on one side of the street through the corridor
- 36 foot minimum paved width
- Safety improvements
- Total Estimated Cost = \$2.4 million (includes construction, engineering, permitting, and right-of-way acquisition)

Alternative B – West Shared Use Path

- Two 10-foot wide vehicle lanes
- A 12-foot wide shared use path on the west side of the roadway
- Pedestrians and bicyclists have a continuous route on one side of the street through the corridor
- 36 foot minimum paved width
- Safety improvements
- Total Estimated Cost = \$2.7 million (includes construction, engineering, permitting, and right-of-way acquisition)

Alternative C – Sidewalk and Bike Lanes

- Two 10-foot wide vehicle lanes
- Sidewalk on the east side of the roadway
- Bike lanes on both sides
- Pedestrians have a continuous route on one side of the road, and bicyclists have a continuous route on both sides of the road through the corridor
- 38 foot minimum paved width
- Safety improvements
- Total Estimated Cost = \$2.5 million (includes construction, engineering, permitting, and right-of-way acquisition)

Alternative D – Sidewalk and Bike Lanes – both sides

- Two 10-foot wide vehicle lanes
- Sidewalks and bike lanes on both sides of the roadway
- Pedestrians and bicyclists have a continuous route on both sides of the road through the corridor
- 41 foot minimum paved width
- Safety improvements
- Total Estimated Cost = \$3 million (includes construction, engineering, permitting, and right-of-way acquisition)

The alternatives include features that can be mixed and matched or in some cases installed as

stand-alone options to improve safety before a full solution is constructed. Some of these interchangeable features are already shown in the alternatives attached. These features are not restricted to the alternatives they are shown in, but are interchangeable between all and are intended to provide options that can address some of the overall goals for this corridor.

Next steps:

- Open house June 13th, location to be determined
- Finalize concept study

The project will include presentation and discussion of the design alternatives with the public and stakeholders in order to refine these options.

The corridor opportunities and constraints video is available on the project website at:
<http://gardencornercurves.org/public-input>

Attachments: [Attachment A GCC Public Outreach Summary](#)
 [Attachment B GCC Design Alternatives A & B](#)
 [Attachment C GCC Design Alternatives C & D](#)
 [Attachment D GCC Power Point Presentation](#)

MEMO

Tualatin Garden Corner Curves

DATE: April 14, 2017

RE: Public Engagement Summary Memo



Overview

This document summarizes the public engagement conducted to date for involving stakeholders and informing the public about the Garden Corner Curves (GCC) project. The public outreach strategy utilized many tools of engagement to reach stakeholders and the broader community, such as an online survey, a project website, community meetings, and a corridor site tour. Primary stakeholders included landowners and residents who would be directly affected by alignment choices, people who live in the general area, and stakeholders who may potentially be impacted by changes to traffic patterns.

Public Involvement Strategy Goals

As stated in the project Public Involvement Strategy, the City of Tualatin is committed to public engagement that:

- Provides early and ongoing opportunities for stakeholders to raise issues and concerns
- Facilitates equitable and constructive communication between the public and project team
- Empowers residents to become involved with the project
- Enables experiential review and participation in the design process
- Provides the public with balanced and objective information to help the public understand issues, alternatives, opportunities, solutions, and related costs
- Builds on existing communication networks and resources
- Enhances the project outcome and acceptance within the community

Public Outreach Summary

During the listening phase of the GCC public engagement process, some common themes emerged from community members. The following infographic describes the most common themes heard during this process:

City of Tualatin
GARDEN CORNER CURVES
Public Outreach Summary



CORRIDOR EXPERIENCE:

71%
of survey respondents travel
on the corridor every day



90%

of survey respondents live immediately adjacent
to the corridor or in an adjoining neighborhood



Many residents walked the corridor for the
first time at the street closure event

SURVEY RESPONDENTS SAID:



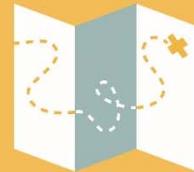
98%

do not feel safe walking
on this corridor



97%

do not feel safe
biking here



58%

said there are no safe and convenient
alternate routes for walking or biking

TOP SAFETY CONCERNS:

No
bike lanes



No
sidewalks



Blind corners
and limited visibility

Outreach to Date

As outlined in the project Public Involvement Plan, the GCC public engagement process comprised three categories of outreach. To date, the project team has accomplished the following:

- General Outreach Tools
 - Information sharing in the City of Tualatin’s newsletter
 - An article in the Ibach CIO newsletter
 - Information sharing by stakeholders via Next Door
 - Additional City outreach via website and social media posts

- Targeted Stakeholder Outreach
 - Stakeholder meetings with affected property owners
 - Kitchen table meetings (small neighborhood meetings hosted by neighbors near the corridor)
 - Presentation at the Ibach Community Involvement Organization’s (CIO) meeting

- Public and Online Events
 - Corridor site tour
 - Virtual corridor tour video
 - Online survey
 - Project website

Outreach Meeting	Meeting Date	Attendance
Stakeholder Meeting	September 19, 2016	1 Property Owner
CIO Meeting - Project Update	October 3, 2016	18
Closed Street Site Tour	October 8, 2016	Est. 45-50 Attendees
Stakeholder Meeting	October 8, 2016	2 Property Owners
Kitchen Table Meeting #1	November 7, 2016	5 Attendees
Kitchen Table Meeting #2	November 29, 2016	5 Attendees
Stakeholder Meeting	April 3, 2017	2 Property Owners
Stakeholder Meeting	April 3, 2017	2 Property Owners
Stakeholder Meeting	April 12, 2017	2 Property Owners

Targeted Stakeholder Outreach

Stakeholder Meetings

The listening phase of the outreach process included several stakeholder meetings with affected property owners. The purpose of the meetings was to gain a better understanding of stakeholder observations or concerns along the corridor, and learn about the history and aspirations of the community.

Kitchen Table Meetings

The project team has hosted two “kitchen table” meetings, small neighborhood meetings that allow hosts to invite their neighbors, and speak directly with the project team. Emphasis for the meetings was on communication with neighbors and affected property owners. Below are some common comments and questions heard at both meetings:

- Access along the corridor is needed for connectivity
- Large trucks are restricted from using the corridor, but some still do. A truck was stuck at the corner and had to back out.
- Speeding is an issue along the corridor.
- There is very little traffic during the day/outside of rush hour.
- It’s impossible to walk/bike to school.
- Are improvements a forgone conclusion?
- Can the City implement interim / phased solutions?
- What is the construction timeline?
- Can the City change the speed limit?

Community Outreach Meetings

Community outreach meetings attended by the project team included the Ibach Community Involvement Organization’s (CIO) meeting, where the team gave a presentation on the project, answered questions and discussed upcoming opportunities to provide input.

Public & Online Events

Corridor Site Tour

With support and traffic control provided by the City, the project team closed the street for two hours to let people walk and bike the corridor. This open streets-style event drew many long-time residents who were excited to walk the corridor for the first time in many years. The project team provided information on the width of the right of way and pointed out specific challenges of the site. The following summarizes the types of comments collected during the event:

- Safety seemed to be the main concern, over traffic congestion.
- Speed is a major concern. Project should do something to reduce speeding.
- Corridor is unsafe for pedestrians.
- Corridor is used as a cut through for N-S traffic due to congestion on alternative routes.
- Providing a separate space for people biking and walking along the corridor is a big priority.
- The corridor lighting needs to be improved.

Project Website

A project website was developed as a simple site within the City of Tualatin’s website: www.gardencornercurves.com. The site features elements such as background documents, project

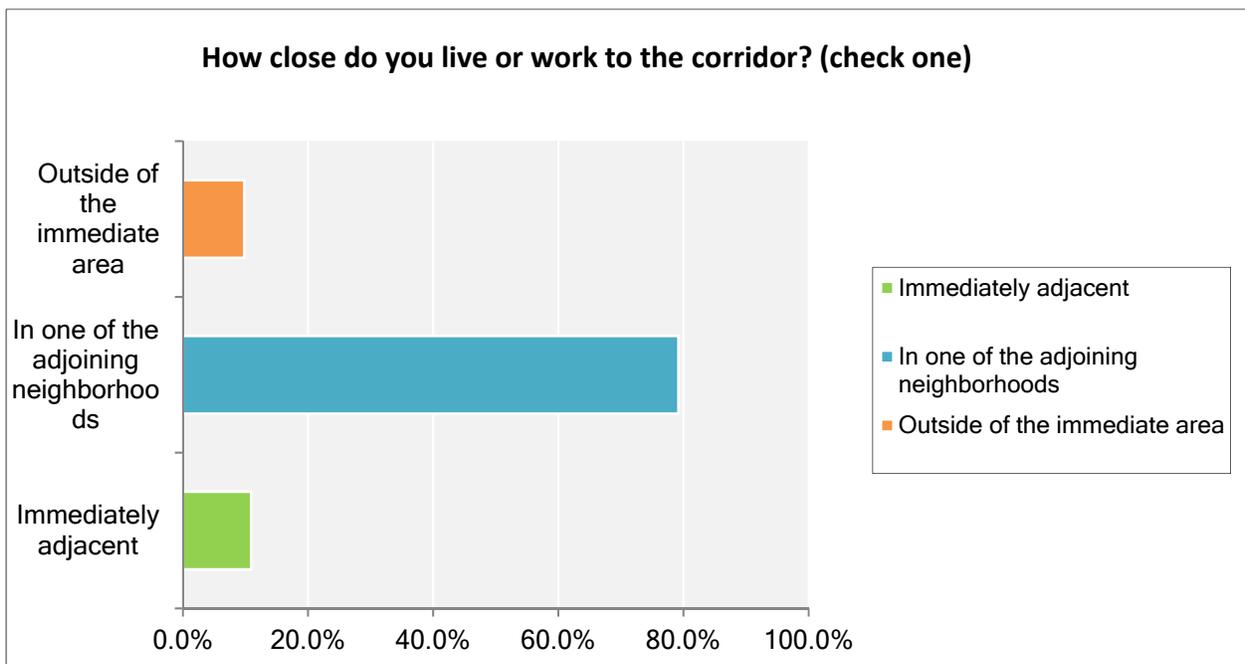
timeline, calendar, photos/slideshow, project tour video, meeting minutes, online survey, email list, FAQ, and project team contact information.

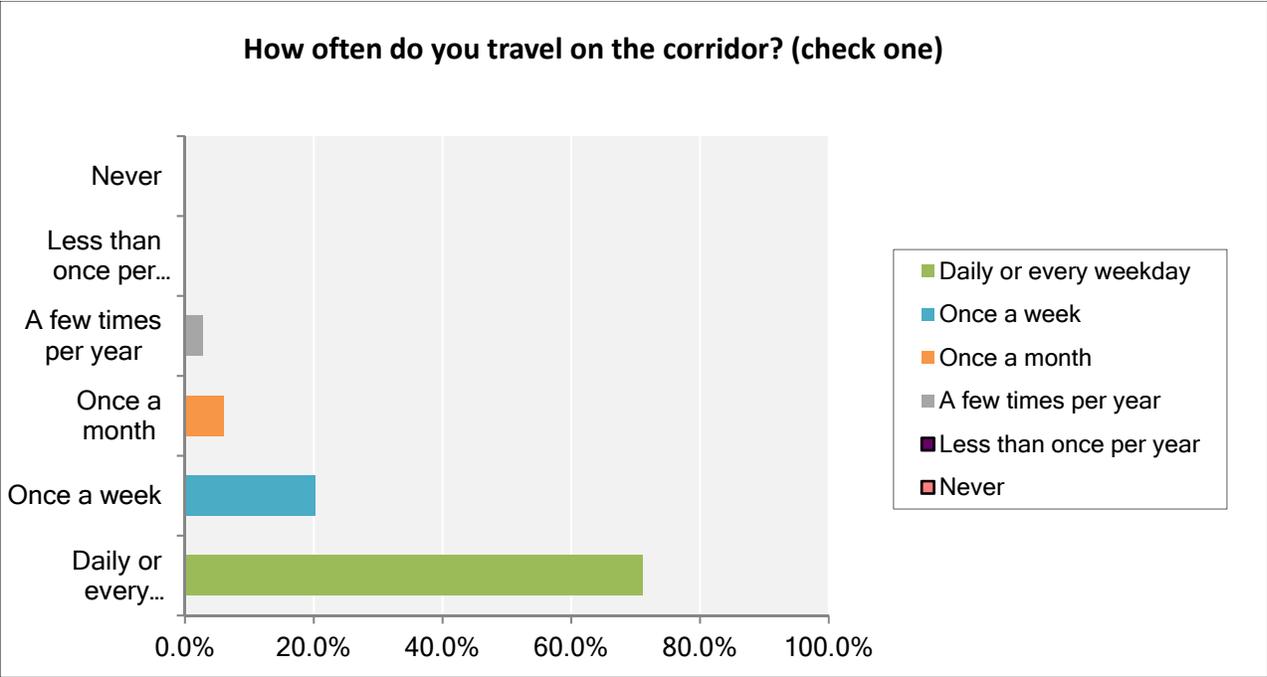
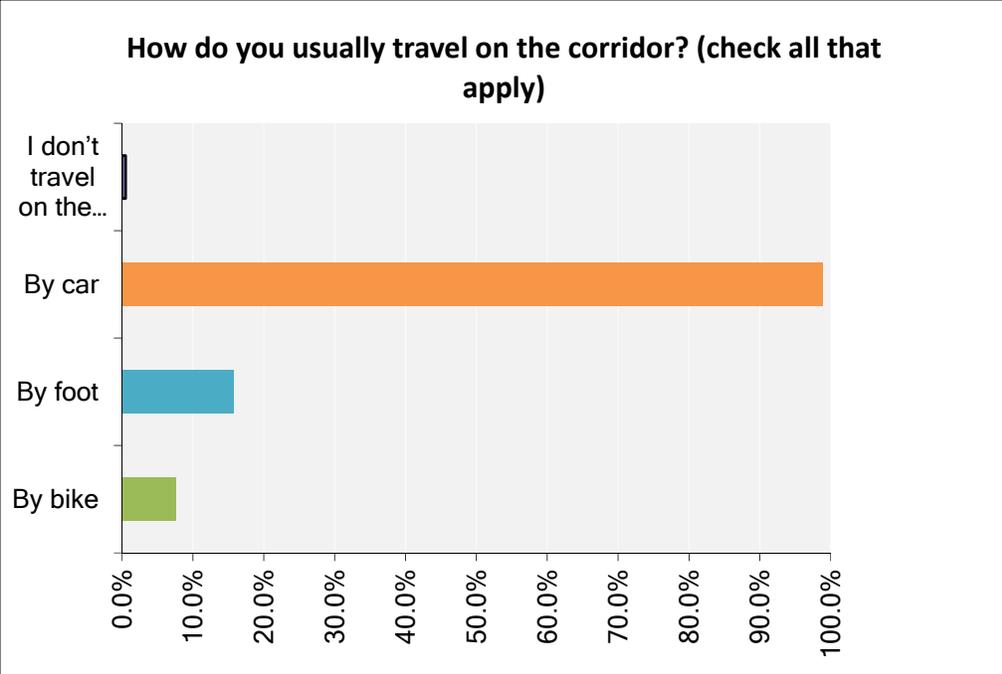
Virtual Corridor Video Tour

