



TUALATIN CITY COUNCIL

Monday, FEBRUARY 12, 2018

JUANITA POHL CENTER

8513 SW Tualatin Road

Tualatin, OR 97062

WORK SESSION begins at 6:00 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 FEBRUARY 12, 2018

A. CALL TO ORDER

Pledge of Allegiance

B. ANNOUNCEMENTS

1. Tualatin Youth Advisory Council Update for February 2018
2. Employee Promotions- Brian Struckmeier, Police Captain and Seth Ceciliani, Police Sergeant

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 22, 2018
2. Consideration of **Resolution No. 5353-18** Adopting the February 2018 Update to the Public Works Construction Code

E. SPECIAL REPORTS

1. Tualatin Tomorrow Advisory Committee Annual Report
2. General Update from NW Natural

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 **Resolution No. 5354-18** Referring to the Electors of the City of Tualatin the Question of Authorizing \$20,000,000 of General Obligation Bonds for Traffic Congestion and Safety Improvements
2. Consideration of **Resolution No. 5355-18** to Adopt Council Rules

G. ITEMS REMOVED FROM CONSENT AGENDA

Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.

H. COMMUNICATIONS FROM COUNCILORS

I. ADJOURNMENT

City Council Meeting

Meeting Date: 02/12/2018

ANNOUNCEMENTS: Tualatin Youth Advisory Council Update for February,2018

ANNOUNCEMENTS

Tualatin Youth Advisory Council Update for February 2018

A. YAC Update

February 12, 2018

Tualatin Youth Advisory Council

Youth Participating in Governance

National League of Cities

- ⦿ March 11-14, 2018
- ⦿ 4 YAC members attending
- ⦿ Leadership development, civic engagement, networking

Congressional City Conference

March 11-14, 2018 | Washington, DC

NLC NATIONAL
LEAGUE
OF CITIES



Project FRIENDS

- Day-long bullying prevention workshop for 5th grade students
- Curriculum researched and designed by YAC members
- Scheduled for April 20, 2018



Other Activities

- ◎ Youth Council Day at Oregon State Capitol
 - Friday, February 9
 - Meet with other youth councils, Governor, and elected officials
- ◎ Transient Lodging Tax
 - Current or possible future tourism activities include: West Coast Giant Pumpkin Regatta, Tualatin River recreation, natural areas, indoor sports or turf fields (sports competitions) and Crawfish Festival.
 - The YAC supports the use of the Transient Lodging Tax to improve these programs and events



City Council Meeting

Meeting Date: 02/12/2018

ANNOUNCEMENTS: Employee Promotions - New Police Captain and Sergeant

ANNOUNCEMENTS

Employee Promotions- Brian Struckmeier, Police Captain and Seth Ceciliani, Police Sergeant

SUMMARY

The retirement of Captain Mark Gardner created a promotional opportunity for a sergeant in the department to become the new captain and a police officer to fill the vacant sergeant position. Chief Bill Steele will introduce the promoted employees to the City Council.



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: 02/12/2018

SUBJECT: Consideration of Approval of the Minutes for the Work Session and Regular Meeting of January 22, 2018

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve the minutes for the Work Session and Regular Meeting of January 22, 2018.

RECOMMENDATION:

Staff respectfully recommends that the Council adopt the attached minutes.

Attachments: [City Council Work Session Minutes of January 22, 2018](#)
[City Council Regular Meeting Minutes of January 22, 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; 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; Economic Development Manager Jonathan Taylor; Management Analyst II Kelsey Lewis; Parks and Recreation Manager Rich Mueller; City Engineer Jeff Fuchs; IS Director Bates Russell

CALL TO ORDER

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

1. ***Transportation Funding for Local Congestion & Neighborhood Safety.***

Assistant City Manager Alice Cannon, Consultant Clark Worth from Barney and Worth, and Consultant John Horvick from DHM Research presented information on tualatin transportation funding. Mr. Worth provided an overview of the results from opinion research they conducted regarding traffic congestion and neighborhood traffic safety in Tualatin. Research methods included conducting stakeholder interviews, focus groups, and a telephone survey. The research found opinions were very much the same. Stakeholders presented near unanimous support for a funding measure in 2018 as long as it is specific about projects and how congestion will be addressed. Potential funding levels were tested and \$100 a year or higher and provided a strong majority in favor of a measure. He concluded stating a bond funded project to improve traffic flow and neighborhood traffic safety has strong voter support in Tualatin.

Councilor Morrison asked for clarification on the test and retest of the phone survey results. Mr. Worth explained the testing process for the phone survey.

Mayor Ogden asked about the difference between hypothetical support and actual support. Mr. Horvick spoke to the strong indicators from the testing groups.

Councilor Grimes asked if the signature project list was shared with the group. Mr. Worth stated some projects were presented to the groups for feedback. Manager Cannon added the projects where pulled from council discussion in July and October.

Councilor DeHaan asked what the total value is for the signature project list. Manager Cannon stated it is estimated at \$45 million.

