



TUALATIN CITY COUNCIL

Monday, JANUARY 22, 2018

JUANITA POHL CENTER

8513 SW Tualatin Road

Tualatin, OR 97062

WORK SESSION begins at 5:00 p.m.

BUSINESS MEETING begins at 7:00 p.m.

Mayor Lou Ogden

Council President Joelle Davis

**Councilor Robert Kellogg
Councilor Paul Morrison**

**Councilor Frank Bubenik
Councilor Nancy Grimes**

Councilor Jeff DeHaan

Welcome! By your presence in the City Council Chambers, you are participating in the process of representative government. To encourage that participation, the City Council has specified a time for your comments on its agenda, following Announcements, at which time citizens may address the Council concerning any item not on the agenda or to request to have an item removed from the consent agenda. If you wish to speak on a item already on the agenda, comment will be taken during that item. Please fill out a Speaker Request Form and submit it to the Recording Secretary. You will be called forward during the appropriate time; each speaker will be limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council.

Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are available for review on the City website at www.tualatinoregon.gov/meetings, the Library located at 18878 SW Martinazzi Avenue, and on file in the Office of the City Manager for public inspection. Any person with a question concerning any agenda item may call Administration at 503.691.3011 to make an inquiry concerning the nature of the item described on the agenda.

In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, you should contact Administration at 503.691.3011. Notification thirty-six (36) hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

Council meetings are televised *live* the day of the meeting through Washington County Cable Access Channel 28. The replay schedule for Council meetings can be found at www.tvctv.org. Council meetings can also be viewed by live *streaming video* on the day of the meeting at www.tualatinoregon.gov/meetings.

Your City government welcomes your interest and hopes you will attend the City of Tualatin Council meetings often.

PROCESS FOR LEGISLATIVE PUBLIC HEARINGS

A **legislative** public hearing is typically held on matters which affect the general welfare of the entire City rather than a specific piece of property.

1. Mayor opens the public hearing and identifies the subject.
2. A staff member presents the staff report.
3. Public testimony is taken.
4. Council then asks questions of staff, the applicant, or any member of the public who testified.
5. When the Council has finished questions, the Mayor closes the public hearing.
6. When the public hearing is closed, Council will then deliberate to a decision and a motion will be made to either *approve*, *deny*, or *continue* the public hearing.

PROCESS FOR QUASI-JUDICIAL PUBLIC HEARINGS

A **quasi-judicial** public hearing is typically held for annexations, planning district changes, conditional use permits, comprehensive plan changes, and appeals from subdivisions, partitions and architectural review.

1. Mayor opens the public hearing and identifies the case to be considered.
2. A staff member presents the staff report.
3. Public testimony is taken:
 - a) In support of the application
 - b) In opposition or neutral
4. Council then asks questions of staff, the applicant, or any member of the public who testified.
5. When Council has finished its questions, the Mayor closes the public hearing.
6. When the public hearing is closed, Council will then deliberate to a decision and a motion will be made to either *approve*, *approve with conditions*, or *deny the application*, or *continue* the public hearing.

TIME LIMITS FOR PUBLIC HEARINGS

The purpose of time limits on public hearing testimony is to provide all interested persons with an adequate opportunity to present and respond to testimony. All persons providing testimony **shall be limited to 3 minutes**, subject to the right of the Mayor to amend or waive the time limits.

EXECUTIVE SESSION INFORMATION

An Executive Session is a meeting of the City Council that is closed to the public to allow the City Council to discuss certain confidential matters. An Executive Session may be conducted as a separate meeting or as a portion of the regular Council meeting. No final decisions or actions may be made in Executive Session. In many, but not all, circumstances, members of the news media may attend an Executive Session.

The City Council may go into Executive Session for certain reasons specified by Oregon law. These reasons include, but are not limited to: ORS 192.660(2)(a) employment of personnel; ORS 192.660(2)(b) dismissal or discipline of personnel; ORS 192.660(2)(d) labor relations; ORS 192.660(2)(e) real property transactions; ORS 192.660(2)(f) information or records exempt by law from public inspection; ORS 192.660(2)(h) current litigation or litigation likely to be filed; and ORS 192.660(2)(i) employee performance of chief executive officer.