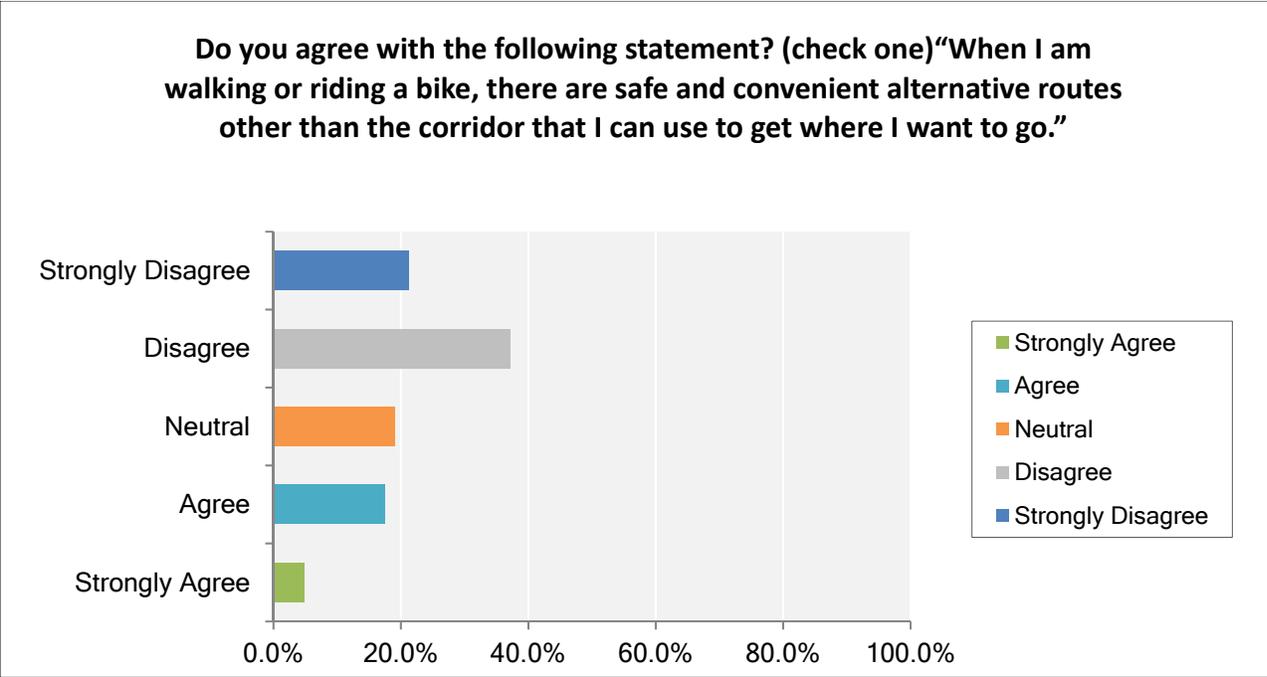
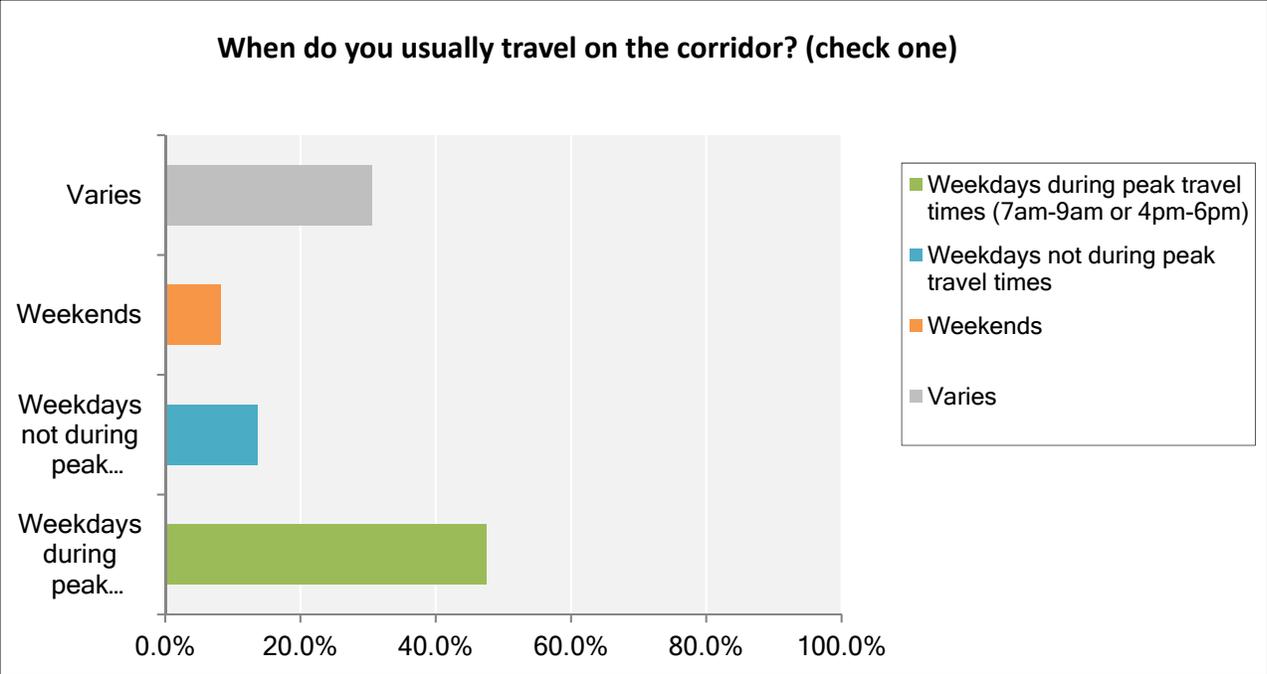
The project team enlisted a professional drone pilot to help prepare a video tour of the corridor. The video, which features a flyover of the corridor, pauses at key locations to highlight opportunities and constraints. The video is featured on the project website and YouTube. This video will be useful throughout the project, as a reference during the alternatives development phase.

Online Survey

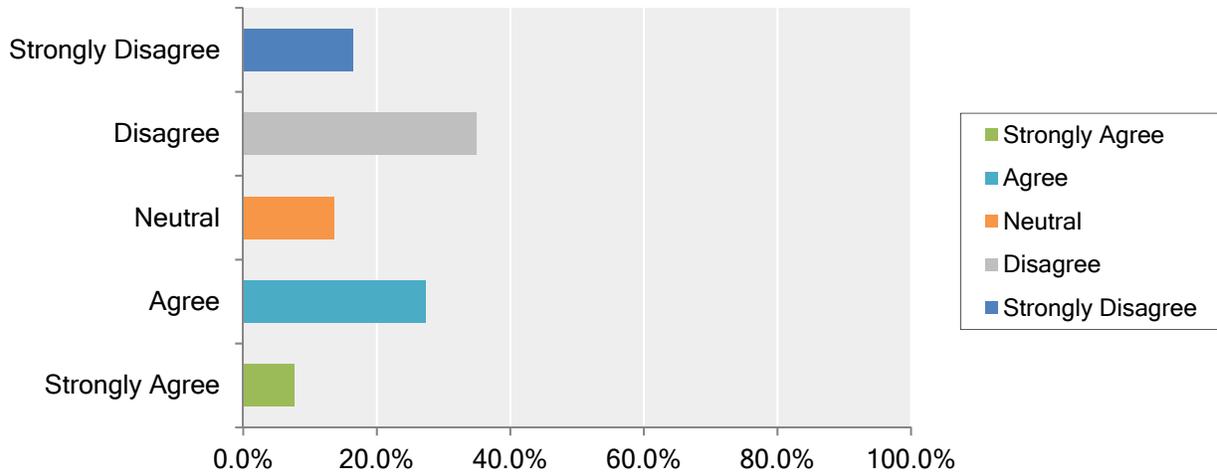
Using Survey Monkey, the project team created an online survey to ask questions about the corridor's safety for pedestrians, bicyclists, and motorists. 183 people responded to the survey; a summary of each question follows:



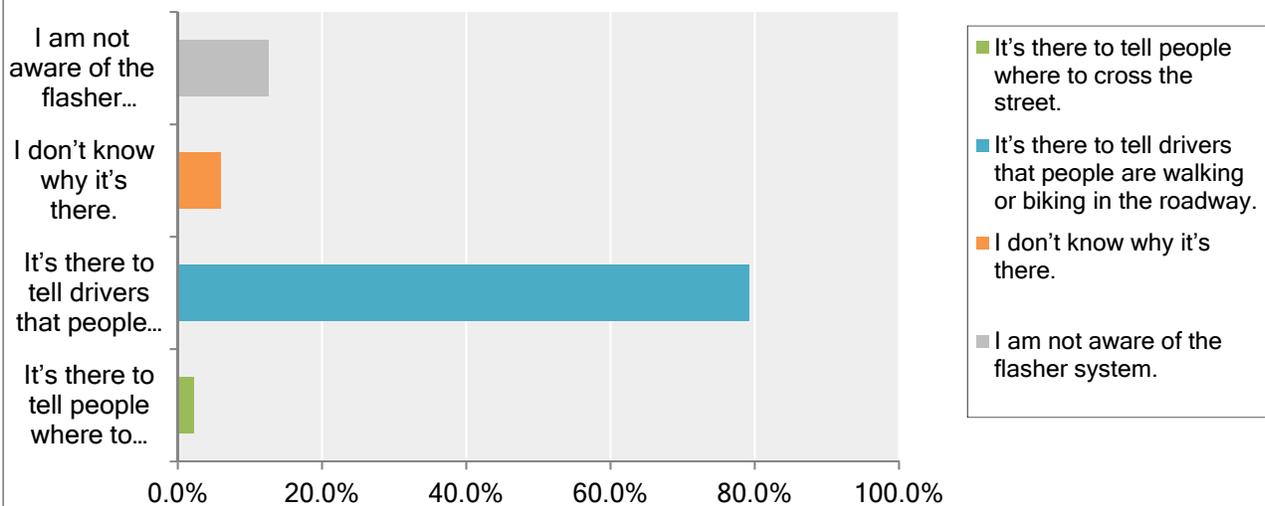




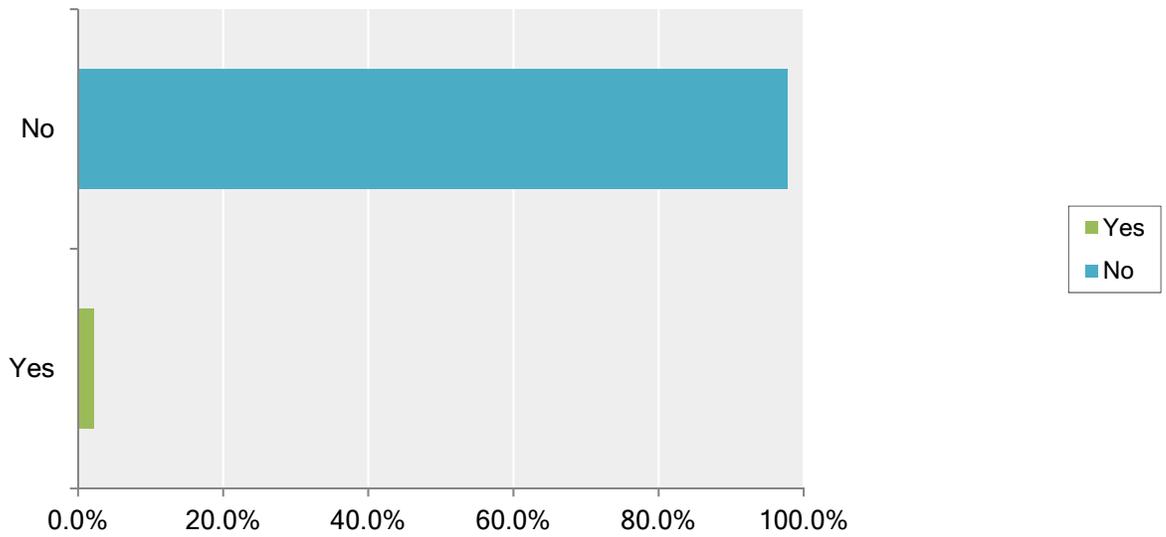
Do you agree with the following statement? (check one) "When I am driving, there are safe and convenient alternative routes other than the corridor that I can use to get where I want to go."