Councilor DeHaan asked how they arrived at the \$100 figure. Mr. Worth stated it was based of the series of projects Council discussed.

Mayor Ogden asked about the level of expectations from those who participated in the phone survey. Mr. Worth referred him to the sample results with the projects that were tested for specific feedback.

Councilor Davis spoke to the demographics of the groups. Mr. Worth noted support was the same across all demographics.

Mayor Ogden asked how long the bond would be. Director Hudson stated it would be a ten year bond, noting anything longer would be a lot more costly. He added the amount and the types of projects are what drove the choice for a ten year bond.

Councilor Bubenik asked how many current city bonds would age off in the next ten years. Director Hudson stated the Police, Parks, and Library bonds would be satisfied.

Mayor Ogden asked if the current bonds could be refinanced into one bond. Director Hudson stated he is unsure without further research if they can be refinanced.

Councilor Kellogg is in favor of a bond at fifty cents a thousand.

Councilor Bubenik expressed concerns with the dollar amount and the impact on the Parks and Recreation Master Plan.

Councilor Morrison asked how quickly all the projects could be completed. Manager Cannon stated the City would aim to build out all the projects in five years.

Councilor DeHaan stated he is in favor of a bond at \$25 million.

Councilor Davis is in support of a bond at \$28 million. She stated the research groups demonstrated they are in favor of this.

Mayor Ogden stated he is in favor of a smaller project list at \$14 million and then going back for addition bonds in the future.

Councilor Davis asked how many projects on the priority list could be completed for \$14 million. Manager Cannon estimated all five congestion projects and half dozen neighborhood projects.

Councilor Morrison spoke in favor of a \$14 million bond.

Council took a break from the discussion at 6:12 p.m. and will resume after the Council meeting.

The Council reconvened the discussion at 7:26 pm.

Council consensus was reached to move forward with a bond at the May election.

Council consensus was reached to move forward with a ten year bond.

Councilor Davis would like to see the bond at \$28 million. She stated growing residential expansion in Sherwood and King City is going to be driving traffic to the freeway.

Councilor Bubenik would like to see the bond in the \$20 million range as it's enough to get a majority of the projects done.

Councilor Grimes expressed concern with the length of the list and its price at \$45 million. She would like to see the bond at \$25 million.

Councilor Morrison asked about staff capacity to complete the project. Manager Cannon stated she feels confident her staff can deliver this program. She noted a project manager would be hired to administer the program.

City Manager Lombos stated the Council should be united in a vote on one number. Councilor Bubenik concurred.

Councilor Kellogg stated he is not convinced a \$25 million bond will pass but he supports the bond.

Councilor Morrison concurred with Councilor Kellogg stating he won't oppose the bond. He would rather go forward with a smaller figure he knows will pass.

City Manager Lombos stated several projects on the list have been put together leveraging TDT funds that range from \$18-23 million. Manager Cannon stated she feels confident staff can make an impact with a \$20 million bond.

Council consensus was reached to move forward with a \$20 million dollar bond.

The discussion concluded at 8:20 p.m.

2. *Parks & Recreation Master Plan Update.*

Community Development Director Paul Hennon and MIG Consultant Cindy Mendoza presented an update on the Parks and Recreation Master Plan. Ms. Mendoza presented a status update on the planning process stating the system inventory and analysis along with the needs assessment have been completed. They are currently working on an ADA assessment and transition. Ms. Mendoza reviewed community outreach. She noted more than 2,000 people have participated in the process. Outreach methods have included an online survey, pop up activities, focus groups, and stakeholder interviews. From that outreach seven themes were identified. Themes spoke to quality of life, trail connectors, improved facilities, inclusive communications, greater variety of activities, and increased access to natural features.

Director Hennon stated the next steps for the plan include preparing preliminary recommendations from MIG and staff. After that a presentation will be made to the Project Advisory Committee in the spring. Funding and action items will be discussed in the late summer and early fall. The project will conclude with the final plan review and adoption.

Councilor Kellogg asked about the findings from the ADA assessment. Ms. Mendoza

stated all facilities have been assessed and findings are still be compiled.

Councilor DeHaan asked what items are included in the current parks bond. Director Hennon outlined the items include in the measure.

3. Council Meeting Agenda Review, Communications & Roundtable.

None.

ADJOURNMENT

The work session adjourned at 8:20 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Lou Ogden, Mayor



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR JANUARY 22, 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; 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; City Engineer Jeff Fuchs; IS Director Bates Russell

A. CALL TO ORDER

Pledge of Allegiance

Mayor Ogden called the meeting to order at 7:01 p.m.

B. ANNOUNCEMENTS

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

Community Service Director Paul Hennon introduced Program Specialist Marilyn Brault-Binaghi. The Council welcomed her.

C. CITIZEN COMMENTS

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Bob Hass requested to have the timing of the signal at Boones Ferry and Tualatin Sherwood Road evaluated and modified per the letter he submitted for the record.

