



TUALATIN CITY COUNCIL

Monday, JULY 10, 2017

JUANITA POHL CENTER

8513 SW Tualatin Road

Tualatin, OR 97062

WORK SESSION begins at 5:30 p.m.
BUSINESS MEETING begins at 7:00 p.m.

Mayor Lou Ogden

Council President Joelle Davis

Councilor Robert Kellogg

Councilor Paul Morrison

Councilor Jeff DeHaan

Councilor Frank Bubenik

Councilor Nancy Grimes

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 JULY 10, 2017

A. CALL TO ORDER

Pledge of Allegiance

B. ANNOUNCEMENTS

1. New Employee Introduction- Geo DePaz, Water Technician I
2. Tualatin Youth Advisory Council Update for July 2017
3. The 22nd Annual ArtSplash Art Show & Sale Announcement

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 Work Session and Regular Meeting of June 26, 2017
2. Consideration of Approval of a New Liquor License Application for Gonzales Wine Company
3. Consideration of Approval of a New Liquor License Application for Rosie's Kitchen
4. Consideration of **Resolution No. 5334-17** Authorizing the City Manager to Execute an Amendment to an Intergovernmental Agreement with Clackamas County's Community Development Block Grant Program.

E. 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 Recommendations from the Council Committee on Advisory Appointments
2. Consideration of Appointments to the Parks and Recreation Master Plan Update Project Advisory Committee

F. 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.

G. COMMUNICATIONS FROM COUNCILORS

H. ADJOURNMENT

City Council Meeting

Meeting Date: 07/10/2017

ANNOUNCEMENTS: Tualatin Youth Advisory Council Update

ANNOUNCEMENTS

Tualatin Youth Advisory Council Update for July 2017

A. YAC Update

July 10, 2017

Tualatin Youth Advisory Council

Youth Participating in Governance

Blender Dash

- Saturday, June 3
- Tualatin Community Park
- 650 kids
- 120 volunteers



Teen Scavenger Hunt



- Wednesday, June 21
- Partnership with Teen Library Committee
- 38 teens solved clues to win prizes

July 1

Dr. Strange

July 8

The Secret Life of Pets

July 15

Captain America Civil War

July 22

Fantastic Beasts and Where
to Find Them

July 29

Moana

August 12

The Lego Batman Movie

August 19

Sing

August 26

Rogue One



City Council Meeting

Meeting Date: 07/10/2017

ANNOUNCEMENTS: ArtSplash Art Show & Sale

ANNOUNCEMENTS

The 22nd Annual ArtSplash Art Show & Sale Annoucement

SUMMARY

n/a

A. ArtSplash Art Show & Sale

A watercolor splash graphic in shades of blue, green, and purple, resembling a map of the state of Ohio. The word "ART" is written in white, serif, all-caps font across the middle of the splash. Below it, the word "splash" is written in a purple, lowercase, serif font. Underneath "splash", the words "Art Show and Sale" are written in a purple, lowercase, serif font.

ART
splash
Art Show and Sale



Over 50 Northwest artists showcasing their talents in painting, jewelry, photography, glass, ceramic, wood, and more.

Show Hours:

Friday, July 21	12 pm-9 pm
Saturday, July 22	11 am-8 pm
Sunday, July 23	11 am-4 pm



Music, food, and family activities throughout the weekend

Friday, July 21

- Concert on the Commons featuring Northwest Folk band *The Junebugs*

Saturday, July 22

- Kids' Art Activity Tent
- Tualatin Band *Elise and Special Guest*
- Concert featuring Nuevo Flamenco Guitarist *Todd Haaby*
- Movies on the Commons

Sunday, July 24

- Chalk it up
- Concert by *New Horizons Big Band of Tualatin*



ART splash



Sponsored by the Tualatin Arts Advisory Committee



City of Tualatin



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: 07/10/2017

SUBJECT: Consideration of Approval of the Minutes for the Work Session and Regular Meeting of June 26, 2017

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve the minutes for the Work Session and Regular Meeting of June 26, 2017.

RECOMMENDATION:

Staff respectfully recommends that the Council adopt the attached minutes.

Attachments: [City Council Work Session Minutes of June 26, 2017](#)
[City Council Regular Meeting Minutes of June 26, 2017](#)



Present: Councilor Frank Bubenik; Council President Joelle Davis; Councilor Nancy Grimes; Councilor Paul Morrison; Councilor Robert Kellogg

Absent: Mayor Lou Ogden; Councilor Jeff DeHaan

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Bill Steele; Community Services Director Paul Hennon; Finance Director Don Hudson; Deputy City Recorder Nicole Morris; Assistant to the City Manager Tanya Williams; Assistant City Manager Alice Cannon

CALL TO ORDER

Council President Joelle Davis called the meeting to order at 6:31 p.m.

1. *Communications & Community Engagement Update.*

Assistant City Manager Tanya Williams presented a city communications update. Communications milestones over the years were recapped. Manager Williams spoke to online engagement including Facebook, Twitter, YouTube, Instagram, and NextDoor. Statistics for the different social media sites were shared and compared to other regional cities. Website improvements were reviewed. Improvements to the website allowed for better content management, improved quality and accessibility, and allow staff to now track analytics. Community Engagement programs including the CIO program, Tualatin Tomorrow, Diversity and Inclusion Working Group, and other large projects with heavy public involvement were briefly recapped. Future communications updates include transition of the newsletter to a e-newsletter and the hiring of a Community Engagement Coordinator to assist in broadening and deepening Tualatin's outreach and engagement in communities of color.

Councilor Bubenik asked how the newsletter transition is being advertised. Manager Williams stated special articles regarding the transition and how to subscribe to the e-newsletter are being published.

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

Council President Davis provided a draft of the Council Rules as prepared by the sub-committee on Council Rules. She noted further discussion will be held at the July 10 work session.

Councilor Grimes asked about the reimbursement for opt out of insurance benefits. City Manager Lombos explained CIS's rules associated with the cash in lieu of benefits program.