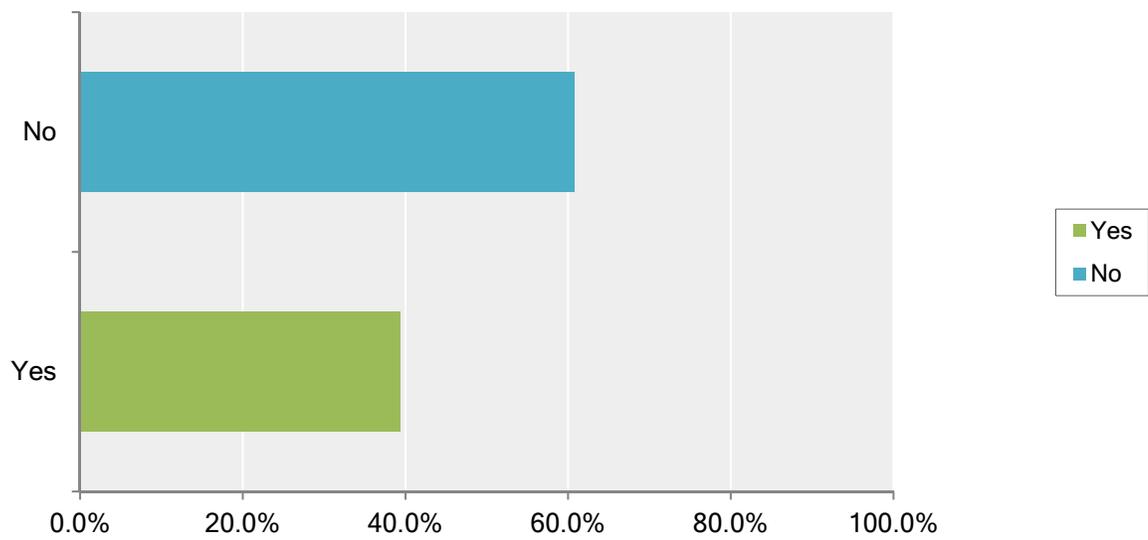
There is an existing flasher system at each end of the corridor, do you understand what it's used for?

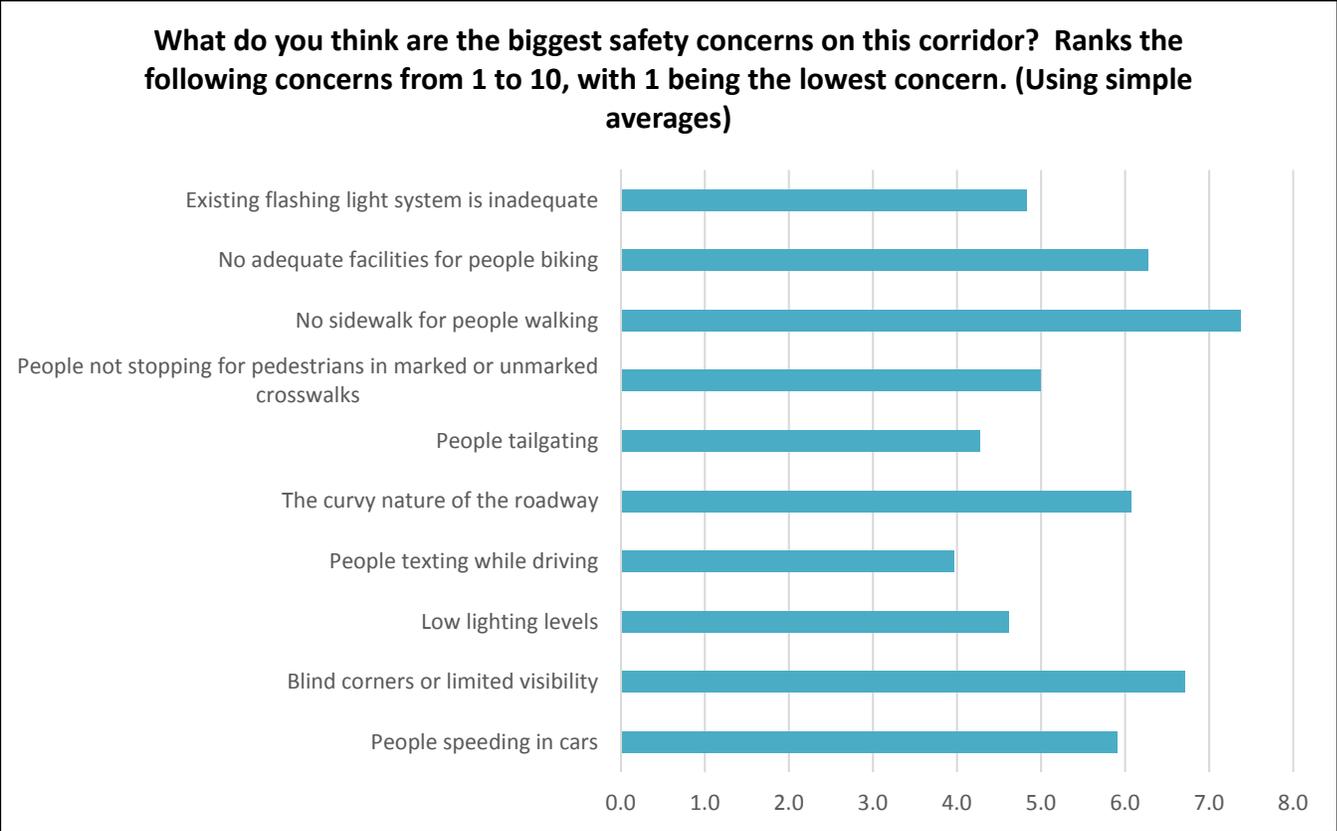
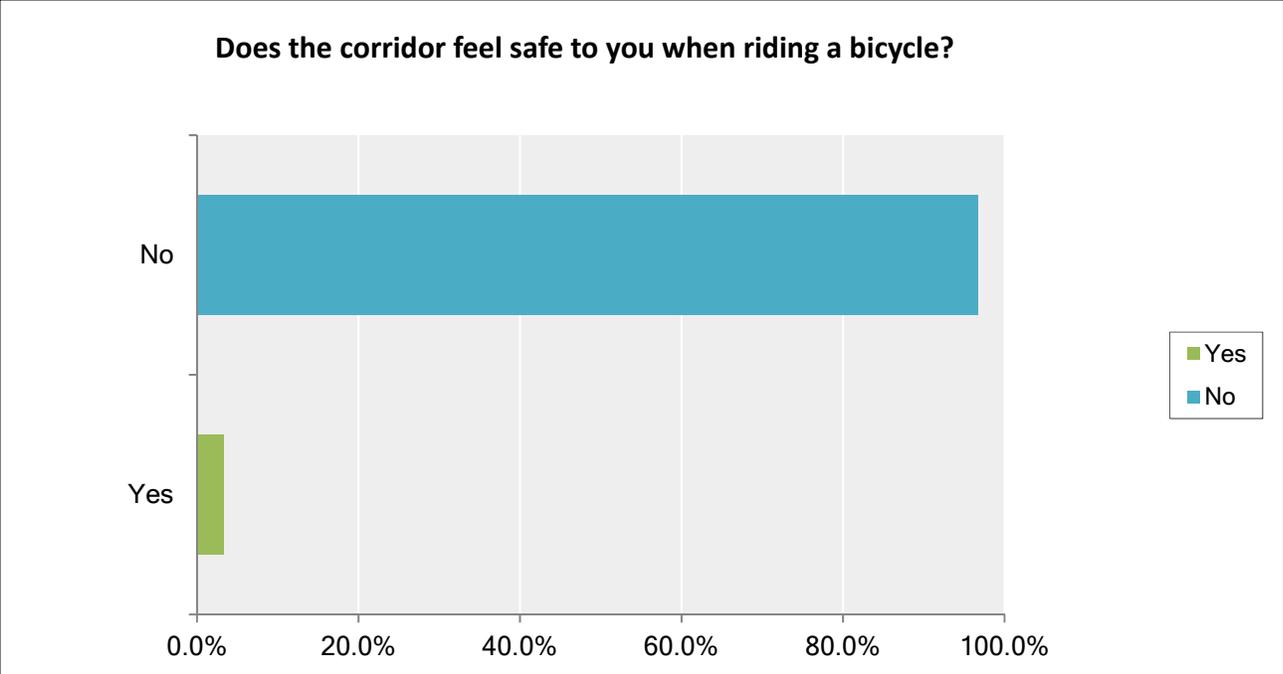


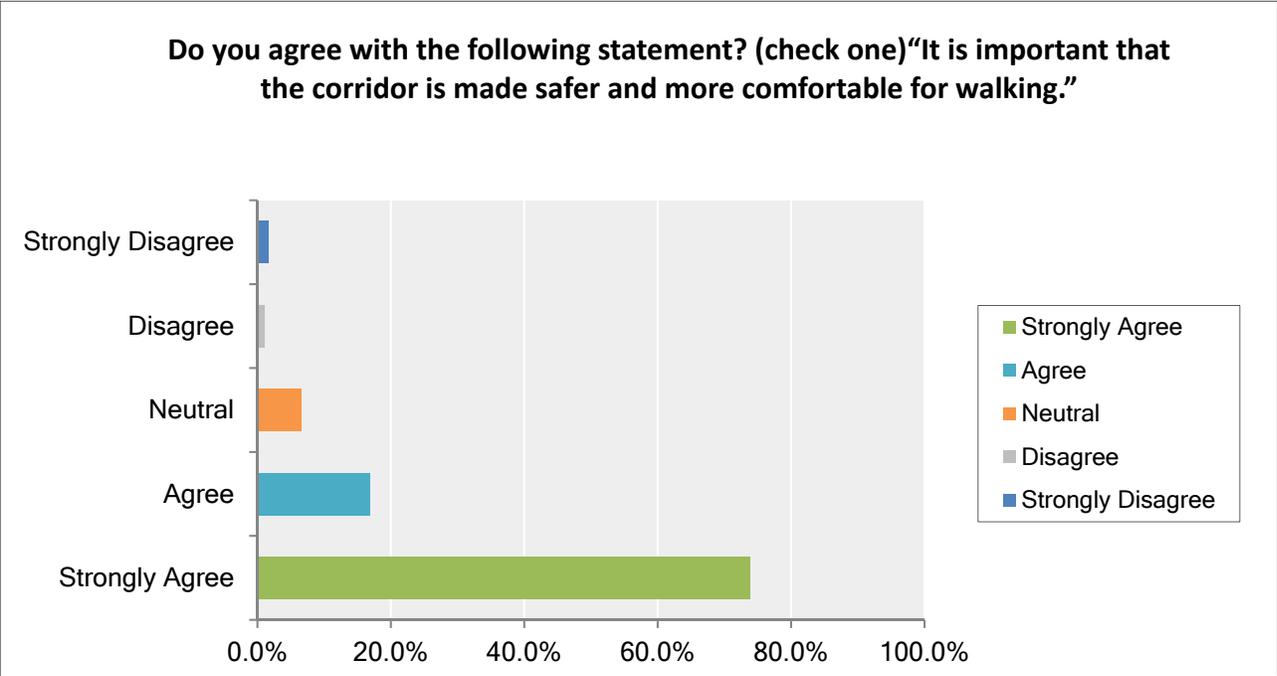
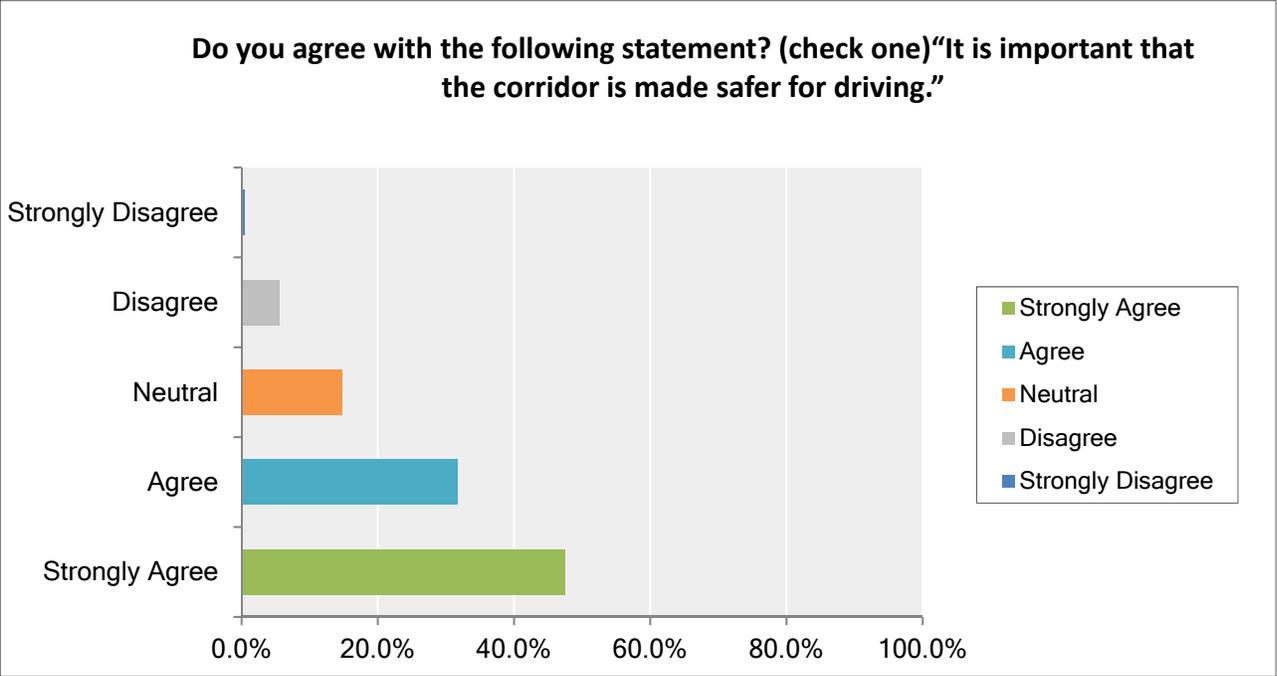
Does the corridor feel safe to you when walking?