OFFICIAL AGENDA OF THE TUALATIN CITY COUNCIL MEETING FOR JANUARY 22, 2018

A. CALL TO ORDER

Pledge of Allegiance

B. ANNOUNCEMENTS

1. New Employee- Marilyn Brault-Binaghi, Program Specialist

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 January 8, 2018
2. Consideration of **Resolution No. 5352-18** Authorizing the City Manager to Execute a Memorandum of Agreement between the City of Tualatin and the Oregon State Building Codes Division
3. Notice and File with the City Council the 2017 Tualatin Development Commission Annual Financial Report

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 **Ordinance No. 1407-18** to Amend Tualatin Municipal Code Chapter 4-1 to update the References to the State Building Codes

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



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Nicole Morris, Deputy City Recorder

DATE: 01/22/2018

SUBJECT: Consideration of Approval of the Minutes for the Work Session and Regular Meeting of January 8, 2018

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve the minutes for the Work Session and Regular Meeting of January 8, 2018.

RECOMMENDATION:

Staff respectfully recommends that the Council adopt the attached minutes.

Attachments: [City Council Work Session Minutes of January 8, 2018](#)
[City Council Regular Meeting Minutes of January 8, 2018](#)



Present: Mayor Lou Ogden; Councilor Frank Bubenik; Council President Joelle Davis; Councilor Nancy Grimes; Councilor Paul Morrison; Councilor Jeff DeHaan; Councilor Robert Kellogg

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Bill Steele; Finance Director Don Hudson; Deputy City Recorder Nicole Morris; Assistant to the City Manager Tanya Williams; Assistant City Manager Alice Cannon; Economic Development Manager Jonathan Taylor; Parks and Recreation Manager Rich Mueller; IS Director Bates Russell

CALL TO ORDER

Mayor Ogden called the meeting to order at 6:18 p.m.

1. *Transient Lodging Tax.*

Finance Director Don Hudson presented follow-up information on the discussion regarding a possible Transient Lodging Tax (TLT). Director Hudson reviewed outreach feedback from the registered collectors of transient lodging tax in Tualatin and additional concerned parties. Possible uses of revenues include tourism related contracts for services, support of special events in Tualatin, increased programming at the Tualatin Heritage Center, increased access to and promotion of the Tualatin River, and capital projects that tie into tourism. A draft process for determining uses of funds was shared. Director Hudson proposed including an annual tourism promotion work plan in the proposed budget.

Councilor Kellogg stated he likes the idea and is in favor of moving forward.

Councilor DeHaan asked why the City of Bend is being sued over the use of their TLT funds. City Manager Lombos stated the controversy is around the City using some of the tourism related dollars to maintain their streets.

Councilor Morrison in favor of a TLT provided its sole use is tourism promotion.

Mayor Ogden wants to see a full tourism plan put in place before moving forward with a tax. He would like to see more specificity around what the tax would be used for and the funding mechanisms.

Councilor Bubenik asked if a tourism plan is already in place. Tualatin Chamber of Commerce Director Linda Moholt stated a plan was put in place during the Ice Age Tonquin Tourism planning process. Since then the Chamber has been working off that plan.

Council President Davis thinks the Chamber and other tourism professionals

should be we working on the plan and the City should not dictate what that looks like. She is favor of the TLT and would like to see it move forward.

Councilor Bubenik asked if there are any timing issues with rolling the tax out. Director Hudson stated the tax can start anytime the Council sees fit.

Councilor Bubenik asked how long it would take for City staff to work on a plan to bring back to the Council. City Manager Lombos stated she does not have a time frame as staff has not had a discussion around it.

Councilor DeHaan is in favor of having a tourism plan in place before implementing the tax.

Councilor Morrison would like to see a tourism plan in place before moving forward with implementing a tax.

Council President Davis does not want to leave money on the table. She would like to see the tax passed and then work on having a plan in place before allocating funds.

Councilor Kellogg proposed the Council consider a 2.5% TLT rate to match the surrounding City tax rates.

Councilor Grimes would like to see a consultant put a tourism plan in place. She would like to see the City start collecting the tax while the plan is being worked on.

Council consensus was reached to draft an ordinance for a TLT rate of 2.5% and move toward hiring a consultant to create a tourism plan.