Council President Davis stated after the withdrawal by the United States Government from the Paris Climate Agreement a group of Mayors was formed to honor the goals of the Paris Climate Agreement. The mayors are doing this by passing resolutions in cities to continue to honor the agreement. She proposed the Council consider a resolution at their next meeting.

Councilor Bubenik stated the Paris Climate Agreement is in alignment with Metro's Climate Smart Goals put forward by the state and would be in agreement with such a resolution.

Consensus was reached to consider a resolution at a future meeting.

ADJOURNMENT

The work session adjourned at 6:53 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Lou Ogden, Mayor



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR JUNE 26, 2017

Present: Mayor Lou Ogden - Via Phone; Councilor Frank Bubenik; Council President Joelle Davis; Councilor Nancy Grimes; Councilor Paul Morrison; Councilor Robert Kellogg

Absent: Councilor Jeff DeHaan

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Bill Steele; Community Services Director Paul Hennon; Finance Director Don Hudson; Planning Manager Aquilla Hurd-Ravich; Deputy City Recorder Nicole Morris; Assistant to the City Manager Tanya Williams; Assistant City Manager Alice Cannon; Management Analyst II Kelsey Lewis; Parks and Recreation Manager Rich Mueller; City Engineer Jeff Fuchs; Human Resources Director Stacy Ruthrauff

A. CALL TO ORDER

Pledge of Allegiance

Council President Joelle Davis called the meeting to order at 7:01 p.m.

B. ANNOUNCEMENTS

1. Proclamation Declaring the Tualatin Overture, composed by Arthur Breur, as the Official Overture of the City of Tualatin

Arthur Breur provided background on how the overture came to fruition. The overture was performed by the Tualatin Valley Symphony on May 21, 2017. It is available online for listening.

Councilor Frank Bubenik read the proclamation declaring the Tualatin Overture, composed by Arthur Breur, as the Official Overture of the City of Tualatin.

2. Proclamation Declaring July 2017 as National Park and Recreation Month

Councilor Paul Morrison read the proclamation declaring July 2017 as National Park and Recreation Month.

C. CITIZEN COMMENTS

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Tualatin Chamber of Commerce Director Linda Moholt provided an update on their Business Walks. She presented results from the 60 business that participated.

D. CONSENT AGENDA

The Consent Agenda will be enacted with one vote. The Mayor will ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, Items Removed from the Consent Agenda. The entire Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.

MOTION by Councilor Nancy Grimes, SECONDED by Councilor Frank Bubenik to adopt the consent agenda.

Aye: Mayor Lou Ogden - Via Phone, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Councilor Jeff DeHaan (Absent)

MOTION CARRIED

1. Consideration of Approval of the Minutes for the Work Session and Regular Meeting of June 12, 2017
2. Consideration of **Resolution No. 5329-17** Authorizing the City Manager to Execute an Amendment of a Professional Services Contract with CH2M Hill Engineers, Inc. for Additional Services Associated with the C1/C2 Water Reservoirs
3. Consideration of **Resolution No. 5324-17** Amending Water, Sewer and Surface Water Management Rates Inside the City of Tualatin and Rescinding Resolution 5283-16
4. Consideration of **Resolution No. 5323-17** Authorizing Changes to the Adopted 2016-2017 Budget
5. Consideration of **Resolution No. 5332-17** Authorizing Salary Schedule Update for Temporary Employees for FY 2017/18
6. Consideration of **Resolution No. 5331-17** Approving and Authorizing Provision of Workers Compensation Insurance Coverage to Volunteers of the City of Tualatin

E. PUBLIC HEARINGS – Legislative or Other

1. Consideration of **Resolution No. 5326-17** Adopting the City of Tualatin Budget for the Fiscal Year Commencing July 1, 2017, Making Appropriations, Levying Ad-Valorem Taxes, and Categorizing the Levies

Finance Director Don Hudson presented the fiscal year 2017–18 budget. The Budget Advisory Committee approved the proposed budget on May 30, 2017. The total of the Fiscal Year 2017-18 Budget is \$92,126,740. The tax rate of \$2.2665 per \$1,000 taxable assessed value, with \$978,950 to be levied for bonded debt is included in the budget. The budget is a fiscally prudent budget with a positive ongoing alignment.

Director Hudson presented proposed changes stating the City Council has the ability to change the approved budget in each fund by no more than 10% of the total budget. The proposed changes to the 2017-18 budget approved by the Budget Advisory Committee are related to projects in the General Fund and Water Operating and Development Funds that were not completed during FY 2016-17, as originally planned and all fall within the set approval limits.

PUBLIC COMMENT

None.

COUNCIL QUESTIONS/DELIBERATIONS

None.

MOTION by Councilor Nancy Grimes, SECONDED by Councilor Frank Bubenik to adopt Resolution No. 5326-17 adopting the City of Tualatin budget for the fiscal year commencing July 1, 2017, making appropriations, levying ad-valorem taxes, and categorizing the levies.

Aye: Mayor Lou Ogden - Via Phone, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Councilor Jeff DeHaan (Absent)

MOTION CARRIED

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. 1400-17** Amending Plan Map 9-1 to Change the Planning District Designations of Two Tax Lots Located at 6645 SW Nyberg Lane from General Commercial (CG) To High Density Residential (RH) (PMA-16-0001)

Planning Manager Aquilla Hurd-Ravich stated the staff report was presented at the last meeting and voted on by Council to have an ordinance brought back for consideration tonight.

MOTION by Councilor Nancy Grimes, SECONDED by Councilor Robert Kellogg for first reading by title only.

Aye: Mayor Lou Ogden - Via Phone, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Councilor Jeff DeHaan (Absent)

MOTION CARRIED

MOTION by Councilor Nancy Grimes, SECONDED by Councilor Robert Kellogg for second reading by title only.