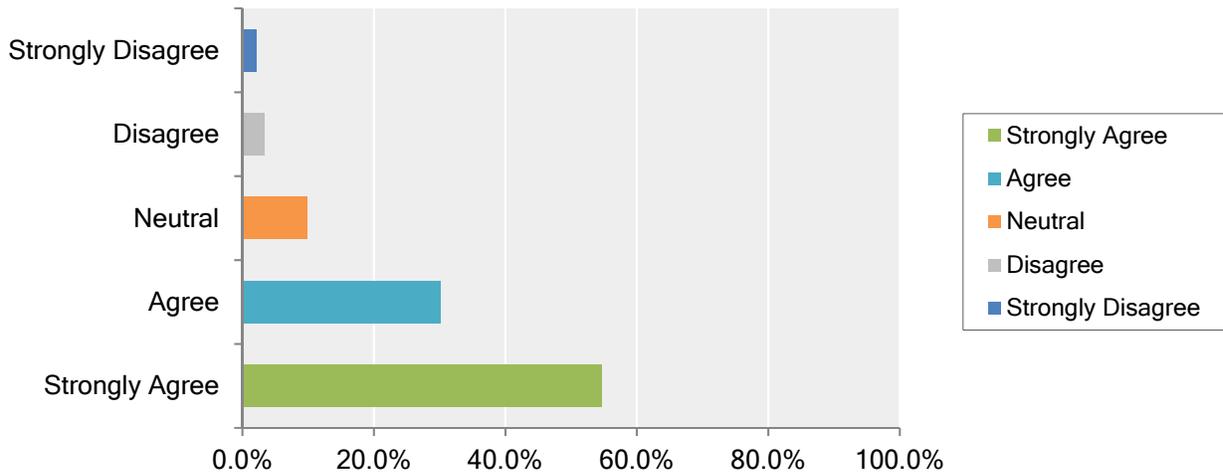
Does the corridor feel safe to you when driving or riding in a car?



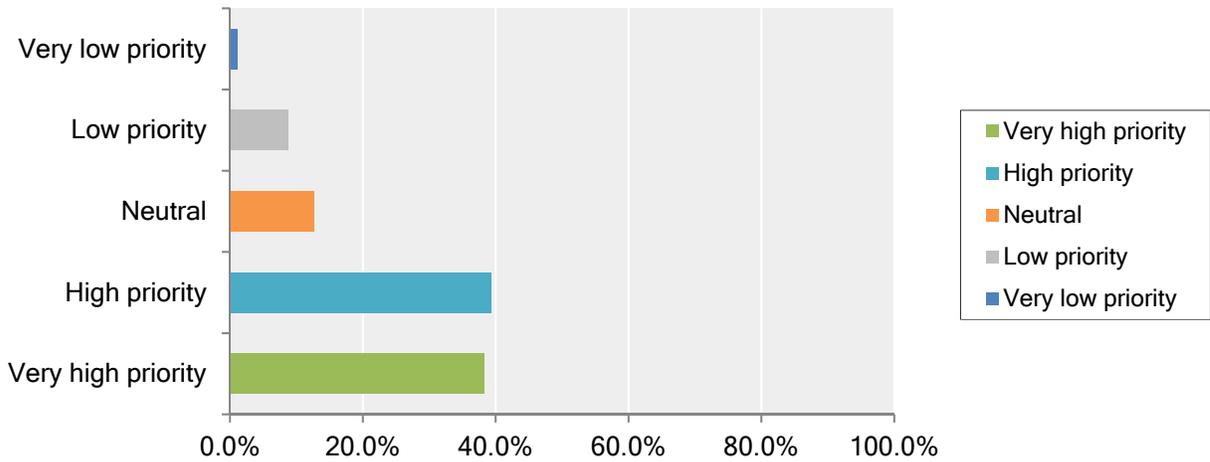


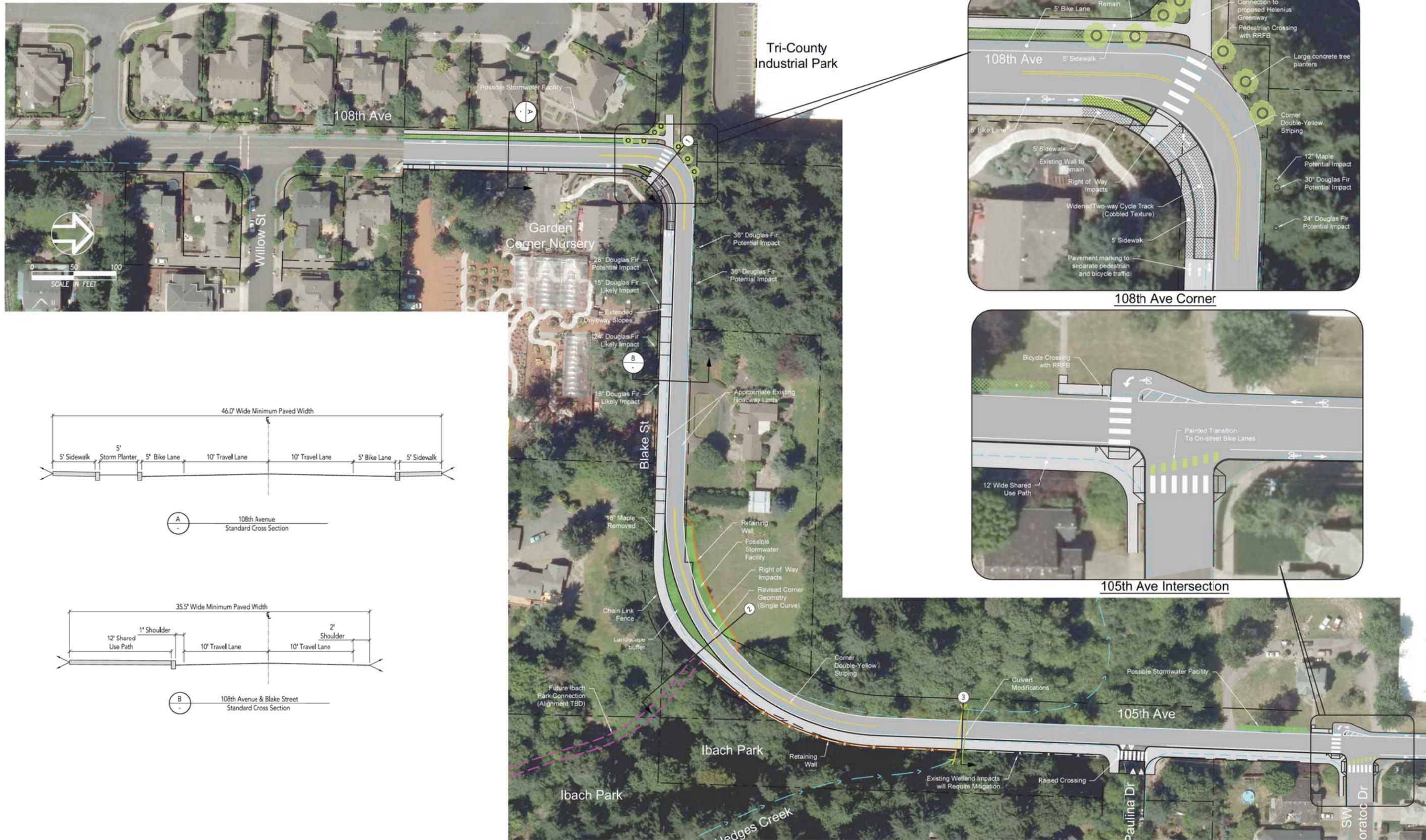


Do you agree with the following statement? (check one) "It is important that the corridor is made safer and more comfortable for bicycling."

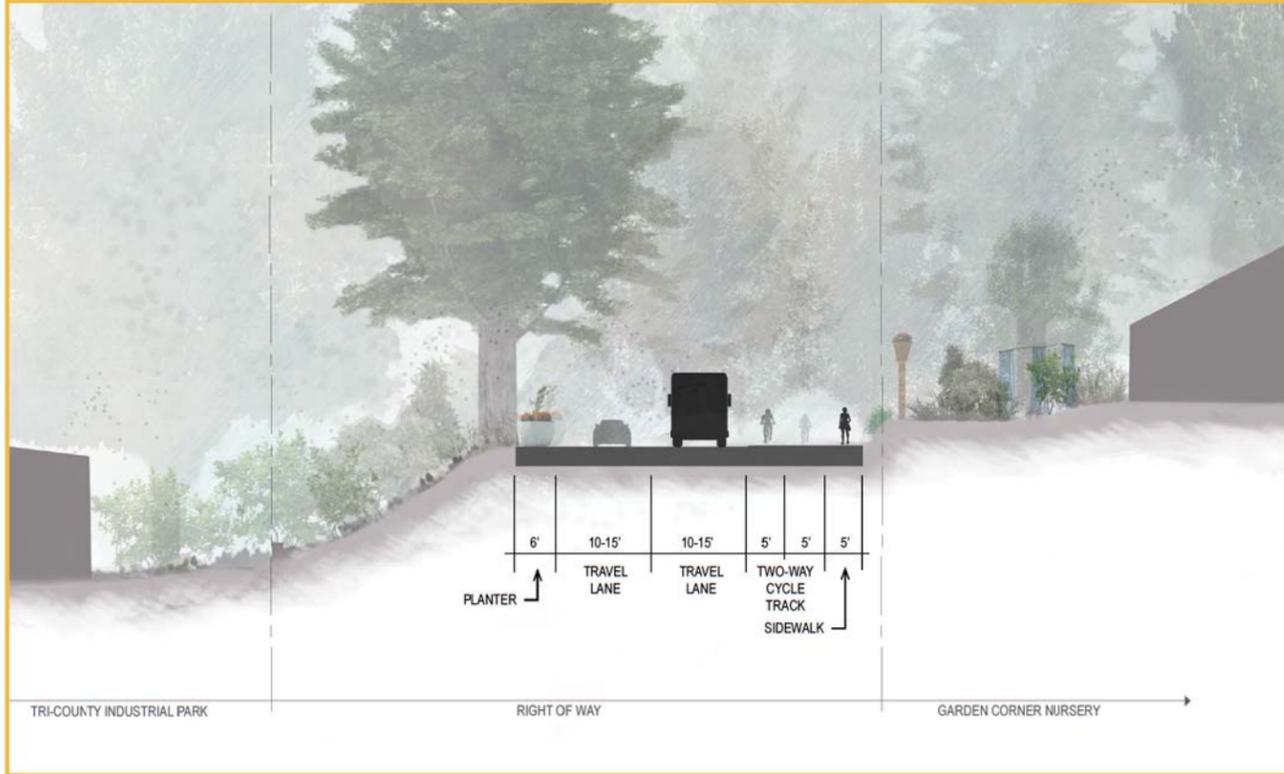


Considering other potential traffic safety and improvement needs throughout Tualatin, how important is it to improve this corridor? (check one)