2. Council Meeting Agenda Review, Communications & Roundtable.

None.

ADJOURNMENT

The work session adjourned at 7:06 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Lou Ogden, Mayor



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR JANUARY 8, 2018

Present: Mayor Lou Ogden; Councilor Frank Bubenik; Council President Joelle Davis; Councilor Nancy Grimes; Councilor Paul Morrison; Councilor Jeff DeHaan; Councilor Robert Kellogg

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Bill Steele; Planning Manager Aquilla Hurd-Ravich; Deputy City Recorder Nicole Morris; Teen Program Specialist Julie Ludemann; Assistant to the City Manager Tanya Williams; Assistant City Manager Alice Cannon; Economic Development Manager Jonathan Taylor; Parks and Recreation Manager Rich Mueller; Associate Planner Erin Engman; IS Director Bates Russell

A. CALL TO ORDER

Pledge of Allegiance

Mayor Ogden called the meeting to order at 7:13 p.m.

B. ANNOUNCEMENTS

1. Tualatin Youth Advisory Council update for January, 2018

Members of the Youth Advisory Committee (YAC) presented a PowerPoint on their latest activities and upcoming events. YAC now has 19 members that meet weekly and on average contribute 85 hours of service a year. Current goals include advising the Council on issues that affect youth, provide a primary communication link for youth to government, identify and advocate for the needs of youth, and carry out events and activities for youth. YAC is currently working on Project FRIENDS, a day long anti-bullying workshop for fifth graders, to be held in May.

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.

Tualatin Chamber of Commerce Director Linda Moholt shared the 2018 Business and Community Directory with the Council. She addressed concerns the Council brought up during the work session regarding the lack of a tourism plan. She stated the Ice Age Tourism Plan is the Visitor Plan for the City of Tualatin. The Chamber has been working off the plan for the last seven years.

D. CONSENT AGENDA

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

MOTION by Council President Joelle Davis, SECONDED by Councilor Nancy Grimes to adopt the consent agenda.

Aye: Mayor Lou Ogden, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Jeff DeHaan, Councilor Paul Morrison, Councilor Robert Kellogg

MOTION CARRIED

1. Consideration of Approval of the Minutes for the Work Session and Regular Meeting of December 11, 2017
2. Consideration of Approval of a New Liquor License Application for Free Public Wines
3. Consideration of **Resolution No. 5351-18** Authorizing the City Manager to Execute an Intergovernmental Agreement (IGA) between the City of Tualatin and the City of Durham for Building Inspection / Plan Review Services

E. PUBLIC HEARINGS – Quasi-Judicial

1. Request to Suspend the Request for Review of MAR17-0041, Tualatin Professional Center Parking Lot Improvement Land Use Decision Locate at 6464 SW Borland Road

Planning Manager Aquilla Hurd-Ravich stated there is no staff report to present. She stated the Tualatin Professional Center has submitted a request to suspend MAR 17-0041, regarding parking lot improvements, to pursue a variance with the Tualatin Planning Commission.

Mayor Ogden asked how the hearing would be closed if the variance was granted. Manager Hurd-Ravich stated the public hearing will be re-noticed for April 23 where any new information from the variance hearings will be considered.

Dorothy Cofield, Attorney for the Tualatin Professional Center, stated she has been working with city staff on a variance to take before the Tualatin Planning Commission.

MOTION by Council President Joelle Davis, SECONDED by Councilor Robert Kellogg to suspend the request for review of MAR17-0041, Tualatin Professional Center Parking Lot improvement Land Use Decision located at 6464 SW Borland Road.

Aye: Mayor Lou Ogden, Councilor Frank Bubenik, Council President Joelle Davis,
Councilor Nancy Grimes, Councilor Jeff DeHaan, Councilor Paul Morrison,
Councilor Robert Kellogg

MOTION CARRIED

2. Request for Review of MAR17-0041, Tualatin Professional Center Parking Lot Improvement Land Use Decision Located at 6464 SW Borland Road

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 Recommendations from the Council Committee on Advisory Appointments

Mayor Ogden thanked the applicants for their service to the City of Tualatin.