Aye: Mayor Lou Ogden - Via Phone, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Councilor Jeff DeHaan (Absent)

MOTION CARRIED

MOTION by Councilor Nancy Grimes, SECONDED by Councilor Robert Kellogg to adopt Ordinance No. 1400-17 amending Plan Map 9-1 to change the planning district designations of two tax lots located at 6645 SW Nyberg Lane from General Commercial (CG) to High Density Residential (RH) (PMA-16-0001).

Aye: Mayor Lou Ogden - Via Phone, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Councilor Jeff DeHaan (Absent)

MOTION CARRIED

2. Consideration of Ordinance No. 1402-17, Adopting Changes to TMC 3-4, Road Utility Fee Ordinance of the City of Tualatin

Finance Director Don Hudson presented an ordinance regarding road utility fees. He reviewed the current code and the proposed changes. It was noted the administration fee does not change, indexing standards were updated, and language to set future rates by resolution was included. If passed a resolution will come back on July 24 to set rates and will be affective on August 1.

MOTION by Councilor Robert Kellogg, SECONDED by Councilor Nancy Grimes for first reading by title only.

Aye: Mayor Lou Ogden - Via Phone, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Councilor Jeff DeHaan (Absent)

MOTION CARRIED

MOTION by Councilor Robert Kellogg, SECONDED by Councilor Nancy Grimes for second reading by title only.

Aye: Mayor Lou Ogden - Via Phone, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Councilor Jeff DeHaan (Absent)

MOTION CARRIED

MOTION by Councilor Robert Kellogg, SECONDED by Councilor Nancy Grimes to adopt Ordinance No. 1402-17, adopting changes to TMC 3-4, Road Utility Fee Ordinance of the City of Tualatin

Aye: Mayor Lou Ogden - Via Phone, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Councilor Jeff DeHaan (Absent)

MOTION CARRIED

3. Consideration of **Resolution No. 5333-17** Authorizing a Professional Services Agreement for Consulting Services to Assist in Completing the Parks and Recreation Master Plan Update

Community Services Director Paul Hennon and Parks and Recreation Manager Rich Mueller presented a professional services agreement awarding MIG, Inc. the contract for consulting services on the Parks and Recreation Master Plan. Director Hennon stated three firms responded to the request for proposal. The proposals were evaluated by staff. MIG, Inc was selected and staff negotiated and reached an agreement for the full scope of work. Director Hennon added MIG will complete an ADA Self-Evaluation and Transition Plan for Tualatin's outdoor park facilities. MIG has also been employed by the City under another agreement to complete the ADA Self-Evaluation and Transition Plan for the city's buildings and right-of-ways. The scope of work and schedules for both projects will be combined in a single report with recommendations for consideration by the ADA Task Force and Council. The project is anticipated to be completed by the end of 2018.

Director Hennon stated a Project Advisory Committee is being formed. An invitation to serve on the Committee was broadly advertised. 36 applications have been received to date. Staff recommended Council appoint two members to serve on the committee.

Councilor Bubenik asked for clarification on the difference between the ADA Task Force and the Project Advisory Committee. Director Hennon stated the ADA Task Force is a group of people familiar with disabilities and that is their sole scope of focus. The Project Advisory Committee will be focusing on parks.

Councilor Bubenik asked if applicants for the committee would be interviewed. Director Hennon stated they will not be interviewed unless needed, as the application process asked for responses to very pointed questions.

Councilor Morrison asked if the Tualatin Parks Advisory Committee will be part of the Project Advisory Committee. Director Hennon stated they would be included.

Council President Davis asked what the ADA Task Force would be reviewing. City Manager Lombos stated staff would send Council information about both committees and their specific tasks and projects.

Councilor Grimes asked if parks were being reviewed as part of the ADA study. Director Hennon stated they are included in the assessment.

MOTION by Councilor Nancy Grimes, SECONDED by Councilor Paul Morrison to adopt Resolution No. 5333-17 authorizing a professional services agreement for consulting services to assist in completing the Parks and Recreation Master Plan update.

Aye: Mayor Lou Ogden - Via Phone, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Councilor Jeff DeHaan (Absent)

MOTION CARRIED

Council discussed who would serve as the Council liaison for the Project Advisory Committee. Consensus was reached Councilor Morrison and Councilor DeHaan would serve on the committee.

4. Consideration of **Resolution No. 5325-17** Amending the City of Tualatin Fee Schedule and Rescinding Resolution No. 5301-16

Finance Director Don Hudson presented updates to the City of Tualatin fee schedule. He stated the fee schedule is broken into three groups, which are updated every three years on a rotating cycle. Legal Services has no proposed changes at this time. Community Development proposed changes to signage fees as outlined in the schedule. The Police Department proposed a "Good Conduct Letter" fee. Fees related to the recently adopted Rights-of Way (ROW) ordinance were reviewed, it was noted proposed fees are consistent with other regional entities.

Councilor Kellogg asked how often the fee schedule resolution is reviewed. Director Hudson stated it is scheduled to come back every June, but if changes are needed more often it can come back on an as needed basis.

Councilor Kellogg asked if the communications category included telephony. City Attorney Sean Brady explained the definition of telecommunications as defined in the ordinance.

Councilor Kellogg asked who does not currently have franchises related to communications. Management Analyst Severson stated there is no current identification of who is using the ROW.

Councilor Kellogg asked if Comcast would be charged for broadband services. City Attorney Brady stated they would be subject to the 5% fee.

Mayor Ogden stated he is not sure \$5,000 is the right amount for the attachment fee. He would like to leave that number as a place holder and revisit it in the future.

PUBLIC COMMENT

Rich Roch, Executive Director of State Wide Affair for ATT in Oregon, spoke in opposition to the attachment fee. He would like to see a more reasonable number associated with the fee so his company can afford to make the investment into Tualatin. He encouraged the Council to work with stakeholders to determine the right fee for the area.

Councilor Kellogg asked if the attachments would eliminate the need for installing larger towers. Mr. Roch stated it would not replace towers, just help to provide more coverage in the area. Councilor Kellogg asked how many cells would be on a block on average. Mr. Roch stated it would vary depending on demand in the area. Ken Lions, Senior Vice President of Policy Group for ATT stated small cells serve a 500 foot radius and could be placed 800-1,000 feet apart.