D. CONSENT AGENDA

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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 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

Building Official Chris Ragland presented an ordinance to administer a Building Inspection Program delegated by the State Building Codes Division. He stated the City administers and enforces the most recent 2017 update to state building codes. Approving this ordinance brings the City into compliance.

City Manager Sherilyn Lombos added the ordinance has an emergency clause as the state building codes are already in affect and this allows the City to immediately enforce the updates.

MOTION by Council President Joelle Davis, SECONDED by Councilor Nancy Grimes for first reading by title only.

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

MOTION by Council President Joelle Davis, SECONDED by Councilor Nancy Grimes for second reading by title only.

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

MOTION by Council President Joelle Davis, SECONDED by Councilor Nancy Grimes to adopt Ordinance No. 1407-18 relating to building codes; amending Tualatin Municipal Code Chapter 4-1; and declaring an emergency.

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

F. COMMUNICATIONS FROM COUNCILORS

Councilor Morris stated the Tualatin High School Booster Club will be holding a Brewfest this Saturday from 12:00 to 9:00 p.m., at Stickman Brewery. He noted it is a family friendly event.

Councilor Bubenik attended the Vision Action Network Homeless Summit in Hillsboro last Thursday. This coming Thursday he will hear the Community Development Block Grant presentation as the chair of the Policy Advisory Board.

Council President Davis stated the Tualatin Community Police Foundation Board met and reviewed their 2017 activities. The foundation ended the year raising \$21,000. They will continue to work with the Police Chief on how to apply those funds.

Mayor Ogden attended a small group meeting regarding the alignment for the SW Corridor. The project is continuing to move forward.

G. ADJOURNMENT

Mayor Ogden adjourned the meeting at 7:26 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: Dominique Huffman, Project Engineer
Jeff Fuchs, Public Works Director/City Engineer

DATE: 02/12/2018

SUBJECT: Consideration of **Resolution No. 5353-18** Adopting the February 2018 Update to the Public Works Construction Code

ISSUE BEFORE THE COUNCIL:

Consideration of **Resolution No.5353-18** adopting the February 2018 update to the Public Works Construction Code.

RECOMMENDATION:

Staff recommends that Council adopt the attached resolution to update the Public Works Construction Code.

EXECUTIVE SUMMARY:

The City of Tualatin's Public Works Construction Code (PWCC) includes design and construction standards for construction in public Rights-of-Way within the City. The PWCC is adopted by the City Council and was last updated on April 24, 2017. The PWCC will be periodically modified as industry standards change and as our policies evolve.

This update clarifies construction permit processes for Public Works, Erosion Control, and Water Quality permits to reflect changes in requirements and to try and streamline the process. This update clearly defines when each permit is required, what information needs to be submitted for each permit, and what the review and approval process will entail.

This update also includes requirements for constructing public utilities (such as power, gas, and communications) in rights-of-way and in City easements to address requirements in Municipal Code Chapter 03-06 - Utility Facilities in the Rights-of-Way that was adopted in 2017. This update adds standards to make sure that City facilities are protected and repaired to an equal or higher standard if damaged during construction of a Public Utility.

The resolution also updates and adds specifications for temporary surfacing, compaction, trench repair, surface restoration, concrete roadway repair, and ADA compliance. Resolution updates apply to the following specifications:

General Specifications (Chapter 100):

Modified: 100.1.00, 101.1.00, 101.2.00, 102.1.00, 102.2.1, 102.3.1, 102.4.1, 102.5.00, 102.7.2, 102.7.3, 102.10.00, 102.11.00, 102.12.00, 102.13.00, 102.14.00, 104.7.00, 104.8.00 and 104.13.00

Added: 102.6.6

Deleted: 102.8.00, and 102.9.00

Design Requirement Specifications (Chapter 200):

Modified: 201.1.01, 205.2.07F, 205.2.07G, and 205.2.07H

Added: 207

Deleted: 203.2.23

Technical Specifications (Chapter 300):

Modified: 302.1.00, 304.3.03C, 305.3.02, 305.3.03D, 308.3.01, 310.1.01, 310.2.00, 310.2.04, 310.2.05, 310.3.02, 310.3.14, 310.3.15, 312.3.01, 312.3.07, 313.1.01, 313.1.02, 313.2.03, 313.3.01, 313.3.03A, 313.3.03D, 313.3.03F, 315.3.01, 320.3.09, 320.3.09B, and 326.3.09

Added: 313.3.03G, 313.3.03H, 313.3.05, 320.2.04, 320.3.09C, and 330

This resolution updates the following Standard Drawing:

- 475 – Sidewalk

This resolution adds the following Standard Drawings:

- 241 – Trench & Surface Restoration
- 480 – Asphalt Repair for Newly Paved Roads
- 481 – Concrete Roadway
- 482 – Temporary Steel Plates
- 483 – Temporary Surfacing
- 484 – Pavement Coring Repair

FINANCIAL IMPLICATIONS:

The changes to the Public Works Construction Code included in this resolution are not expected to have financial implications.