MOTION by Councilor Robert Kellogg, SECONDED by Councilor Frank Bubenik to approve appointments to the Tualatin Library Advisory Committee, Tualatin Tomorrow Committee, and the Core Area Parking District Board.

Aye: Mayor Lou Ogden, Councilor Frank Bubenik, Council President Joelle Davis,
Councilor Nancy Grimes, Councilor Jeff DeHaan, Councilor Paul Morrison,
Councilor Robert Kellogg

MOTION CARRIED

G. COMMUNICATIONS FROM COUNCILORS

None.

H. ADJOURNMENT

Mayor Ogden adjourned the meeting at 7:36 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Lou Ogden, Mayor



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Ginny Kirby, Office Coordinator

DATE: 01/22/2018

SUBJECT: Consideration of **Resolution No. 5352-18** Authorizing the City Manager to Execute a Memorandum of Agreement between the City of Tualatin and the Oregon State Building Codes Division

ISSUE BEFORE THE COUNCIL:

The City of Tualatin administers a Building Inspection Program delegated by the State Building Codes Division (BCD) through the Department of Consumer and Business Services. The BCD requires local jurisdictions to renew this Memorandum of Agreement (MOA) every four years. This MOA sets forth the delegation from the State to the jurisdiction to operate a municipal building inspection program as referenced in ORS Chapter 455.

RECOMMENDATION:

Staff recommends that the City Council approve the attached resolution and designate the City Manager as the Jurisdictional Representative, along with the Building Official, as signatories of this MOA.

EXECUTIVE SUMMARY:

The State Building Codes Division implements the state building codes as a means to govern the construction, reconstruction, alteration, and repair of buildings. The codes establish uniform performance standards for construction statewide. Authority for regulating with the codes is delegated by the Building Codes Division to local jurisdictions, through operating plans and agreements, such as the attached MOA. The MOA between the Building Codes Division and local jurisdictions is updated every four years.

FINANCIAL IMPLICATIONS:

There is no change to the financial implications related to this MOA. The Tualatin Building Division will continue to abide by ORS 455.210, which requires a municipality which operates a building inspection program to collect and remit surcharges at the rate of 12% of all permit fees to the State Building Codes Division for the purpose of partially defraying state administrative costs. This surcharge is sent quarterly.

Attachments: Reso-Building Code MOA
Ex A - MOA with BCDS

RESOLUTION NO. 5352-18

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF AGREEMENT WITH STATE BUILDING CODES DIVISION TO ALLOW THE CITY TO ADMINISTER A MUNICIPAL BUILDING INSPECTION PROGRAM.

WHEREAS, the State of Oregon promulgated a state building code to govern the construction, reconstruction, alteration, and repair of buildings throughout the state; and

WHEREAS, ORS 190.010 et. seq., and ORS 455 authorize the State to delegate to the City the authority to administer a municipal building inspection program consistent with state law; and

WHEREAS, the City has been administering a municipal building inspection program for many years and wishes to continue to operate the program;

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

Section 1. The City Manager is authorized to execute a Memorandum of Agreement with the Oregon State Building Codes Division, which is set forth in Exhibit A and incorporated by reference.

Section 2. This resolution is effective upon adoption.

INTRODUCED AND ADOPTED this 22nd day of January, 2018.

CITY OF TUALATIN OREGON

BY _____
Mayor

APPROVED AS TO LEGAL FORM

ATTEST

BY _____
City Attorney

BY _____
City Recorder

EXHIBIT A - Resolution No. 5352-18
Memorandum of Agreement
Relating to Delegated Building Inspection Program

I. Parties:

This agreement is made and entered into by the Building Codes Division (hereinafter the “Division”), through the Department of Consumer and Business Services, and the **City of Tualatin** building inspection program (“Jurisdiction”). In providing the services specified in this agreement (and any associated services) both parties are public bodies and maintain their public body status as specified in ORS 30.260. Both parties understand and acknowledge that each retains all immunities and privileges granted them by the Oregon Tort Claims Act (ORS 30.260 through 30.295) and any and all other statutory rights granted as a result of their status as local public bodies.

II. Purpose:

In accordance with the authority granted by Oregon Revised Statutes (ORS) chapter 455 and the rules adopted thereunder, this Memorandum of Agreement (MOA) sets forth the delegation from the state to Jurisdiction to operate a municipal building inspection program as referenced in ORS chapter 455.