Section 1 - 108th at Blake, looking northeast



Section 2 - Blake at 105th, looking northeast



Section 3 - 105th at Hedges Creek, looking north



View 1 - 108th and Blake, looking west



View 2 - 105th and Blake, looking southwest



View 3 - 105th at Moratoc, looking south





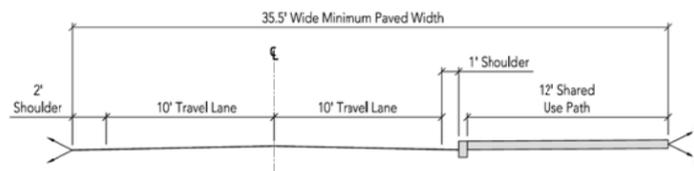
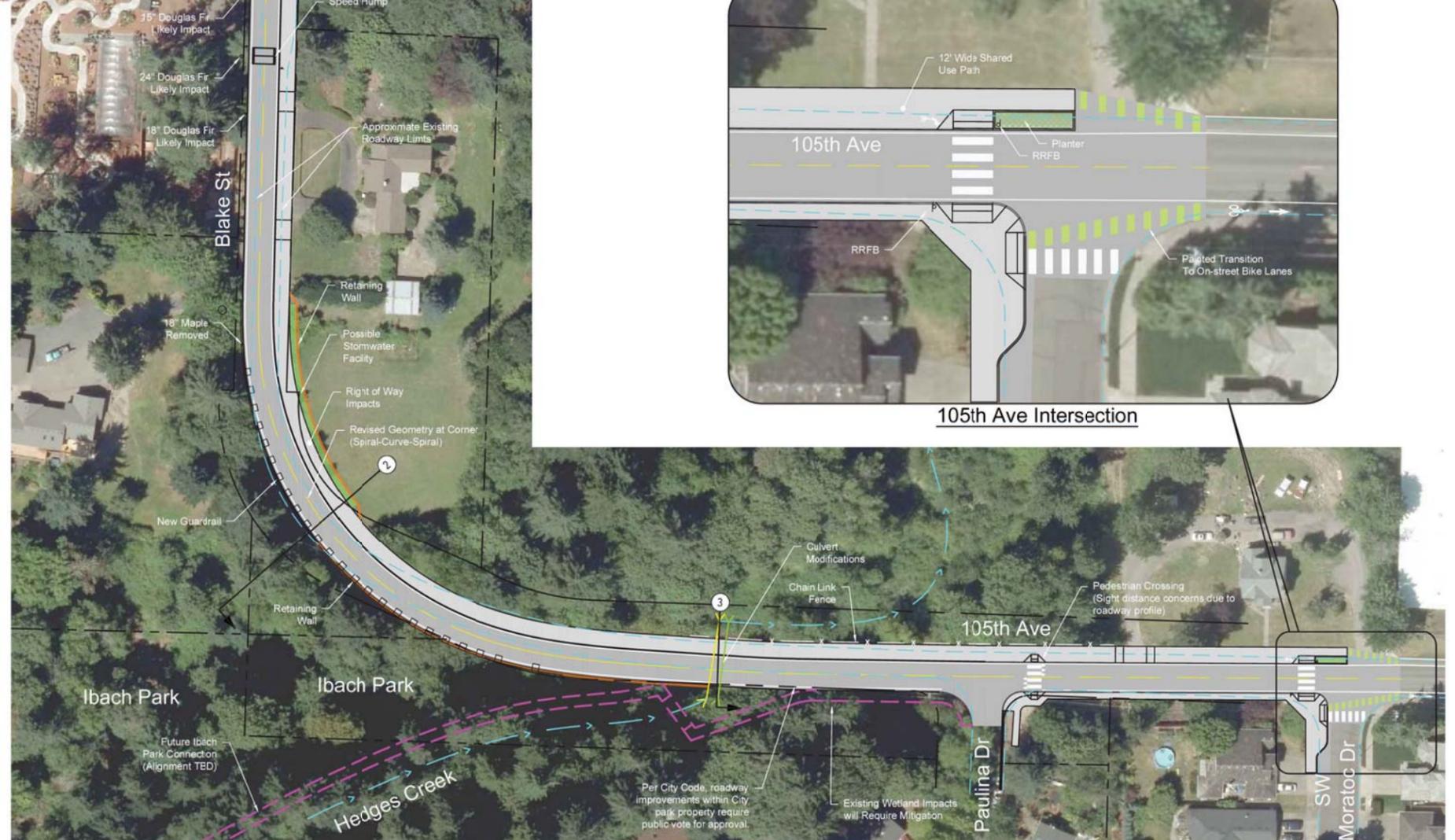
108th Ave Corner



108th Ave/ Willow St Intersection



105th Ave Intersection

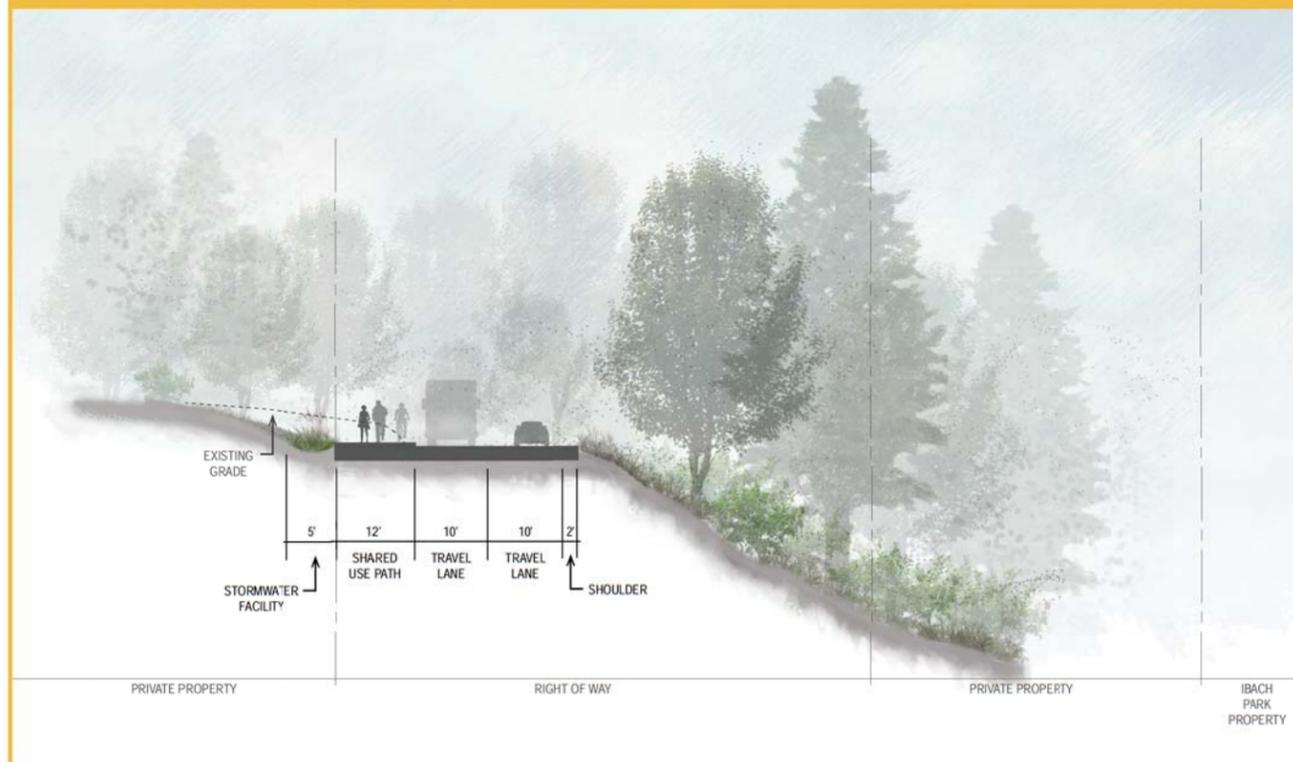


A 105th Avenue, Blake Street and 108th Avenue Standard Cross Section

Section 1 - 108th at Blake, looking northeast



Section 2 - Blake at 105th, looking northeast



Section 3 - 105th at Hedges Creek, looking north



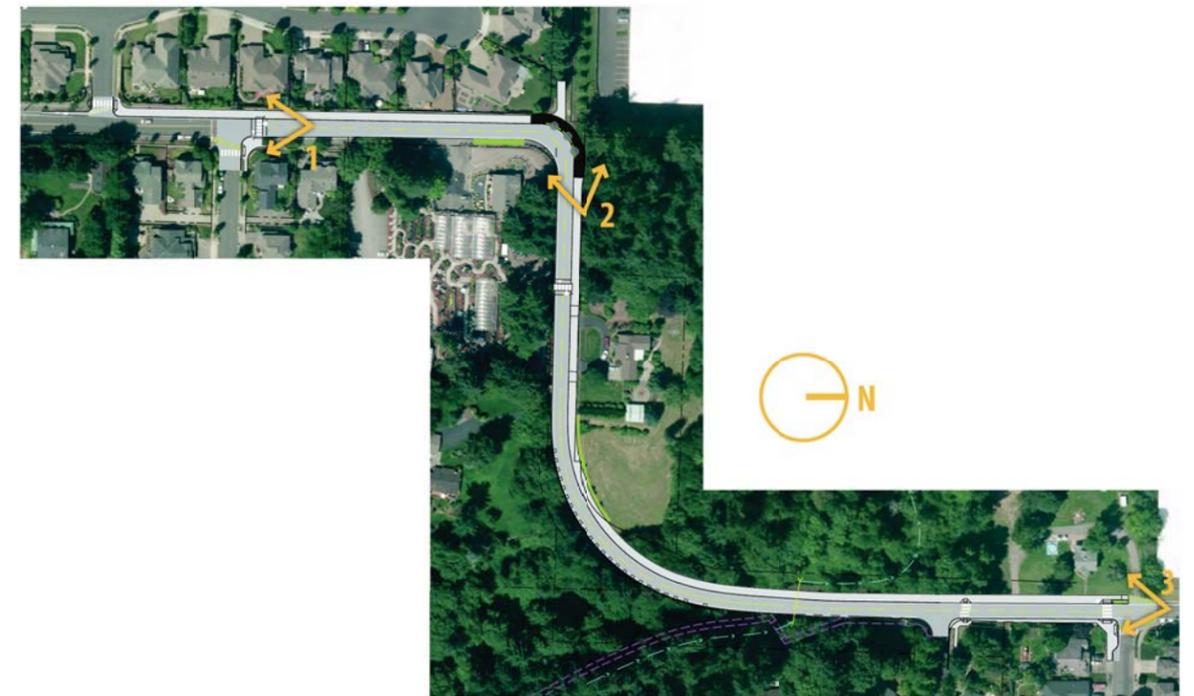
View 1 - 108th at Willow St, looking south

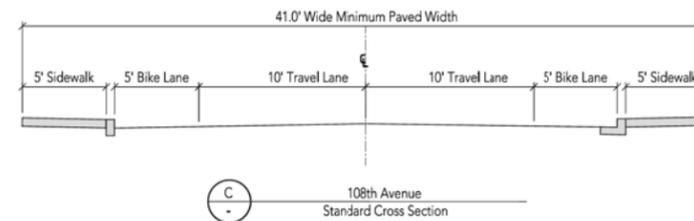
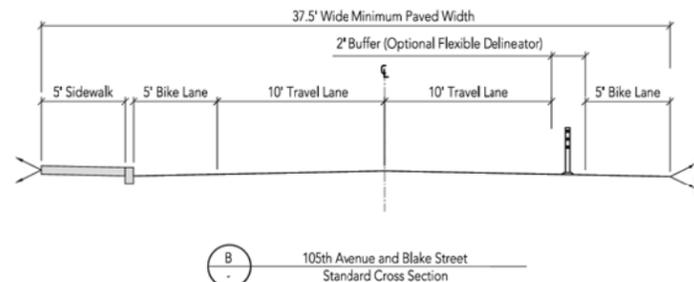
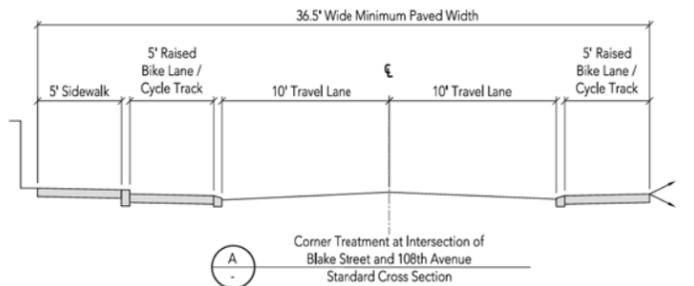