Attachments: Resolution No. 5353-18
 Revised Title Page
 Revised Standard Drawing Table Of Contents

RESOLUTION NO. 5353-18

A RESOLUTION UPDATING THE PUBLIC WORKS CONSTRUCTION CODE

WHEREAS, Tualatin Municipal Code (TMC) 2-3-010 establishes the Public Works Construction Code (PWCC) as the standards, specifications and procedures used for all Public Works Construction within the City; and

WHEREAS, under Tualatin Municipal Code 2-3-020, the City Engineer has the duty to maintain and update the PWCC, subject to Council approval by resolution; and

WHEREAS, the PWCC was adopted by Council resolution on October 8, 2001, and subsequently amended on February 11, 2002; October 14, 2002; March 10, 2003; March 22, 2004; April 12, 2010; July 26, 2010; September 26, 2011; and February 25, 2013; and December 12, 2016; and April 24, 2017; and

WHEREAS, the City Engineer is recommending the PWCC be revised.

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

Section 1. PWCC Section 100.1.00, Application of Provisions, is deleted and replaced to read as follows:

100.1.00 Application of Provisions

The provisions of the Code apply to all City owned public works facilities and Public Utility construction proposed by any private party, quasi-public body, partnership, firm, association, corporation, or public agency.

Section 2. The following definitions are modified in PWCC Section 101.1.00, Definitions, as follows:

Applicant – The person or firm making application for a permit from the City.

Permit – A permit issued by the City Engineer. May refer to a Public Works Construction Permit, Water Quality Permit, Erosion Control Permit, Public Utility Permit, or other.

Permittee – The person or firm that has received a permit from the City Engineer.

Utility – Any physical component of a system, including but not limited to poles, pipes, mains, conduits, ducts, junction boxes, vaults, structures, cables, wires, transmitters, equipment, and other facilities, located within, under, or above rights-of-way, any portion of which is used or designed to be used to deliver, transmit, or otherwise provide utility service.

Section 3. The following definitions are added to PWCC Section 101.1.00, Definitions, as follows:

Controlled Low Strength Material (CLSM) – A highly flowable lean concrete mix with a 28-day compressive strength of 100 psi - 200 psi.; a mixture of fly ash, cement, fine aggregates, water and admixtures, if necessary.

Pavement Coring – Pavement coring is an exploratory vacuum excavation not more than 12 inches in diameter to uncover an existing utility for the purpose of determining its precise location and elevation.

Public Utility – Any corporation, company, individual, association of individuals, or its lessees, trustees or receivers, that owns, operates, manages or controls all or a part of any line, facility, or system for producing, transmitting, or distributing communications, power, electricity, heat, gas, oil, water, steam, waste, stormwater, or any other similar commodity which directly or indirectly serves the public. The term may also mean the utility company, district, or cooperative owning and operating such facilities, including any wholly owned or controlled subsidiary.

Public Utility also includes any corporation, company, individual or association of individuals, which is party to an oral or written agreement for the payment by a public utility, for service, managerial construction, engineering or financing fees, and having an affiliated interest with the public utility.

Public Utility Permit – The permit required for Public Utilities to perform work within a Right-of-Way or public easement. Public Utilities must have a current Franchise agreement or Rights-of-Way License with the City of Tualatin to apply for a Public Utility Permit.

Erosion Control Permit –The permit required for all construction projects that will cause, or are likely to cause a temporary or permanent increase in the rate of soil erosion from a site, including but not limited to grading, excavating, filling, working of land, or stripping of soil or vegetation from land.

Section 4. The following abbreviations are added to PWCC Section 101.2.00, Abbreviations, as follows:

ADA	Americans with Disabilities Act
PROWAG	2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way
PWCC	City of Tualatin Public Works Construction Code

Section 5. PWCC Section 102.1.00, Permits Required, is deleted and replaced to read as follows:

102.1.00 Construction Permits Required

Property owners, developers, and others proposing construction within public Rights-of-Way, easements, tracts, streams, creeks, or natural drainage ways, or construction of a Water Quality Facility on private land, are required to obtain all applicable permits and land-use approvals as appropriate, pay all applicable fees, and secure applicable performance assurances before commencing any work.

102.1.1 Public Works Construction Permit

A Public Works Construction Permit is required to construct public works facilities within the public Right-of-Way, public easements, or land to be dedicated to the public.

Obtain a Public Works Construction Permit using the application form provided by the City Engineer. With the application, include a permit fee deposit as set forth in subsection 102.3.1, Permit Fees and Deposits, complete plans and specifications as set forth in subsection 102.4.1, Plans and Specification Requirements, and a preliminary engineer's estimate.

Prior to submitting an application for a Public Works Construction Permit, attend a pre-application meeting with the Engineering Division. Required attendees include the owner, the design engineer, and the contractor if known.

102.1.2 Water Quality Permit

A Water Quality Permit is required to construct or modify a public or private water quality facility.