Mr. Lions spoke to the small cell pilot program in the Metro area. He stated there is an active pilot projected in plans for Tualatin and would like to reach a solution on the attachment fee.

Councilor Bubenik asked if each wireless carrier would attach their own small cell to a pole. Mr. Lions stated every carrier has a different frequency, so they would be separate cells.

Mayor Ogden asked for clarification on the intent of the small cells. Mr. Lions stated small cells are deployed to help with capacity in densely populated areas.

Councilor Morrison asked what the current rates ATT pays to PGE for the use of their poles is. Mr. Lions stated they have a non-disclosure agreement on that subject.

Councilor Morrison asked if the pilot project was to move forward how many poles would be utilized for small cell attachment. Mr. Lions stated the current project has less than ten cells proposed to begin with.

COUNCIL DELIBERATIONS

Councilor Kellogg stated he has heard concerns from residents about the quality of service in the area and would like to look at the fees to make a small cell program feasible in Tualatin.

Councilor Morrison would like to see the fee be competitive enough to get the technology moving forward in the area.

Council President Davis stated she understands the desire to have a different fee but doesn't feel the fee is currently cost prohibitive when revenues for certain company's are so high for these types of services.

MOTION by Councilor Frank Bubenik, SECONDED by Councilor Robert Kellogg to adopt Resolution No. 5325-17 amending the City of Tualatin Fee Schedule and Rescinding Resolution No. 5301-16.

Aye: Mayor Lou Ogden - Via Phone, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Councilor Jeff DeHaan (Absent)

MOTION CARRIED

G. COMMUNICATIONS FROM COUNCILORS

None.

H. ADJOURNMENT

Council President Davis adjourned the meeting at 8:35 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

FROM: Nicole Morris, Deputy City Recorder

DATE: 07/10/2017

SUBJECT: Consideration of Approval of a New Liquor License Application for Gonzales Wine Company

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve a new liquor license application for Gonzales Wine Company.

RECOMMENDATION:

Staff respectfully recommends that the Council approve endorsement of the liquor license application for Gonzales Wine Company.

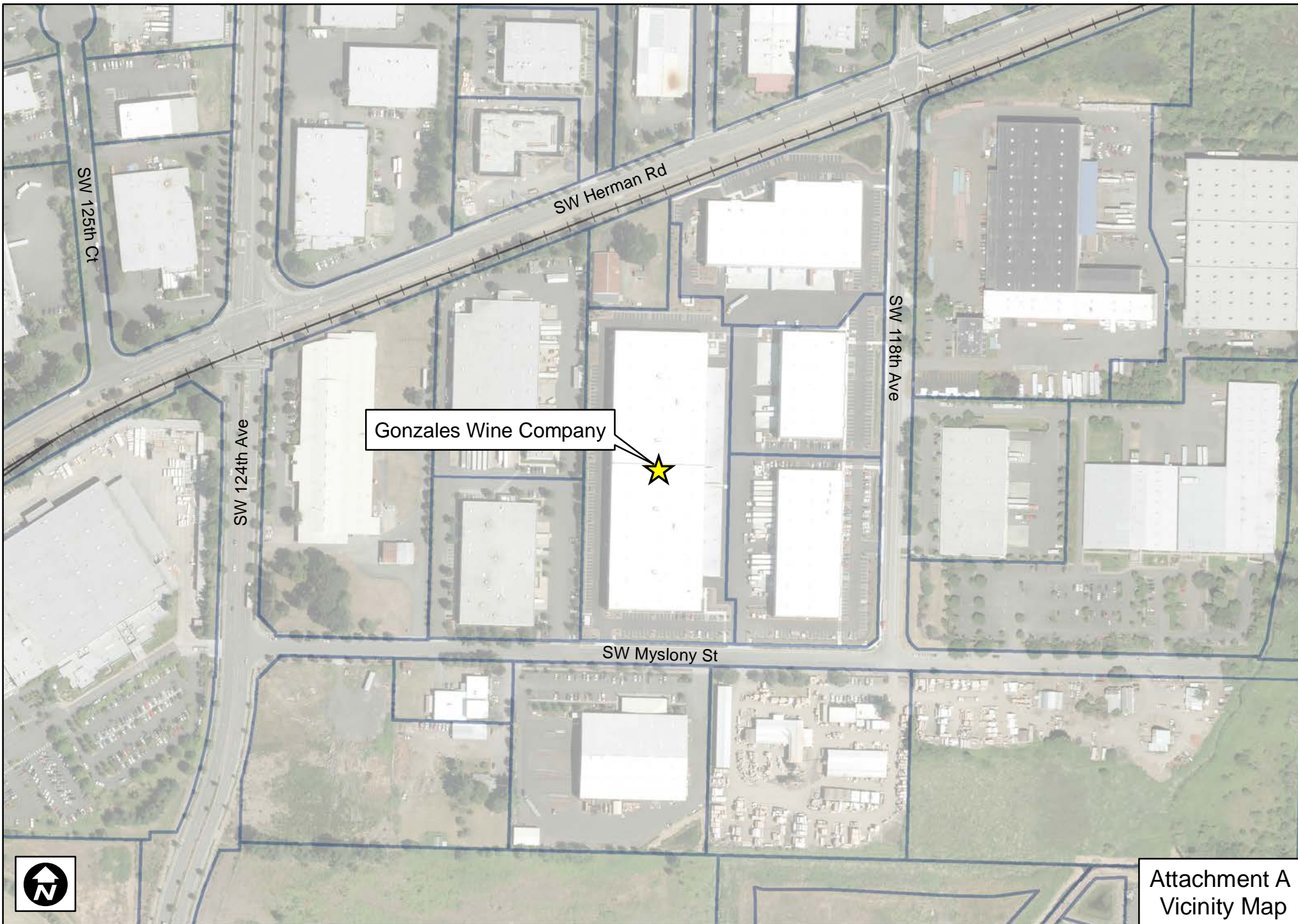
EXECUTIVE SUMMARY:

Gonzales Wine Company has submitted a new liquor license application under the category of Wholesale Malt Beverages and Wine. Under this category they would be permitted to store, import, export, and sell malt beverages, wine, and cider at wholesale to Oregon retail licensees. The business is located at 12085 SW Myslony Street. The application is in accordance with provisions of Ordinance No.680-85 which establishes procedures for liquor license applicants. 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](#)



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

Return Completed form to:
City of Tualatin
Attn: Deputy City Recorder
18880 SW Martinazzi Ave
Tualatin, OR 97062

Date 6-14-2017

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.