View 2 - 108th and Blake, looking west



View 3 - 105th at Moratoc, looking south

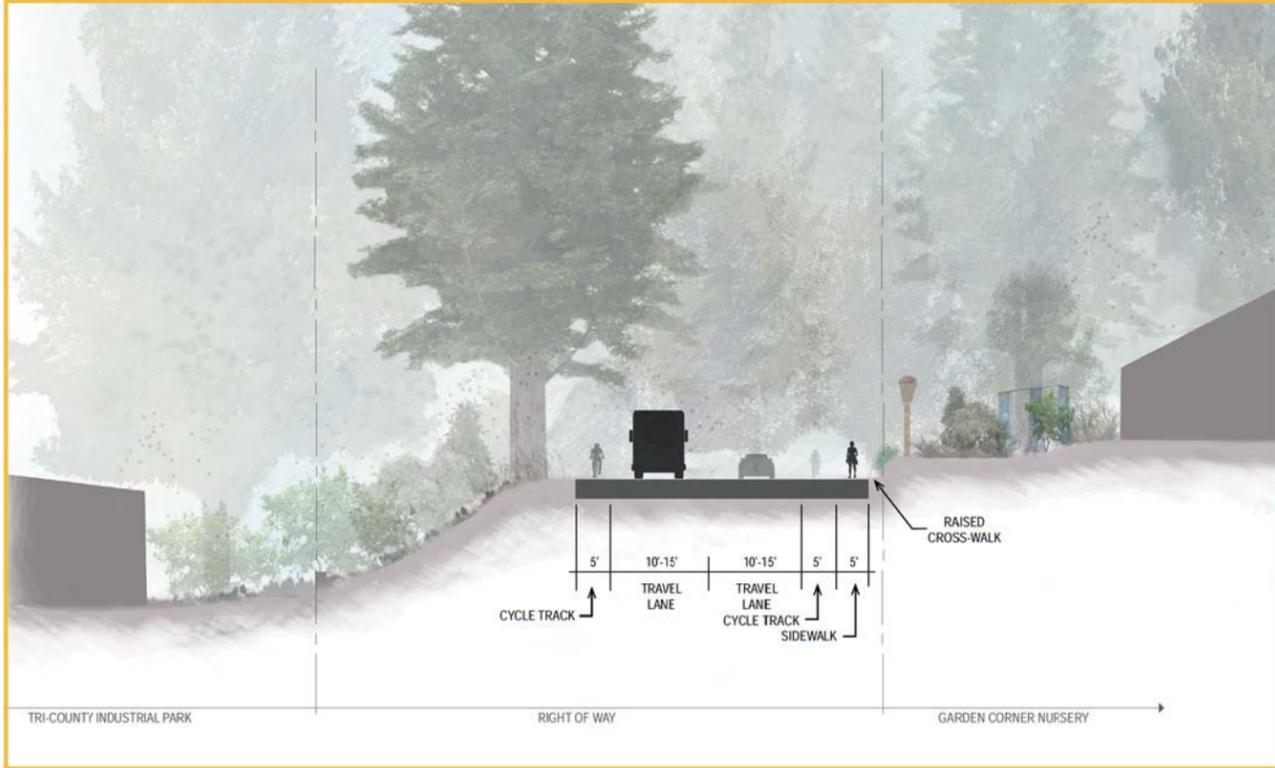




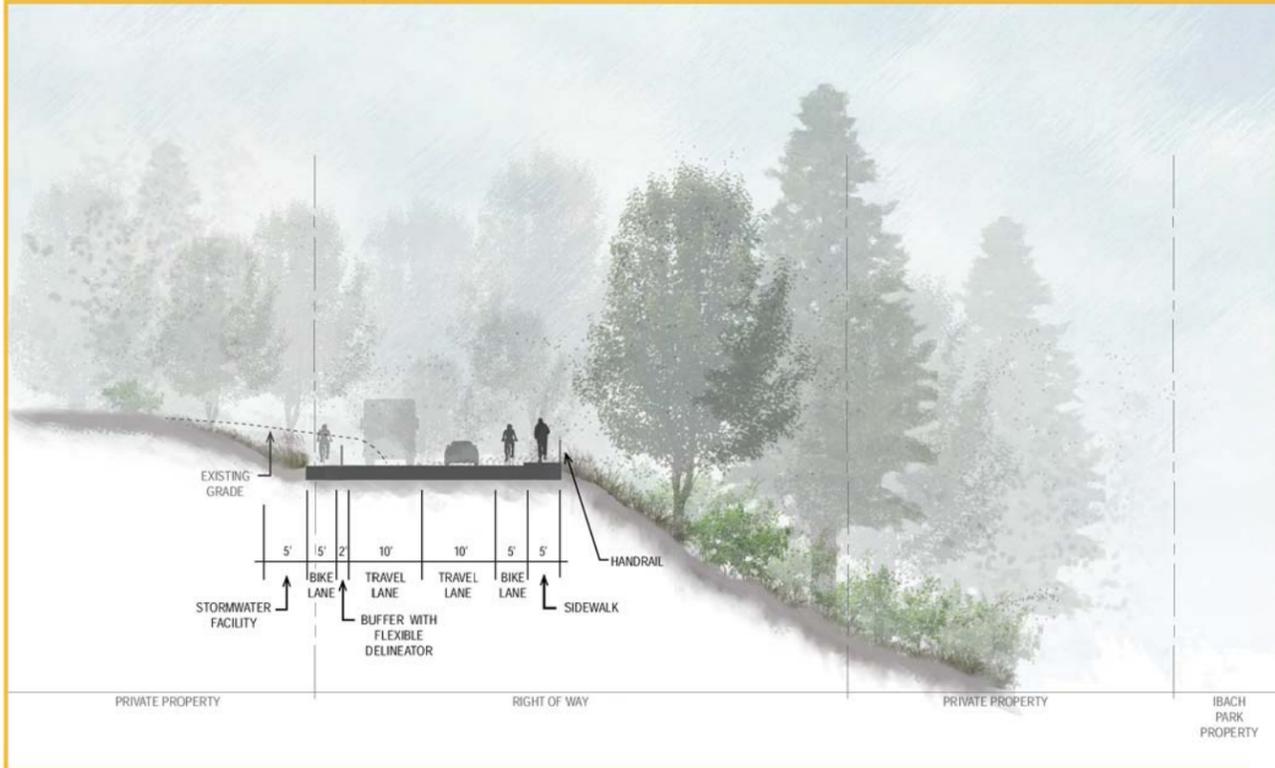
108th Ave Corner



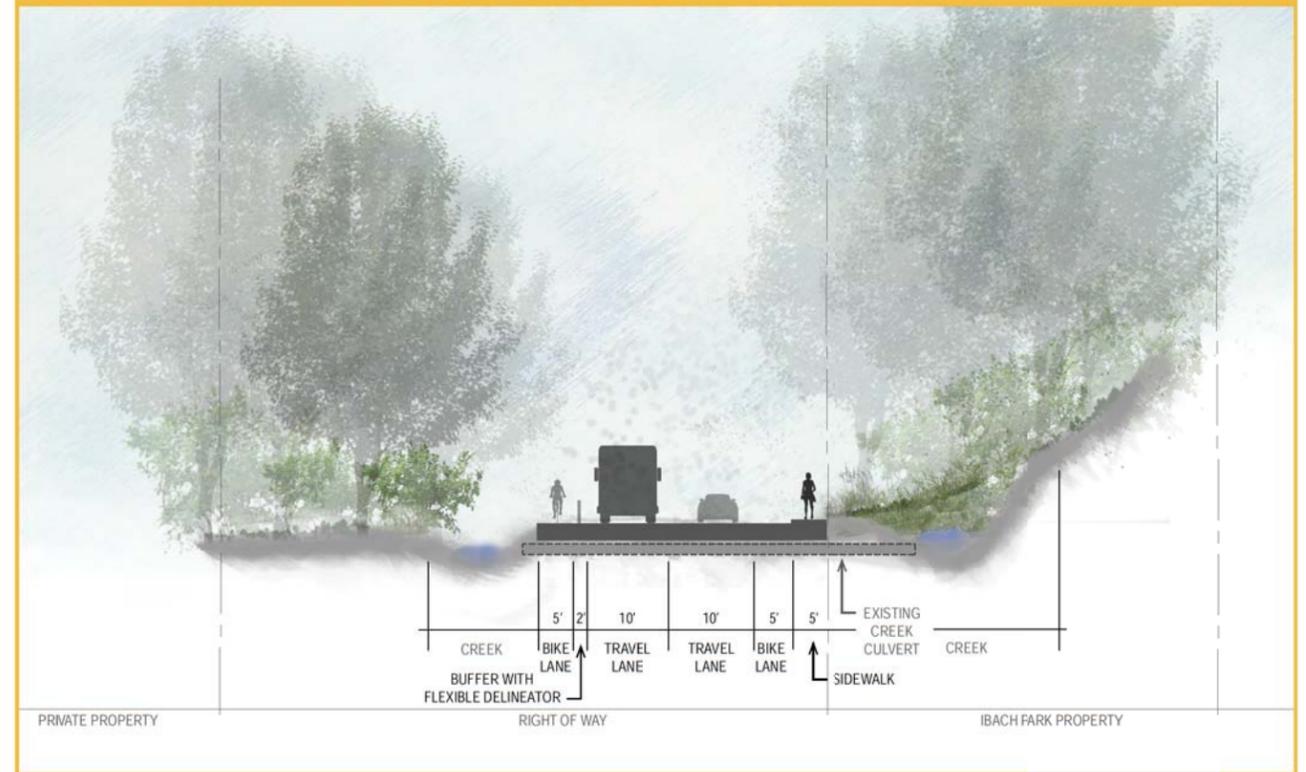
Section 1 - 108th at Blake, looking northeast



Section 2 - Blake at 105th, looking northeast



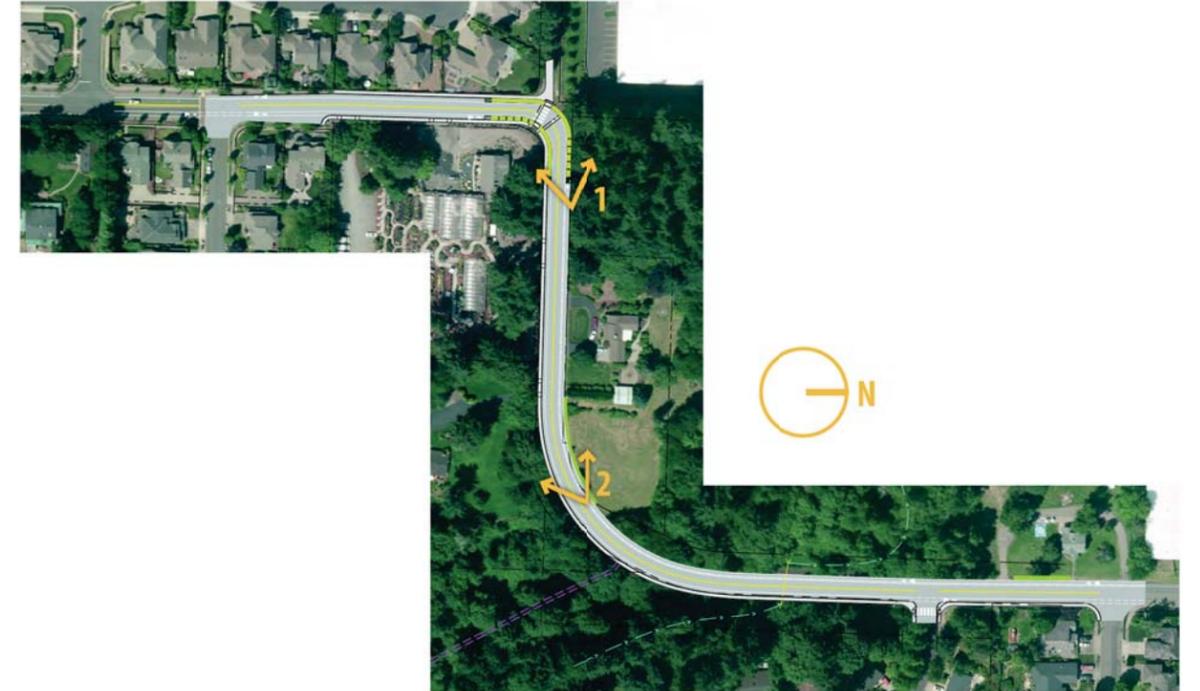
Section 3 - 105th at Hedges Creek, looking north