Obtain a Water Quality Permit using the application form provided by the City Engineer. With the application, include a permit fee deposit as set forth in subsection 102.3.1, Permit Fees and Deposits, complete plans and specifications as set forth in subsection 102.4.1, Plans and Specification Requirements, and a preliminary engineer's estimate.

Prior to submitting an application for a Water Quality Permit, attend a pre-application meeting with the Engineering Division. Required attendees include the owner, the design engineer, and the contractor if known.

102.1.3 Public Utility Permit

A Public Utility Permit is required to perform work on any public utility within Rights-of-Way and easements.

Obtain a Public Utility Permit from the City Engineer using the application forms provided. Complete plans and specifications as set forth in Section 207, Public Utility Design.

102.1.4 Erosion Control Permit

An Erosion Control Permit is required if changes to improved or unimproved real property cause, will cause, or are likely to cause a temporary or permanent increase in the rate of soil erosion from the site, as described in Clean Water Services Design and Construction Standards Section 2.03.4, Erosion Control Permits. Obtain Erosion Control Permits in conjunction with other permits as applicable.

There are four categories of Erosion Control Permits issued by the City for construction outside the building footprint. Obtain the applicable Erosion Control Permit using the process outlined below and in Section 102.4.5, Erosion Control Plan Review Procedure. With the application, include a permit fee as set forth in the current version of the City of Tualatin Fee Schedule located on the City of Tualatin website and pay all required DEQ fees.

102.1.4A Single-Family Residence

A single-family residence Erosion Control Permit is required for modifications to a single family residence lot for work that has ground disturbing activities.

If a Site Assessment is required in accordance with Clean Water Services Chapter 3, Sensitive Areas and Vegetated Corridors, obtain an Erosion Control Permit following the requirements of Section 102.1.4B, Erosion Control (Disturbing Under One Acre).

If a water quantity or quality approach is required in accordance with Clean Water Services Chapter 4, Runoff Treatment and Control, obtain an Erosion Control Permit following the requirements of Section 102.1.4B, Erosion Control (Disturbing Under One Acre).

102.1.4B Erosion Control (Disturbing Under One Acre)

If the proposed construction activities will cause or are likely to cause physical disturbance to the surface of the land less than one acre but more than 500 square feet, obtain an Erosion Control Permit from the City Engineer.

102.1.4C 1200-CN (Disturbing Between 1 and 5 Acres)

A NPDES 1200-CN Construction Stormwater (Erosion Control) Permit is required for construction activities on sites that disturb between one acre and five acres to control stormwater runoff during construction.

102.1.4D 1200-C (Disturbing Five Acres and Greater)

A NPDES 1200-C Construction Stormwater (Erosion Control) Permit is required for construction activities on sites that disturb five acres and larger to control stormwater runoff during construction.

102.1.4E Erosion Control (Disturbing less than 500 SF)

If the proposed construction activities will cause or are likely to cause physical disturbance to the surface of the land less than 500 SF, no Erosion Control Permit from the City is required provided all the following criteria are met:

1. No land development activity or disturbance of land surface occurs within 100 feet of a Sensitive Area, and
2. The work on the site involves the disturbance of less than 500 square feet of land surface where the slope is less than 20 percent or less than 50 square feet where the slope is 20 percent or greater, and
3. The excavation, fill, or combination thereof involves less than 20 cubic yards of material.

Erosion control measures must still be in place during construction, even if a permit is not required.

Exception from the Erosion Control permit requirement does not exempt the Property Owner from the responsibilities of CWS Design and Construction Standards Section 6.02.1, Erosion Prohibited.

For projects that disturb less than 500 square feet that do not meet all criteria in this section, an Erosion Control Permit is required. Obtain an Erosion Control Permit following the requirements of Sections 102.1.4B and 102.4.5B, Erosion Control (Disturbing Under One Acre).

Section 6. PWCC Section 102.2.1, Public Works Construction Permit Application Procedure, is deleted and application requirements are incorporated into Section 102.1.00, Construction Permits Required.

Section 7. PWCC Section 102.3.1, Permit Fees and Deposits, is deleted and replaced to read as follows:

102.3.1 Permit Fees and Deposits

This section applies to Public Works Construction Permits, Water Quality Permits, and Erosion Control Permits.

102.3.2 Public Works Construction Permit Deposit

Public Works Construction Permit deposits are paid by the applicant as follows:

1. At the time construction plans are submitted for approval by the City Engineer, pay the deposit shown in the current version of the City of

Tualatin Fee Schedule located on the City of Tualatin website.

2. As the work progresses, the City's actual costs may exceed the amount deposited. If this occurs, the Permittee will receive an invoice for the full actual cost incurred by the City, less previous payments.
3. If the City's actual costs exceed the amount deposited, the City Engineer may require an additional amount to be deposited. If an additional deposit is requested, deposit the amount with the City within 15 days of the date requested. If the deposit is not made, stop all work on the project until the deposit is made.
4. Before acceptance of work by the City, pay all outstanding amounts due to the City in full.
5. Upon completion and acceptance of the work by the City, should the amount deposited exceed the actual cost, the difference will be refunded to the Permittee. No interest will be paid on refunded amounts.