REC'D
CITY OF TUALATIN

JUN 14 2017

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.

MAYOR ___ COUNCIL ___ POLICE ___ ADM ___
FINANCE ___ COMM DEV ___ LEGAL ___ OPER ___
COMM SVCS ___ ENG & BLDG ___ LIBRARY ___

SECTION 2: DESCRIPTION OF BUSINESS

Name of business (dba): Gonzales Wine Company

Business address 12085 SW Mystory St City Tualatin State OR Zip Code 97062

Mailing address 3325 SW Primrose St City Portland State OR Zip Code 97219

Telephone # 503-688-8050 Fax # _____

Name(s) of business manager(s) First Cristina Middle Gonzales Last Samora

Date of birth [REDACTED] Social Security # [REDACTED] ODL# [REDACTED] M ___ F X

Home address [REDACTED]
(attach additional [REDACTED])

Type of business WINE WHOLESALE

Type of food served n/a

Type of entertainment (dancing, live music, exotic dancers, etc.) n/a

Days and hours of operation M-F 9am 5pm

Food service hours: Breakfast n/a Lunch _____ Dinner _____

Restaurant seating capacity n/a Outside or patio seating capacity _____

How late will you have outside seating? n/a How late will you sell alcohol? _____

How many full-time employees do you have? none Part-time employees? none

SECTION 3: DESCRIPTION OF LIQUOR LICENSE

Name of Individual, Partnership, Corporation, LLC, or Other applicants _____

Gonzales Wine Company, LLC

Type of liquor license (refer to OLCC form) Wholesale Malt Beverage + Wine

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 _____

Business address _____

(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 _____ 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: _____ 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: Cristina Gonzales Samora 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.

Signature of Applicant

6-14-2017
Date

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: _____

Signature

6/20/17
Date

~~Kent W. Barker~~
Chief of Police
Tualatin Police Department
Greg Pickering
CAPTAIN (Acting Chief)



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: 07/10/2017

SUBJECT: Consideration of Approval of a New Liquor License Application for Rosie's Kitchen

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve a new liquor license application for Rosie's Kitchen.

RECOMMENDATION:

Staff respectfully recommends that the Council approve endorsement of the liquor license application for Rosie's Kitchen.

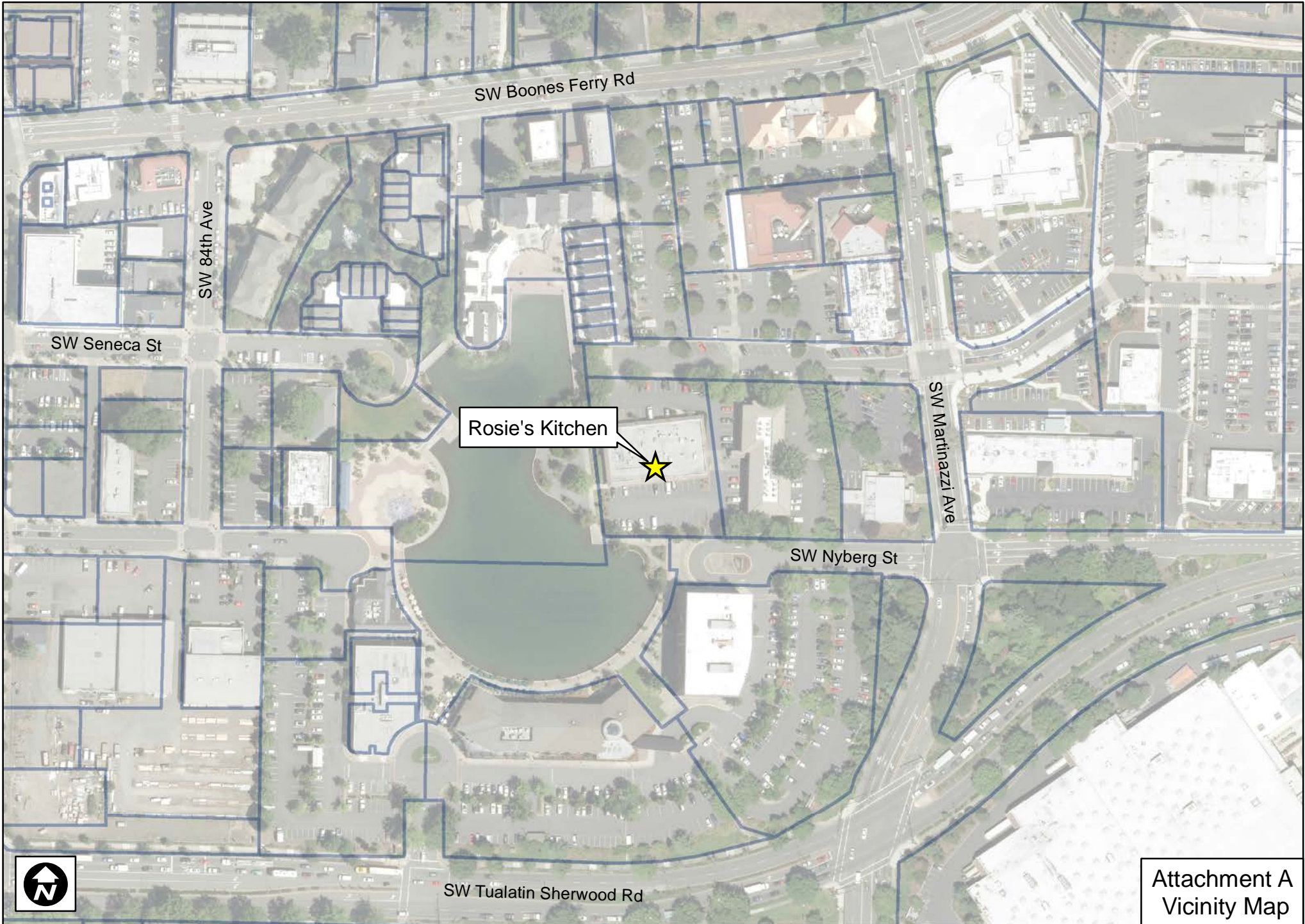
EXECUTIVE SUMMARY:

Rosie's 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 8145 SW Nyberg Street. The application is in accordance with provisions of Ordinance No.680-85 which establishes procedures for liquor license applicants. 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](#)



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

Return Completed form to:
City of Tualatin
Attn: Deputy City Recorder
18880 SW Martinazzi Ave
Tualatin, OR 97062

Date 06-23-17

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.

REC'D
CITY OF TUALATIN

JUN 23 2017

MAYOR ___ COUNCIL ___ POLICE ___ ADM ___
FINANCE ___ COMM DEV ___ LEGAL ___ OPER ___
COMM SVCS ___ ENG & BLDG ___ LIBRARY ___

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): Rosie's Kitchen

Business address 8145 SW Niberg City Tualatin State OR Zip Code 97062

Mailing address same City _____ State _____ Zip Code _____

Telephone # 503-563-6890 Fax # _____

Name(s) of business manager(s) First Jose Middle _____ Last ALBAJO

Date of birth _____ Social Security # _____ DL# _____ M X F _____

Home address _____
(attach additional _____)

Type of business Family Restaurant

Type of food served Mexican

Type of entertainment (dancing, live music, exotic dancers, etc.) N/A

Days and hours of operation Tu-Thr-F-S-S 11am-9pm

Food service hours: Breakfast _____ Lunch 11-til closed Dinner 11-til closed

Restaurant seating capacity 16 Outside or patio seating capacity N/A

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

How many full-time employees do you have? Family 3 Part-time employees? 5

SECTION 3: DESCRIPTION OF LIQUOR LICENSE

Name of Individual, Partnership, Corporation, LLC, or Other applicants N/A

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

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 Jose Luis ALEJO 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 _____
Business address _____

(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 _____ 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: _____ 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



Requested information on any page of this form shall result in an

06-23-17
Date

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: _____


Signature

6-29-17
Date

~~Kent W. Barker~~ D. M. Steele
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: Tanya Williams, Assistant to the City Manager

DATE: 07/10/2017

SUBJECT: Consideration of **Resolution No. 5334-17** Authorizing the City Manager to Execute an Amendment to an Intergovernmental Agreement with Clackamas County's Community Development Block Grant Program.

ISSUE BEFORE THE COUNCIL:

Consideration of Resolution 5334-17 Authorizing the City Manager to Execute an Amendment to an Intergovernmental Agreement with Clackamas County Regarding the Distribution of Community Development Block Grant Funding.

RECOMMENDATION:

Staff Recommends Authorization of Resolution 5334-17.

EXECUTIVE SUMMARY:

In 1993, the City of Tualatin and Clackamas County entered into an Intergovernmental Agreement that allows the County to qualify for federal Community Development Block Grant funds. This IGA automatically renews every three years, except where there are changes in requirements made by the Department of Housing and Urban Development (HUD). This year, HUD has added minimum provisions required in all IGA language. The resolution, if adopted, would allow the City Manager to sign the amendment to adopt this updated language to our current IGA.

The new proposed language reads that "Cities may not sell, trade, or otherwise transfer all or any portion of such funds to another such metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits, or non-Federal considerations, but must use such funds for activities eligible under title I of the Act"

FINANCIAL IMPLICATIONS:

No County or City funds are involved with this agreement or amendment.

Attachments: [Resolution 5334-17](#)

CDBG IGA Amendment

IGA Clackamas County

RESOLUTION NO. 5334-17

RESOLUTION AUTHORIZING AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH CLACKAMAS COUNTY FOR CDBG FUNDING

WHEREAS, the City of Tualatin entered into an Intergovernmental Agreement with Clackamas County in 1993; and

WHEREAS, Clackamas County has submitted an amendment to this agreement to meet minimum language requirements per the federal Department of Housing and Urban Development; and

WHEREAS, the City of Tualatin is committed to cooperating with Clackamas County for the purpose of establishing an urban county to qualify for federal Community Development Block Grant funds.

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

Section 1: This resolution is effective upon adoption.

Adopted by the City Council this 10th day of July, 2017.

CITY OF TUALATIN, OREGON

BY _____

Mayor

ATTEST:

BY _____

City Recorder

APPROVED AS TO FORM

BY _____

City Attorney

**AMENDMENT TO
INTERGOVERNMENTAL AGREEMENT
BETWEEN
CLACKAMAS COUNTY
DEPARTMENT OF HEALTH, HOUSING AND HUMAN SERVICES
COMMUNITY DEVELOPMENT DIVISION
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
AND
THE CITY OF TUALATIN**

Amendment Requested by: Clackamas County

Changes: Scope of Work Contract Budget
 Contract Time Other

Justification for Amendment No.1:

An agreement was signed in 1993 between Clackamas County (COUNTY) and the City of Tualatin (CITY) for the cooperation of units of local government under the authority of ORS 190.010 for the purpose of establishing an urban county to qualify for federal Community Development Block Grant (CDBG) and HOME low-income housing grant funds (Agreement).

The Department of Housing and Urban Development has added to the minimum provisions which must be included within any intergovernmental agreement into which local governments enter to qualify for urban county eligibility.