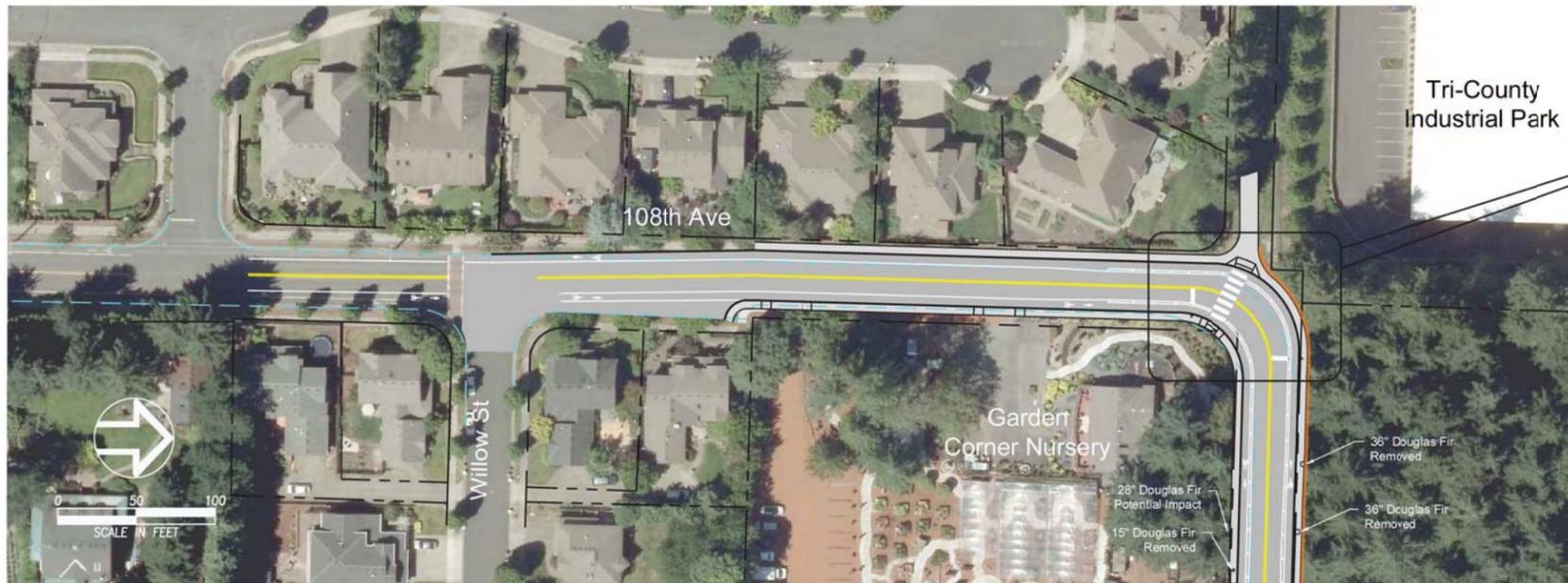


View 1 - 108th and Blake, looking west



View 2 - 105th and Blake, looking southwest

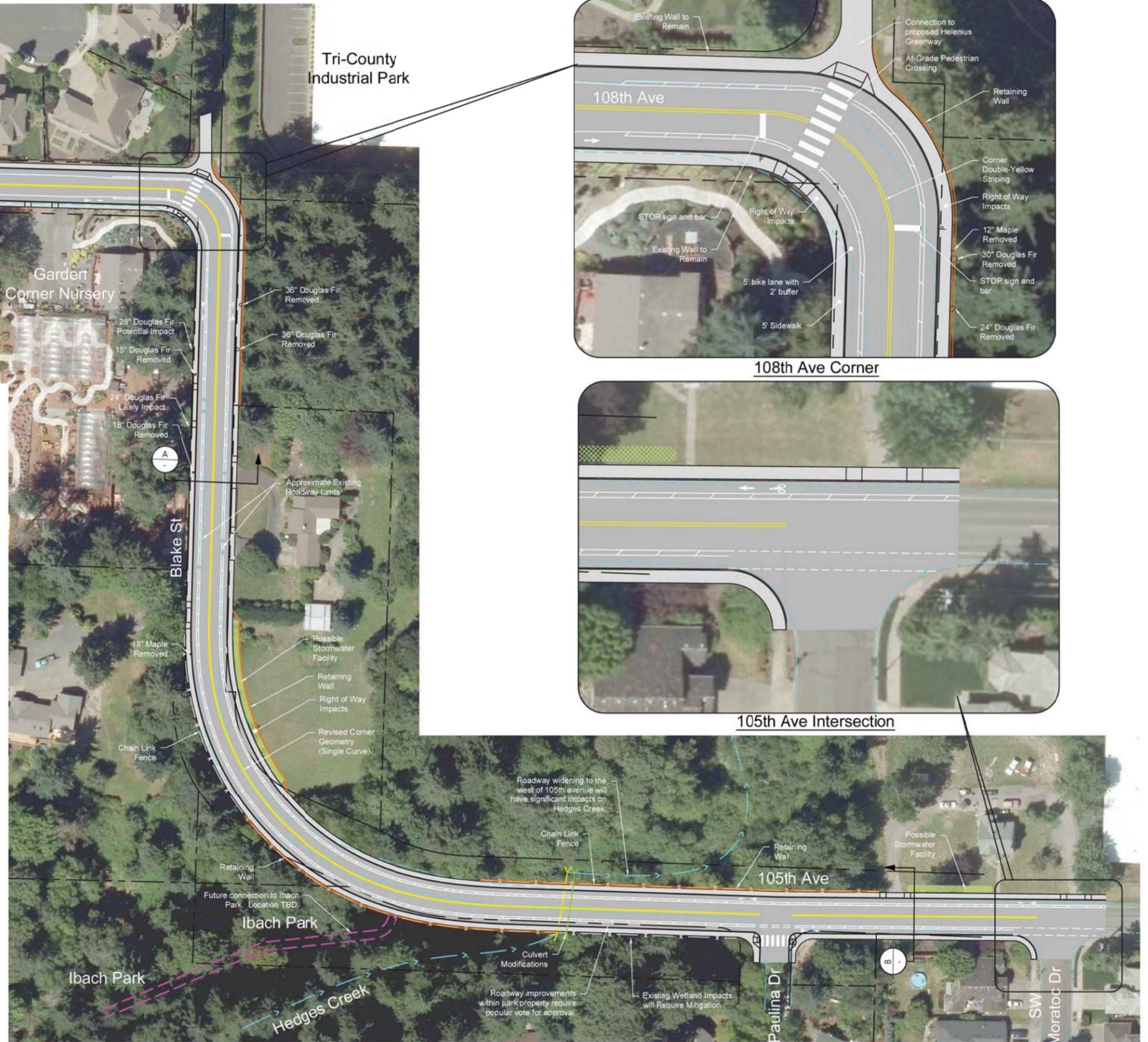
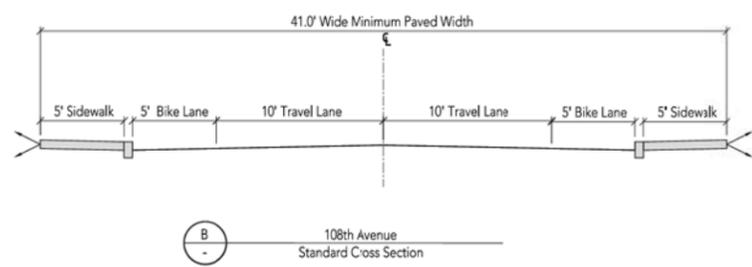
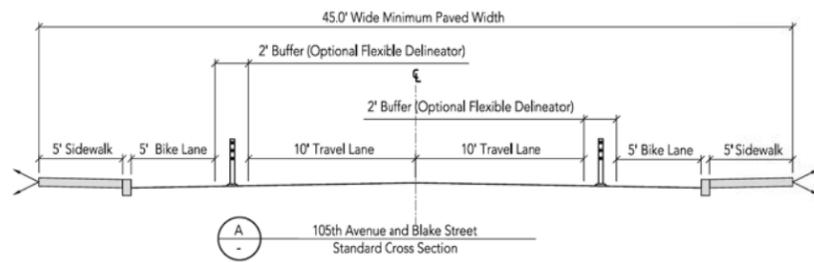




108th Ave Corner



105th Ave Intersection





Garden Corner Curves Tualatin City Council Work Session

May 22, 2017

GARDEN CORNER CURVES

wallis
engineering

ata
PLANNING + DESIGN



INTRODUCTION

- Update: Garden Corner Curves Concept Study
- Results from Public Outreach
- Four draft alternatives (including cost)
- Next steps

Project team - City of Tualatin, Wallis Engineering, Alta Planning + Design, Community

GARDEN CORNER CURVES

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LOCATION

← to SW Ibach Street



to SW Avery Street →

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WHAT ARE WE TRYING TO FIX

- Provide safe route for pedestrians and cyclists
- Create connection between Ibach and Midwest neighborhoods
- Address speed and safety concerns
- Address crash history at Blake/108th
- Minimize impacts to neighbors
- Find cost effective buildable solutions



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PUBLIC OUTREACH APPROACH

- Targeted more towards specific users and neighbors directly affected
- More listening - Less telling
- Very interactive with community
- Kitchen table meetings
- Closing the road
- Stakeholder meetings
- Survey



GARDEN CORNER CURVES

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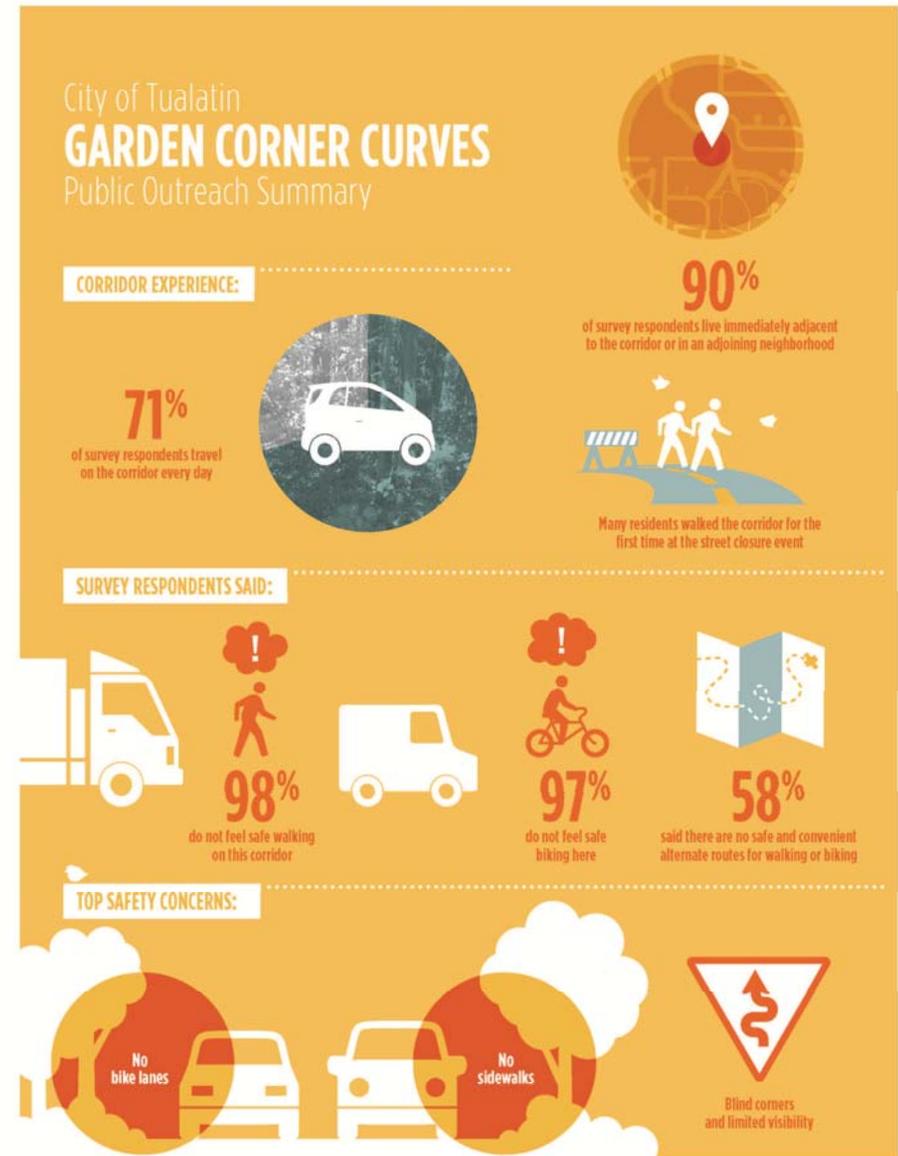
PUBLIC OUTREACH

OUTREACH MEETING	MEETING DATE	ATTENDANCE
Stakeholder Meeting	September 19, 2016	One property owner
CIO Meeting - Project Update	October 3, 2016	18 people
Closed Street Site Tour	October 8, 2016	Est. 45-50 people
Stakeholder Meeting	October 8, 2016	Two property owners
Kitchen Table Meeting #1	November 7, 2016	Five people
Kitchen Table Meeting #2	November 29, 2016	Five people
Stakeholder Meeting	April 3, 2017	Two property owners
Stakeholder Meeting	April 3, 2017	Two property owners
Stakeholder Meeting	April 12, 2017	Two property owners
Online Survey	October – December 2016	183 people

PUBLIC OUTREACH RESULTS

Top concerns

- No bike lanes
- No sidewalks
- No neighborhood connection
- Speeding
- Blind corners and limited visibility



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HOW WE ARE ADDRESSING TOP CONCERNS

- Sidewalks, bike lanes, shared use path
- Crosswalks, signing, raised crosswalks, bike turn pockets
- Visual elements to reduce speed - especially at 108th and Blake corner
- Increased lighting
- Maintain existing character - trees, creek, etc.
- Minimize right-of-way impacts
- Stay within existing corridor

ALTERNATIVES

- Looked at 4 alternatives
- Included interchangeable elements
- Evaluated Impacts
 - Right of way
 - Environmental
 - Cost

ALT A - EAST SIDE SHARED USE PATH



- Two – 10’ vehicle lanes
- 12’ shared use path on east side
- Safety improvements include:
 - Cobbled corner treatment
 - RRFB at Moratoc
 - RRFB at 108th and Blake.
 - Raised crossing at Paulina

GARDEN CORNER CURVES



APPROXIMATE COSTS

Option A (East Shared Use Path) - \$2.4M

Option B (West Shared Use Path)- \$2.7M

Option C (West Side Sidewalk and Bike Lanes) - \$2.5M

Option D (Sidewalk and Bike Lanes Both Sides) - \$3.0M

OPTIONS FOR NEAR TERM

- Better signage (corner chevrons, updated sign placement, warning signal clarification)
- Speed humps
- Revised pavement markings (centerline removal, sharrows, optical speed bars, advisory bike lanes)
- Driver speed feedback signs
- Visibility improvements (slope benching, lighting)

NEXT STEPS

- Additional Outreach:
 - Open House (June 13, 2017, 6-8:30pm, Location TBD)
 - Online Survey
 - Continued communication
- Complete Detailed Design Evaluation
- Update Cost Estimates
- Research Funding Opportunities

DISCUSSION

<http://gardencornercurves.org/>

GARDEN CORNER CURVES

wallis
engineering

alta
ALAN TAYLOR
ACADEMY



ADDITIONAL INFORMATION

GARDEN CORNER CURVES

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PLANNING & DESIGN



Application

- Intersections and midblock crossings
- Cross traffic < 40 mph
- Can be a raised crosswalk
- Can be combined with refuge island

Advantages

- Alert motorists
- Provide crossing location guidance to bikes and peds

Costs

\$



Raised Crosswalk

Raised sections of roadway at crosswalks designed to cause a reduction in motorists speed.