The permit deposit is intended to defray costs incurred by the City in providing technical or inspection services related to any public works or water quality facility construction. Costs incurred by the City may be through services provided by the City staff or through a private engineer and Contractor at the applicant's expense. Services provided by the City include but are not limited to the following:

1. Meeting with the applicant, the design engineer or agent to review City standards, specifications, ordinances, and procedures.
2. Providing the applicant's design engineer with information on existing conditions and facilities.
3. Provide information and data for State or County approvals that are required.
4. Reviewing all construction drawings, engineering calculations, and specifications.
5. Making inspections necessary to ensure compliance with City standards and specifications.
6. Keeping notes and records for inclusion in the as-built drawings.
7. Updating City maps, files, and records by incorporating as-built information.
8. Meeting with the various utility companies to review all utility construction and installations.
9. Soils testing, asphalt testing, re-televising sanitary and storm sewer during 1-year maintenance period, and other material tests specified in this Code or

deemed necessary by the City Engineer.

10. In cases in which an emergency exists that threatens the health, safety, and welfare of residents of the City of Tualatin as a result of actions taken by the applicant or the applicant's representative, the City may take such measures as it deems necessary to correct such hazardous situations and bill all costs incurred by the City to the applicant.

11. Other necessary expenses related to permit work.

The City's actual cost of technical services includes consultant costs, direct payroll costs and expenses plus a percentage for insurance, benefits, and overhead as determined by the City Engineer.

102.3.3 Erosion Control Fees

For all projects requiring an erosion control permit, pay the fees shown in the current version of the City of Tualatin Fee Schedule located on the City of Tualatin website. If applicable, pay all required DEQ fees as well.

102.3.4 Water Quality Permit Deposit

Water Quality Permit deposits are paid by the applicant as follows:

1. At the time construction plans are submitted for approval by the City Engineer, pay the deposit shown in the current version of the City of Tualatin Fee Schedule located on the City of Tualatin website.
2. As the work progresses, the City's actual costs may exceed the amount deposited. If this occurs, the Permittee will receive an invoice for the full actual cost incurred by the City, less previous payments.
3. If the City's actual costs exceed the amount deposited, the City Engineer may require an additional amount to be deposited. If an additional deposit is requested, deposit the amount with the City within 15 days of the date requested. If the deposit is not made, stop all work on the project until the deposit is made.
4. Before acceptance of work by the City, pay all outstanding amounts due to the City in full.
5. Upon completion and acceptance of the work by the City, should the amount deposited exceed the actual cost, the difference will be refunded to the Permittee. No interest will be paid on refunded amounts.

The permit deposit is intended to defray costs incurred by the City in providing technical or inspection services related to any public works or water quality facility construction. Costs incurred by the City may be through services provided by the City staff or through a private engineer and Contractor at the applicant's expense. Services provided by the City may include but are not limited to the following:

1. Meeting with the applicant, the design engineer or agent to review City standards, specifications, ordinances, and procedures.
2. Providing the applicant's design engineer with information on existing conditions and facilities.
3. Provide information and data for State or County approvals that are required.
4. Reviewing all construction drawings, engineering calculations, and specifications.
5. Making inspections necessary to ensure compliance with City standards and specifications.
6. Keeping notes and records for inclusion in the as-built drawings.
7. Updating City maps, files, and records by incorporating as-built information.
8. Meeting with the various utility companies to review all utility construction and installations.
9. In cases in which an emergency exists that threatens the health, safety, and welfare of residents of the City of Tualatin as a result of actions taken by the applicant or the applicant's representative, the City may take such measures as it deems necessary to correct such hazardous situations and bill all costs incurred by the City to the applicant.
10. Other necessary expenses related to permit work.

The City's actual cost of technical services includes consultant costs, direct payroll costs and expenses plus a percentage for insurance, fringe benefits, and overhead as determined by the City Engineer.

Section 8. PWCC Section 102.4.1, Plans and Specifications, is deleted and replaced to read as follows:

102.4.1 Plans and Specifications

102.4.2 Plan and Specification Requirements

For Public Works Construction Permits, Water Quality Permits, and Erosion Control Permits, the required plans and specifications must be prepared by the Design Engineer who must be a registered engineer licensed to practice engineering in the State of Oregon. Prepare the plans and specifications to be used in conjunction with the Standard Specifications and Standard Drawings, and provide sufficient detail to ensure full disclosure of the proposed work. Conform to the design requirements of

Chapter 200 of this Code.

For Erosion Control Permit plans and specifications, conform to CWS Design and Construction Standards, Chapter 6, Erosion Prevention and Sediment Control.

For Public Utility Permit plans, conform to the design requirements of Section 207, Public Utility Design, of this Code.

102.4.3 Public Works Plan Review Procedure

Submit complete plans and required calculations to the City Engineer for review. The City Engineer may request up to six sets of plans.