The 1993 Agreement is automatically renewed every 3 years and has a provision for amendments. The underlined text listed below is added to the Agreement.

No County General funds are involved in this Agreement.

The 1993 Agreement is amended to add a new Section 14 which reads:

14. The City may not sell, trade, or otherwise transfer all or any portion of such funds to another such metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act.

CITY OF TUALATIN

CLACKAMAS COUNTY

Chair Jim Bernard
Commissioner Sonya Fischer
Commissioner Ken Humberston
Commissioner Paul Savas
Commissioner Martha Schrader

Signing on Behalf of the Board.

City Manager/Administrator

Richard Swift, Director
Health, Housing & Human Services
Department

Date

Date

In our opinion, the terms and provisions of this Intergovernmental Agreement are fully authorized under State and local law, and the agreement provides full legal authority for the COUNTY.

Reviewed as to Form:

Chris Storey, County Counsel

Date

INTERGOVERNMENTAL AGREEMENT

CLACKAMAS COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

PROGRAM YEARS 1994 - 1996

This Agreement is entered into between Clackamas County (COUNTY), a political subdivision of the State of Oregon, and the City of Tualatin (CITY), a municipal corporation of the State of Oregon within Clackamas County, for the cooperation of units of local government under the authority of ORS 190.010.

The circumstances surrounding the making of this Agreement are as follows:

- A. The Congress of the United States has enacted the Housing and Community Development Act of 1974, as amended, and the Department of Housing and Urban Development has adopted regulations pursuant thereto (hereinafter jointly referred to as the "Act"); and
- B. The Congress has found and declared that the Nation's cities, towns, and small urban communities face critical social, economic, and environmental problems; and
- C. The Congress has further found and declared that the future welfare of the nation and the well being of its citizens depend on the establishment and maintenance of viable urban communities as social, economic, and political entities;
- D. The primary objective of the Act is the development of viable urban communities by providing decent housing and a suitable living environment and expanding economic opportunities principally for persons of low and moderate income.
- E. The CITY and the COUNTY desire to provide decent housing and a suitable living environment and to expand economic opportunities principally for persons of low and moderate income through Community Development Block Grant (CDBG) funding and the HOME Investment Partnership program pursuant to the Act.
- F. Title I of said Act provides that urban counties may, under some circumstances, receive Community Development Block Grant funds in the same manner as larger cities; and
- G. One of the criteria for urban county eligibility is a county population of at least 200,000, not including entitlement cities; and

INTERGOVERNMENTAL AGREEMENT

Page 2

- H. The COUNTY desires to count the population of the CITY in order to receive CDBG funds; and
- I. The Department of Housing and Urban Development has specified the minimum provisions which must be included within any intergovernmental agreement into which local governments enter to qualify for urban county eligibility;

NOW, THEREFORE, in consideration of the mutual promises made herein and the mutual benefits received hereunder, the parties agree as follows:

1. The CITY and the COUNTY agree to cooperate to undertake, or assist in undertaking, community renewal and lower-income housing assistance activities, specifically urban renewal and publicly assisted housing.
2. The CITY authorizes the inclusion of its population for purposes of the Act; and joins together with other units of general local government to qualify the COUNTY as an urban county for Community Development Block Grant and HOME Investment Partnership funds.
3. The COUNTY has final responsibility for selecting projects and annually filing Final Statements with HUD and assumes all other obligations of an applicant as specified in the Act and the regulations thereunder for Community Development Block Grant activities which will be funded from Federal Fiscal Years' 1994, 1995, and 1996 appropriations and from any program income generated from the expenditure of such funds.
4. The COUNTY is prohibited from funding activities in or in support of the CITY if the CITY does not affirmatively further fair housing within its own jurisdiction or if it impedes the COUNTY's actions to comply with its fair housing certification.
5. Pursuant to 24 CFR 570.501(b) the CITY is subject to the same requirements applicable to subrecipients, including the requirement of a written agreement set forth in 24 CFR 570.503.
6. For the purposes of developing the Three-Year Community Development Plan and Annual Final Statement as required by the Act, the CITY and the COUNTY agree to cooperate in the continuation of the presently established Policy Advisory Board which shall advise the COUNTY on program policies, priorities, and project selection.
7. The COUNTY and CITY agree to take all actions necessary to assure compliance with the urban county's certification required by Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, including Title VI of the Civil Rights Act of 1964, the Fair Housing Act, Section 109 of Title I of the Housing and Community Development Act of 1974, and other applicable laws.

INTERGOVERNMENTAL AGREEMENT

Page 3

8. This agreement shall remain in full force and effect from September 4, 1993 through July 1, 1997, inclusive, provided that the COUNTY qualifies as an urban county under, and block grant funding is allocated to the COUNTY pursuant to, the Act.
9. This agreement will automatically be renewed at the end of the three-year qualification period, unless one of the following events occur: (1) changes to the agreement are required by HUD that would require the execution of a new agreement; (2) failure by either party to adopt an amendment to the agreement incorporating all changes necessary to meet the requirements for cooperation agreements set forth in the Urban County Qualification Notice applicable for a subsequent three-year qualification period, and to submit the amendment to HUD as required; (3) the COUNTY or CITY provides written notice it elects not to participate in a new qualification period by the date specified in HUD's urban county qualification period. The COUNTY will notify the CITY in writing of its right to make an election not to participate in a new qualification period by the dates specified in HUD's urban county qualification notice for the next qualification period. This agreement also remains in effect with respect to all CDBG and HOME funds and income allocated during the three-year qualification period until such funds are expended and the funded activities completed.
10. The CITY may not apply for grants under the small Cities or State CDBG Programs from appropriations for fiscal years during the period in which it is participating in the urban county's CDBG program;
11. The CITY may not participate in a HOME consortium except through the urban county, regardless of whether the urban county receives a HOME formula allocation.
12. The COUNTY and CITY may not terminate or withdraw from the agreement while it remains in effect.
13. The CITY has adopted and is enforcing:
 - A. a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
 - B. a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within the CITY.