Application

- At crosswalks on local roads that are not Emergency Service Routes

Advantages

- Full time speed reduction
- Low cost relative to enforcement

Disadvantages

- Drainage issues depending on design

Costs

\$

Application

- Unsignalized intersections and midblock locations
- Pushbutton activated

Advantages

- Alerts motorists to presence of waiting bicyclist or pedestrian
- Solar Powered
- High compliance

Disadvantages

- Lower compliance than Hybrid Beacon

Costs

\$



Pedestrian/Bicycle Hybrid Beacon

Combination of amber and red indications that dwells in dark mode and then is bike/pedestrian activated.



Application

- Major crossings that lack adequate gaps in traffic

Advantages

- Could be used when Pedestrian Signal warrant is not met
- Minimizes delay for traffic on major street

Disadvantages

- Limitations to where it can be installed

Costs

\$\$

- Application**
- Auto traffic > 3,000 ADT
- Advantages**
- Generally provides most direct route and access to major destinations
 - Clarifies lane uses
- Disadvantages**
- Space requirements can require removal of parking or excess travel lane
- Cost**
- \$\$



- Application**
- Bike lanes with high motor speeds/volumes or adjacent to parking
- Advantages**
- Provides cushion of space to mitigate friction with cars
- Disadvantages**
- Additional space needs
- Cost**
- \$\$

- Application**
- Arterial roadways with high vehicle speeds and volumes
 - Roads with fewer cross streets and driveways
 - Width 5 ft min.
- Advantages**
- Direct access to main street destinations
- Disadvantages**
- Left turns must be made in non-standard manner
 - Expensive
- Cost** - \$\$\$



- Application**
- River, Rail or Utility Corridors
- Advantages**
- Low-conflict, low-stress conditions
 - High travel speed potential
- Disadvantages**
- Lack of direct access
- Costs**
- \$\$\$

Application

- High speed or high traffic roadways

Advantages

- Provides for a safe turning movement without blocking bike lane

Disadvantages

- Forces cyclists to make a sharp turn

Costs

\$



Bike Lane Left-Turn Pocket

Used where merging into traffic to access an all ages/abilities facility doesn't feel safe.

Speed Feedback Sign

Display provides speed feedback to oncoming drivers.



Application

- Rural two-lane roads with curves

Advantages

- Encourages appropriate travel speed
- Effective long-term in reducing speeds

Disadvantages

- Maintenance

Costs

\$

Application

- Local service roads that are not Emergency Service Routes
- Spaced 300 to 500 ft apart

Advantages

- Full time speed reduction
- Low cost relative to enforcement

Disadvantages

- Potential to generate noise
- Uncomfortable when poorly designed

Costs

\$



Speed Humps

Raised sections of roadway designed to cause a reduction in motorists speed.



Curb Extension

By widening the sidewalk into the street, curb extensions narrow the street, and crossing distance.

Application

- Intersections, T intersections, and midblock crossings

Advantages

- Reduce crossing distance
- Some speed reduction
- Crossing points more visible

Disadvantages

- Some parking loss
- Drainage

Costs

\$\$

- Application**
- Low traffic roadways
- Advantages**
- Encourages slower speeds and safe passing
- Disadvantages**
- Cost to remove
- Costs**
- \$

Centerline Removal

Centerlines are not needed on low-volume streets and removing them encourages safer travel speed and roadway sharing.



Visual Narrowing

Painted edge lines or contrasting construction materials can visually constrain wide open stretches of pavement.



- Application**
- Low traffic roadways
- Advantages**
- Encourages appropriate travel speed
- Disadvantages**
- Maintenance
- Costs**
- \$\$

- Application**
- Urban/suburban roadways
- Advantages**
- Creates a clear, visible, predictable and distinct travel path for people biking
 - Increases awareness of people biking on the roadway
- Disadvantages**
- Maintenance
- Costs**
- \$

Bike Lane Crossing Markings

Striped areas that transition between two bike facilities (types of facilities or directions of travel).



Optical Speed Bars

Transverse markings or optical curve bars at corners to provide additional visual delineation.



- Application**
- Roadway with centerline and edgeline
- Advantages**
- Encourages appropriate travel speed
- Disadvantages**
- Maintenance
- Costs**
- \$\$



MEMORANDUM

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Tanya Williams, Assistant to the City Manager

DATE: 05/22/2017

SUBJECT: Sanctuary City Status and Welcoming Community

ISSUE BEFORE THE COUNCIL:

The Council will discuss a proposed resolution declaring the City of Tualatin as a sanctuary city. The Council will also discuss the potential for a series of listening sessions to address the need and concern of the broader community to feel safe and welcome in the City of Tualatin.

Attachments: [Sanctuary Cities FAQ](#)

City of Tualatin –City Council Sanctuary City Work Session May 22, 2017

Frequently Asked Legal Questions

The following are answers to several frequently asked legal questions regarding sanctuary cities. Due to the nature of these questions, some of the answers are somewhat general in nature. Additional information regarding any of these answers or advice related to other questions members of the Council may have regarding this topic can be provided during the May 22, 2017 work session.

1. ***What is a sanctuary city?*** Generally speaking, in the United States, a sanctuary city is a jurisdiction that has made some type of public declaration regarding limitations on how it will cooperate with federal immigration authorities. There is not one common definition for the term “sanctuary city” and as such it is generally up to a local jurisdiction define the scope of its “sanctuary” status. For Tualatin, the draft resolution being considered would define a “sanctuary city” as a city that is committed to providing a safe community for all individuals, regardless of ethnicity or immigration status, and ensures that all members of our community are safe and can call upon public safety assistance whenever necessary, without being questioned about federal immigration laws and without fear of reprisal based solely on legal status, in accordance with Oregon state law.
2. ***If Oregon is a sanctuary state, then isn't Tualatin already a sanctuary city?*** Yes. State law, specifically, Oregon Revised Statutes 181A.820, prohibits any law enforcement agency in the State from using money, equipment or personnel for the purpose of detecting or apprehending persons whose only violation of law is that they are persons of foreign citizenship present in the United States in violation of federal immigration laws. As described above, there is not one common definition of what constitutes a “sanctuary” jurisdiction. Because ORS 181A.820 applies statewide, and because that statute is a declaration regarding how all cities in Oregon, including Tualatin, will interact with federal immigration authorities, then the statute makes Tualatin a sanctuary city even if Tualatin does not publicly declare itself to be a sanctuary city.
3. ***Would adopting a resolution declaring Tualatin a sanctuary city create any legal changes to how the City operates?*** No. The resolution being considered by the Council would constitute a public statement that Tualatin will continue to provide a safe community for all residents, regardless of immigration status, in accordance with ORS 181A.820. It would be a public statement – simply the City exercising its speech rights. Because state law already applies to Tualatin, adoption of the draft resolution confirming the City’s commitment to comply with that law would not legally change how the City currently operates.
4. ***Would adopting a resolution declaring Tualatin a sanctuary city affect other government entities such as Washington County, the state or the federal government?*** No. Each level of government, federal, state, county and city, is its own separate and unique entity. While state and federal law have the ability to preempt our

City laws and to dictate certain actions by the City, a City resolution declaring Tualatin a sanctuary city has no legal effect and is not binding on other levels of government. The federal government may still send immigration officers to Tualatin to make arrests and detain those who are in the Country illegally, regardless of Tualatin's status as a sanctuary city. Likewise, either County is free to establish its own policies regarding its interaction with federal immigration officials, regardless of whether Tualatin is a sanctuary city.

5. ***Will the federal government increase immigration enforcement efforts in Tualatin if the City declares itself a sanctuary city?*** Unknown. It is possible that the federal government will increase its efforts in jurisdictions that publicly declare themselves to be sanctuary cities. It is equally possible that such actions won't occur, especially in Oregon given that the entire state is considered a "sanctuary" state. What is important to keep in mind is that regardless of what Tualatin does, the federal government will decide on its own whether and to what extent it is going to focus its immigration enforcement efforts in Tualatin. Tualatin has no control over or ability to dictate those efforts.
6. ***Doesn't federal law prohibit sanctuary cities?*** No. Federal law prohibits a state or local jurisdiction from restricting any government entity or official from "sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual." 8 USC § 1373. The scope of this law is limited to the sending and receiving of information regarding an individual's immigration status. Federal law does not require the City to inquire about an individual's immigration status, arrest individuals who are in the country illegally, or otherwise assist federal immigration officials in any way. In fact, a requirement imposed by the federal government on a city to provide assistance on federal immigration issues would violate the Tenth Amendment to the United States constitution.
7. ***Doesn't the state law making Oregon a sanctuary state violate federal law then?*** No. As required by federal law, ORS 181A.820, expressly provides that "a law enforcement agency may exchange information with the United States Bureau of Immigration and Customs Enforcement, the United States Bureau of Citizenship and Immigration Services and the United States Bureau of Customs and Border Protection in order to: (a) Verify the immigration status of a person if the person is arrested for any criminal offense; or (b) Request criminal investigation information with reference to persons named in records of the United States Bureau of Immigration and Customs Enforcement, the United States Bureau of Citizenship and Immigration Services or the United States Bureau of Customs and Border Protection." Because the sharing of information is all that federal law requires, ORS 181A.820 is consistent with federal law.
8. ***Don't other federal laws require the City to assist with enforcement of federal immigration laws?*** No. Other federal immigration laws related to the interaction between federal and local jurisdictions are purely voluntary in nature. In fact, local governments have no authority to enforce federal immigration laws unless they enter into agreements with the federal government. These agreements, often referred to as 287(g) agreements, require training and oversight of the local government officials who will be charged with enforcing federal immigration law. To the extent no such voluntary agreement is in place, a local government official has no authority to enforce federal immigration law.

9. ***Will the City lose federal funding if it declares Tualatin to be a sanctuary city?*** Possibly. The President signed Executive Order 13768 on January 25, 2017, which among other directives seeks to limit federal funding to sanctuary jurisdictions. The Executive Order provides that jurisdictions which “willfully refuse to comply with 8 USC § 1373 are not eligible to receive federal grants.” As explained above, nothing in Tualatin’s draft declaration or existing state law refuses to comply with 8 USC § 1373, which again, requires only the sharing of information regarding an individual’s immigration status. However, the Executive Order also directs the United States Attorney General to take appropriate enforcement action against any entity that “has in effect a statute, policy or practice that prevents or hinders the enforcement of federal [immigration] law.” It is unclear what that language means and the extent to which simply declaring Tualatin a sanctuary city would prevent or hinder the enforcement of federal immigration law. To that end, it is possible that the federal government could seek to limit federal funding provided to Tualatin if the City declares itself to be a sanctuary city.
10. ***Are there any limits on the ability of the Executive Branch to stop federal funds from coming to Tualatin if the City declares itself to be a sanctuary city?*** Yes. The Executive Branch may only implement the laws passed by the Legislative Branch, which is Congress. As such, the Executive Branch may only limit funding in those situations where Congress has provided discretionary spending authority to the Executive Branch. Thus, for example, to the extent that Congress has enacted a formula for grant funding, the Executive Branch may not alter that formula and decrease or prohibit funding to an otherwise eligible jurisdiction.
11. ***Would adopting a resolution declaring Tualatin to be a sanctuary city violate a Councilor’s oath of office?*** No. The oath of office requires a Councilor to uphold the constitutions of the United States and Oregon as well as the laws of each jurisdiction (and the Charter and laws of the City). As explained above, the resolution under consideration is consistent with federal and state law. Furthermore, it is consistent with the United States constitution – specifically the Tenth Amendment, which reserves power to the states, and precludes the federal government from requiring certain state actions.