III. Background:

The Department is authorized to:

1. Promulgate a state building code to govern the construction, reconstruction, alteration and repair of buildings. The state building code establishes uniform performance standards providing reasonable safeguards for health, safety, welfare, comfort and security for the residents of this state; and
2. Delegate authority to a Jurisdiction willing and able to assume operation of all or any portion of a building inspection program for a reporting period. A reporting period means a four-year period during which a Jurisdiction administers and enforces a building inspection program pursuant to an approved operating plan on behalf of the state.

IV. Agreement:

Jurisdiction’s building inspection program agrees to the following minimum standards, policies and procedures while operating a building inspection program during the current reporting period:

1. **Administrative Standards.** Program must provide adequate funds, equipment and other resources needed to administer and enforce the program consistent with the inspection and permit requirements of the state building code.
2. **Electrical Program.** A building inspection program with an electrical program must comply with all applicable electrical rules for the inspection and enforcement of electrical programs.
3. **Fees.** Program must follow the uniform fee methodology for building permit and inspection fees. Program must use permit and inspection fees collected only for the administration and enforcement of the building inspection program. Electrical permit fees must only be used for the administration and enforcement of the electrical program. To avoid division enforcement action, program must collect and remit surcharges (with permit log) to the division no later than the 15th day following the month or quarter for which the surcharges are required to be collected according ORS 455.220.

4. **Appeals.** Program must have a policy to allow an applicant for building permit to appeal decision made by building official. Program must also allow an applicant for a building permit to file a written appeal of a decision of the building official directly to the division on any matter relating to the administration and enforcement of ORS Chapter 455.
5. **Operating Plan.** Program must amend operating plan within 30 days when changes occur and provide amended operating plan to the division. Changes include a change of building official.
6. **Staff.** Program must have and use only appropriately certified employees, or approved and appropriately certified and associated state-licensed third party contractors and inspectors for inspections.
7. **Enforcement.** Program must not enforce any standard different from the state building code, unless specifically authorized to do so by the Director of the Department of Consumer and Business Services under ORS 455.040(1), and only in the manner so authorized; any standard so authorized shall not be considered an amendment to the state building code under ORS 455.030.
8. **Documentation.** Program must respond timely to division data requests on any matter relating to the administration and enforcement of ORS Chapter 455.

V. Indemnity:

To the extent permitted by Article XI, sections 9 and 10 of the Oregon Constitution, and within the limits of liability established in the Oregon Tort Claims Act, Jurisdiction shall defend, indemnify and save the division, its officers, agents, and employees harmless from any and all claims, actions, costs or damages caused by Jurisdiction.

Subject to the limitations of Article XI, section 7 of the Oregon Constitution and the Oregon Tort Claims Act, the State shall indemnify, within the limits of and subject to the restrictions in the Oregon Tort Claims Act, Jurisdiction, from any liability for personal injury or damage to life or property arising from the State's negligent activity under this Agreement provided, however, the State shall not be required to indemnify Jurisdiction for any such liability arising out of the wrongful acts of Jurisdiction, its officers, employees or agents.

VI. Term of the Agreement:

This agreement will become effective upon signature of all parties and will remain in effect until the end of the Jurisdiction's current reporting period unless the Jurisdiction abandons or ceases to administer the building inspection program or the division assumes administration of the program under activities related to ORS 455.770. Failure to comply with any provision of this agreement may impact the Jurisdiction's continued administration of the building inspection program.

VII. Signatures:

Both parties, by the signatures below, hereby acknowledge that they have read this agreement, understand it and agree to be bound by its terms and conditions.

Building Codes Division

Date

**Mark S. Long, Administrator
Building Codes Division**



City of Tualatin

Date

Please print building official name

Building Official Signature

Date

Please print name and title

Jurisdiction Representative Signature



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Jonathan Taylor, Economic Development Manager
Alice Cannon, Community Development Director

DATE: 01/22/2018

SUBJECT: Notice and File with the City Council the 2017 Tualatin Development Commission Annual Financial Report

ISSUE BEFORE THE COUNCIL:

Notice and File with the City Council the 2017 Tualatin Development Commission Annual Financial Report.