The City will verify required information was provided and conforms to this Code, applicable portions of CWS Design and Construction Standards, and the development approval conditions.

If the submittal does not meet the requirements, the City will prepare a correction list or "red line" set of construction plans for the design engineer specifying what is needed and return the plans to design engineer.

After the design engineer has completed all revisions, submit five revised plans and the original "red line" plans to the City for approval. If approved by the City, and if the plans include storm drain or sanitary sewer design, the City will forward one set of plans to CWS for approval. The City may require the design engineer to incorporate CWS' comments into final approval of construction plans.

The City will issue a Public Works Construction Permit once the following have been completed:

1. The plans and specifications have been approved for construction.
2. The necessary deposits are paid.
3. The necessary insurance certificates are submitted and approved.
4. Copies of other agency permits are submitted.
5. All other requirements made by the City Engineer have been met.

Once approved, up to three sets will be stamped approved by the City Engineer and returned at time of issuance of the Public Works Construction Permit. Approval does not relieve the design engineer from liability for errors and omissions.

102.4.4 Water Quality Plan Review Procedure

Submit plans and calculations for review. The City Engineer may request up to four sets of plans and calculations.

The City will verify required information was provided and conforms to this Code, CWS Design and Construction Standards, and the land-use conditions of approval.

If the submittal does not meet requirements, the City will prepare a correction list or “red line” set of construction plans for the design engineer specifying what is needed.

After the design engineer has completed all revisions, submit three revised plans and the original “red line” plans to the City for approval. If the City approves the submittal, the City will forward one set of plans to CWS approval. The City may require the design engineer to incorporate CWS’ comments into final approval of construction plans.

The City will issue a Water Quality Permit once the following have been completed:

1. The plans and specifications have been approved for construction.
2. The necessary deposits are paid.
3. The maintenance plans and agreement are submitted and approved.
4. All other requirements made by the City Engineer have been met.

Once approved, up to four sets will be stamped approved by the City Engineer and returned at time of issuance of the Water Quality Permit. Approval does not relieve the design engineer from liability for errors and omissions.

102.4.5 Erosion Control Plan Review Procedure

Submit the required plans and all additional documents as described in the subsections below.

The City will verify required information was provided and conforms to this Code and CWS Design and Construction Standards.

If the submittal does not meet the requirements, the City will prepare a correction list or “redline” set of erosion control plans specifying what is needed.

After all revisions have been completed, submit revised plans and documents and the original “redline” plans to the City for approval. The City will forward plans to CWS for approval. The City may require the design engineer to incorporate CWS’ comments into final approval of construction plans.

Once the requirements for the applicable erosion control category have been approved and the necessary fees paid, the City will issue an Erosion Control Permit. Approval does not relieve the design engineer from liability for errors and omissions.

102.4.5A **Single-Family Residence**

No plans are required. Submit a single-family residence Erosion Control Permit to the City Building Department using the application forms provided.

Construction must conform to the requirements of Standard Drawing 001, Example Single Family Erosion & Sediment Control Site Plan

Once the application has been approved and the necessary fees paid, the City will issue an Erosion Control Permit.

102.4.5B **Erosion Control (Disturbing Under One Acre)**

Submit two sets of plans that meet the requirements of Clean Water Services Design and Construction Standards, Chapter 6, Erosion Prevention and Sediment Control for the City Engineer to review.

102.4.5C **1200-CN (Disturbing Between 1-5 Acres)**

Submit two sets of plans for the City to review that meet the requirements of the most current 1200-CN template. With the plans submit a signed DEQ 1200-CN ESC Plan Checklist. The plan template and checklist are available on Clean Water Services website.

The City will issue a 1200-CN Construction Stormwater (Erosion Control) Permit once the following have been completed:

1. The plans and specifications have been approved.
2. The signed DEQ 1200-CN ESC Plan Checklist has been submitted.
3. The necessary fees paid.

102.4.5D **1200-C (Disturbing Five Acres and Greater)**

Submit three sets of plans for the City to review that meet the requirements of the most current 1200-C template. With the plans submit a signed DEQ 1200-C ESC Plan Checklist and the DEQ 1200-C Construction Stormwater (Erosion Control) Permit Application. For more information regarding the plan template, checklist, and DEQ application refer to Clean Water Services website.

Upon City approval two sets of plans will be forwarded to CWS for approval. Upon CWS approval one set of plans will be forwarded to DEQ for a 14-day public review period.

Clean Water Services and the City act as permit agents for DEQ. At the conclusion of the required 14-day public comment period, DEQ will authorize issuance of the 1200-C Permit.

The City will issue a 1200-C Construction Stormwater (Erosion Control) Permit once the following have been completed:

1. The plans and specifications have been approved.
2. The signed DEQ 1200-C ESC Plan Checklist has been submitted.
3. The DEQ 1200-C Construction Stormwater (Erosion Control) Permit Application has been submitted.
4. The necessary fees paid.
5. The 14-day public review period has been observed.