INTERGOVERNMENTAL AGREEMENT
Page 4

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement this 12th day of July, 1993

CLACKAMAS COUNTY, OREGON

City of Tualatin



Michael F. Swanson
Chief Executive Officer


By: 

5/24/93

Mayor

Title

In our opinion, the terms and provisions of this Intergovernmental Agreement are fully authorized under State and local law, and the agreement provides full legal authority for the COUNTY to undertake or assist in undertaking essential community development and housing assistance activities, specifically urban renewal and publicly assisted housing.



Scott Parker, Counsel for Clackamas County, Oregon



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: 07/10/2017

SUBJECT: Consideration of Recommendations from the Council Committee on Advisory Appointments

ISSUE BEFORE THE COUNCIL:

Consideration of appointments to the Architectural Review Board.

RECOMMENDATION:

Staff recommends the City Council approve the recommendations from the Council Committee on Advisory Appointments (CCAA).

EXECUTIVE SUMMARY:

The CCAA reviewed applications from citizens interested in participating on City advisory committees. The Committee recommends appointing the following individuals:

Individuals	Board	Term
Skip Stanaway	Architectural Review Board	Re-appointment Term Expiring 6/30/19
Patrick Gaynor	Architectural Review Board	Re-appointment Term Expiring 6/30/19
Chris Goodell	Architectural Review Board	Re-appointment Term Expiring 6/30/19
Carol Bellows	Architectural Review Board	Re-appointment Term Expiring 6/30/19
Angela Niggli	Architectural Review Board	Re-appointment Term Expiring 6/30/19

Attachments:



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Paul Hennon, Community Services Director
Rich Mueller, Parks and Recreation Manager

DATE: 07/10/2017

SUBJECT: Consideration of Appointments to the Parks and Recreation Master Plan Update Project Advisory Committee

ISSUE BEFORE THE COUNCIL:

Council will consider appointments to the Parks and Recreation Master Plan Update Project Advisory Committee.

RECOMMENDATION:

Staff recommends Council approve appointment of the citizens listed on the attached committee roster and confirm the Council appointees.

EXECUTIVE SUMMARY:

A Parks and Recreation Master Plan Update Project Advisory Committee is being formed to provide staff and consultants with a diversity of perspectives, advice, and recommendations on all matters pertaining to the project, and to review documents to ensure accuracy and consistency with community and city needs. The Project Advisory Committee will make a final recommendation on plan acceptance to the Council.

Forty applications were received online in response to an invitation to serve on the Project Advisory Committee that was broadly advertised through the city's web site and Facebook page, all the Citizen Involvement Organizations (CIOs), all standing advisory committees, and community-serving organizations. More than 2,500 email invitations were sent.

Seventeen citizen members are recommended to serve on the committee (See Attachment A, Parks and Recreation Master Plan Update Project Advisory Committee Roster). Staff has reviewed the applications with consideration given to recommending members who reflect a cross-section of Tualatin's residents and business members, including age, gender, race, income, and geographic distribution across all of Tualatin's Citizen Involvement Organizations. All the members of the Tualatin Park Advisory Committee (TPARK) are recommended to serve on the Project Advisory Committee. Two Council members and two staff will also serve on the committee as ex-officio, non-voting members. A summary of all the applications are available

upon request to Rich Mueller, Parks and Recreation Manager.

A part of the Parks and Recreation Master Plan Update will include creation of a public arts plan and members of the Tualatin Arts Advisory Committee (TAAC) were invited to recommend a member for appointment to the Parks and Recreation Master Plan Update Project Advisory Committee, however none were available to serve on the committee. Committee members are fine with providing their input through serving as a focus group, getting regular updates at their committee meetings, and participating at a planned Project Advisory Committee meeting that will include a focus on the arts.

The Project Advisory Committee will serve through the duration of the project between July 2017 and fall 2018. A final overall schedule has not been set yet. It is anticipated that the Project Advisory Committee will meet 6 to 8 times. The first committee meeting will be held on July 25, 2017.

FINANCIAL IMPLICATIONS:

The costs of managing this committee are built into the professional services agreement with the project consultant and funds budgeted for this project.

Attachments: [Roster](#)

PROPOSED
PARKS AND RECREATION MASTER PLAN UPDATE
PROJECT ADVISORY COMMITTEE

	Name	CIO	Age	Other Information
1.	Graehm Alberty	Byron	<17yrs	Student
2.	Diane Bonica	East Tualatin	50+	Retired Teacher; Tualatin Rotary Club
3.	Kay Dix	Martinazzi Woods	50+	TPARK Member
4.	Andrew Evans	Riverpark	30's	Wheel Chair User
5.	Valerie Pratt	Martinazzi Woods	50+	TPARK Member
6.	Anthony Gallegos	Riverpark	30's	Restaurant Operator
7.	Tom Gile	Midwest	40's	Youth Sports
8.	Cyndy Hillier	Ibach	40's	Tualatin Together
9.	Candice Kelly	Riverpark	50+	Juanita Pohl Center Advisory Committee; Tualatin Tomorrow Advisory Committee
10.	Robert Knight	Commercial	50+	Tualatin Chamber of Commerce; Business Owner
11.	Krista Nanton	Ibach	20's	TPARK Member
12.	Dana Paulino	Martinazzi Woods	30's	TPARK Member
13.	Christen Sacco	Byron	30's	TPARK Member
14.	Ted (Ata) Saedi	Riverpark	50+	Riverpark CIO President
15.	Maureen Sevigny	Ibach	50+	Bike and Trails
16.	Anthony Warren	East Tualatin	20's	TPARK Member
17.	Dennis Wells	Riverpark	40's	TPARK Member
18.	Jeff DeHaan	Riverpark		Councilor, Ex-Officio, Non-voting
19.	Paul Morrison	Ibach		Councilor, Ex-Officio, Non-voting
20.	Rich Mueller			Parks and Recreation Manager, Ex-Officio, Non-voting
21.	Paul Hennon			Community Services Director, Ex-Officio, Non-voting