RECOMMENDATION:

Staff recommends acceptance of the notice and filing.

EXECUTIVE SUMMARY:

Annual Financial Report Contents

Under ORS 457.460, the Tualatin Development Commission, as the City's Urban Renewal Agency, must file an annual financial report with the City Council prior to January 31st. The Tualatin Development Commission approved the financial report on January 8. The report is now being filed with the City Council. Notice of the report has been published once a week for two consecutive weeks in *The Tigard-Tualatin Times* in accordance with law.

The Central Urban Renewal District (CURD) and the Leveton Tax Increment District (LTID) stopped collecting revenue on June 30, 2010. The annual financial report (attachment) outlines:

1. The remaining revenues and expenditures as expected in the Fiscal Year 2017-18 adopted budget; and
2. The year-end actual revenues and expenditures from Fiscal Year 2016-17.

Since both urban renewal districts stopped collecting revenue, no taxes were foregone by other taxing jurisdictions in the districts.

Below is a summary of the highlights in both districts this past year, FY 2016-17, and the goals for the current year, FY 2017-18.

CURD 2016-17 Highlights

1. Continued to implement the TDC goals and priorities.

CURD 2017-18 Goals

1. Work with the TDC to prioritize remaining CURD funds.

LTID 2016-17 Highlights

1. Continued monitoring and reporting for wetlands mitigation for Herman Road and Leveton Drive.

LTID 2017-18 Goals

1. Continue wetland monitoring and reporting for Leveton Drive.
2. Work with the TDC to prioritize remaining LTID funds.

Attachments: [2017 TDC Annual Report](#)

NOTICE

TUALATIN URBAN RENEWAL AGENCY – ANNUAL FINANCIAL REPORT FOR 2017

In accordance with ORS 457.460, notice is given that the annual financial statement of the City of Tualatin’s Urban Renewal Agency has been filed with the Tualatin Development Commission and the City of Tualatin. Below is a summary of the two urban renewal districts in Tualatin, the Central Urban Renewal District and the Leveton Tax Increment District. A complete copy of the report is available at the City of Tualatin.

TABLE 1

TUALATIN URBAN RENEWAL AGENCY - ANNUAL FINANCIAL REPORT FOR 2017

CENTRAL URBAN RENEWAL DISTRICT	FY 16/17	FY 17/18
BOND FUND		
Revenue		
Beginning Balance	\$ -	\$ -
Tax Increment, Current & Prior Years	\$ -	\$ -
Interest	\$ -	\$ -
Expenditures		
Materials & Services	\$ -	\$ -
Debt Service	\$ -	\$ -
Contingency and Reserves	\$ -	\$ -
PROJECT FUND		
Revenues		
Beginning Balance	\$ 124,258	\$ 184,710
Interest	\$ 1,251	\$ 2,310
Miscellaneous	\$ -	\$ -
Expenditures		
Materials & Services	\$ -	\$ -
Transfers & Reimbursements	\$ -	\$ -
Capital Outlay	\$ 6,103	\$ 187,020
Contingency & Reserves	\$ 119,406	\$ -
LEVETON TAX INCREMENT DISTRICT		
BOND FUND		
Revenue		
Beginning Balance	\$ -	\$ -
Tax Increment, Current & Prior Years	\$ -	\$ -
Interest	\$ -	\$ -
Expenditures		
Materials & Services	\$ -	\$ -
Debt Service	\$ -	\$ -
Contingency and Reserves	\$ -	\$ -
PROJECT FUND		
Revenues		
Beginning Balance	\$ 3,847,778	\$ 3,681,430
Interest	\$ 40,783	\$ 46,020
Sale of Bonds	\$ -	\$ -
Transfers & Reimbursements	\$ -	\$ -
Expenditures		
Materials & Services	\$ -	\$ -
Transfers and Reimbursements	\$ 86,260	\$ 91,850
Capital Outlay	\$ 72,159	\$ 25,000
Contingency & Reserves	\$ 3,730,142	\$ 3,610,600

Both urban renewal districts stopped collecting revenue on June 30, 2010. Accordingly, no taxes were forgone by other taxing jurisdictions in the districts.



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Ginny Kirby, Office Coordinator
Chris Ragland, Building Official

DATE: 01/22/2018

SUBJECT: Consideration of **Ordinance No. 1407-18** to Amend Tualatin Municipal Code Chapter 4-1 to update the References to the State Building Codes

ISSUE BEFORE THE COUNCIL:

The City of Tualatin administers a Building Inspection Program delegated by the State Building Codes Division. In accordance with ORS 455, the City administers and enforces the most recent update to those State Building Codes for which they assumed as part of their Building Inspection Program.

RECOMMENDATION:

Staff recommends that the City Council approve this ordinance in order to remain in compliance with the Memorandum of Agreement between the State Building Codes Division and the City of Tualatin.

EXECUTIVE SUMMARY:

The Department of Consumer and Business Services, Building Codes Division, adopts model building codes, standards and other publications, as necessary, through State administrative rules. The State Building Codes recently adopted new administrative rules to implement the 2017 changes to the Oregon Structural Specialty Code and Oregon Plumbing Specialty Code.

Ordinance No. 1407-18 amends TMC Chapter 4-1 to update the City code to account for the 2017 changes to the Oregon Structural Specialty Code and Oregon Plumbing Specialty Code. The Ordinance also contains an emergency clause to make the changes effective immediately.

Attachments: [Ordinance](#)

ORDINANCE NO. 1407-18

AN ORDINANCE RELATING TO BUILDING CODES; AMENDING TUALATIN MUNICIPAL CODE CHAPTER 4-1; AND DECLARING AN EMERGENCY.

WHEREAS, the City administers a municipal building inspection program consistent with state law; and

WHEREAS, the State of Oregon has updated the Oregon Structural Specialty Code and Oregon Plumbing Specialty Code; and

WHEREAS, the City wishes to adopt the updated State Building Codes into Tualatin Municipal Code Chapter 4-1;

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

Section 1. Tualatin Municipal Code Chapter 4-1 is amended to read as follows:

4-1-010 Standards Applicable to Building.

(1)The City adopts the following specialty codes, rules, and standards:

(a) The Oregon Structural Specialty Code, ~~2014~~ 2017 edition, adopted by the State in ~~OAD 918-460-0010 to 918-460-0015 (2014)~~ OAR 918-750-0100 (2017);

(b) The Oregon Mechanical Specialty Code, 2014 edition, adopted by the State in OAR 918-440-0012 (2014);

(c) The Oregon Plumbing Specialty Code, ~~2014~~ 2017 edition, adopted by the State in ~~OAR 918-750-0110 (2014)~~ OAR 918-480-0005 (2017);

(d) The Manufactured Dwelling rules adopted by the State in OAR 918-500-510 to 918-500-0595 (2010);

(e) The Manufactured Dwelling and Parks Specialty Code, 2002 edition, adopted by the State in OAR 918-600-0010 (2002), including the April 1, 2005 amendments;

(f) The Recreational Parks and Organizational Camps Administrative Rules, 2011 edition, adopted in OAR 918-650-0000 to 918-650-0085 (2011);

(g) The Oregon Manufactured Dwelling Installation Specialty Code, 2010 edition, adopted by the State in OAR 918-500-510 to 981-500-590 (2010);

(h) The Oregon Residential Specialty Code, 2014 edition, adopted by the State in OAR 918-480-0005(2014);

(i) The Oregon Energy Efficiency Specialty Code, 2014 edition, adopted by the State in OAR 918-460-0500 (2014); and

(j) The Oregon Fire Code, 2014 edition, adopted by the State in OAR 837-040-0140 (2014), and as adopted and amended by Tualatin Valley Fire and Rescue District Ordinance No. 14-02.

(2) The provisions in subsection (1) apply to all building and related activities conducted within the City and are in addition to all other applicable provisions of the Tualatin Municipal Code and the Tualatin Development Code.

Section 2. Severability. Each section of this ordinance, and any part thereof, is severable. If any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance remains in full force and effect.

Section 3. Emergency. This ordinance is necessary for the immediate protection of the public peace, health, safety, and welfare and takes effect immediately upon adoption.

Adopted by the City Council this 22nd day of January, 2018.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST

BY _____
City Attorney

BY _____
City Recorder