102.4.6 Public Utility Plan Review Procedure

Submit one set of plans in compliance with Section 207, Public Utility Design, for review with the permit application.

The City will verify required information conforms to this Code and City of Tualatin Municipal Code Chapter 03-06, Utility Facilities in the Rights-of-Way. Submit all required permits, agreements or documents from other jurisdictions or persons as required.

If the submittal does not meet the standards, the applicant will be informed of needed changes and additional requirements. A new review period will begin once the applicant resubmits the required information or documents.

Section 9. PWCC Section 102.5.00, Prequalification of Contractor, is deleted and replaced to read as follows:

102.5.00 Prequalification of Contractor

All Contractors engaged by the Permittee to perform public works construction must be prequalified with the City in compliance with Chapter 279 of the Oregon Revised Statutes, City Ordinance No. 327-76 as amended and Resolution No. 1789- 86 and any special prequalification standards approved by the City.

This provision may be waived by the City Engineer for work having an estimated value of less than \$10,000, if in the opinion of the City Engineer the Contractor has sufficient experience, personnel, and equipment for the type and scope of work contemplated.

Public Utilities are exempt from the requirements of this section.

Section 10. PWCC Section 102.6.6, Exemption for Public Utilities, is added to read as follows:

102.6.6 Exemption for Public Utilities

For Public Utility insurance and indemnification requirements, comply with City of Tualatin Municipal Code Chapter 03-06, Utility Facilities in the Right-of-Way.

Section 11. PWCC Section 102.7.2, Easements and Tracts Granted to the City, is deleted and replaced to read as follows:

102.7.2 Easements and Tracts Granted to the City

All required easements and tracts are to be granted to, and accepted by, the City prior to the issuance of Water Quality and Public Works Construction Permits. Provide the City with the documents necessary to grant such easements and tracts free and clear of encumbrances and all taxes paid.

The City Engineer determines what facilities need to be part of the publicly owned system. When it is not possible or practical to install these facilities within dedicated public Right-of-Way, grant an easement or tract to the City. Facilities include, but are not be limited to, water works, sanitary sewers, storm systems, slopes for public streets, sensitive areas, created and constructed wetlands, greenways, pedestrian pathways or bikeways, and water quality or quantity facilities.

Center public water systems, sanitary sewers or storm systems within a permanent easement that has a minimum width of 15-feet along its entire length unless otherwise approved by the City Engineer. When a sanitary and storm sewer are within the same easement, provide a minimum easement width of 20 feet. The City may require a larger easement when either the sanitary or the storm sewers are larger than 24-inches. Do not install a pipe within 5-feet of an easement line.

Slope easement widths for roadway slopes extending beyond the dedicated public Right-of-Way will be as determined by the City Engineer.

Widths of easements for sensitive areas, wetlands, greenways, pedestrian pathways or bikeways, or access ways, will be as determined by the City Engineer.

Tracts deeded to the City are required for access to all easements including the public water quality and quantity facilities that include outlet control structures and to manholes where required by the City. Widths of such tracts will be as determined by the City Engineer.

Section 12. PWCC Section 102.7.3, Temporary Construction Easements, is deleted and replaced to read as follows:

102.7.3 Temporary Construction Easements

Prior to the issuance of a construction permit, provide to the City Engineer, for review and documentation, all temporary construction easements necessary to perform the work.

Section 13. PWCC Section 102.8.00, Erosion Control Permit, is deleted. Requirements for Erosion Control Permits are now located in Section 102.1.00, Construction Permits Required.

Section 14. PWCC Section 102.9.00, Erosion Control Joint Permit, is deleted. Requirements for Erosion Control Joint Permits (1200-CN and 1200-C Erosion Control Permits) are now located in Section 102.1.00, Construction Permits Required.

Section 15. PWCC Section 102.10.00, Contributed Equity Information, is deleted and replaced to read as follows:

102.10.00 **Contributed Equity Information**

As part of the Public Works Construction Permit and Water Quality Permit, provide to the City Engineer, for review and documentation, the costs of all public works improvements that will become the property of the City. Prior to issuance of a construction permit, provide the following information:

1. The diameter, length, and value of all storm, domestic water, and sanitary lines within the proposed project.
2. The area, in acres, of any streets being dedicated to the City.
3. The area, in acres, of any open space being dedicated to the City.
4. The area, in acres, of any tracts being dedicated to the City.
5. The value of any street improvements along with the appropriate lineal footage.
6. The quantity and value of any sidewalk improvements other than those constructed as part of residential development.
7. The number of and value of any street lights installed.
8. The area of any easements dedicated to the City other than those within the subdivision lots.

Section 16. PWCC Section 102.11.00, Confined Space Entry Information, is deleted and replaced to read as follows:

102.11.00 **Confined Space Entry Information**

Prior to the issuance of a permit for work within the public Right-of-Way or easements requiring confined spaces construction, submit written documentation to the City Engineer regarding confined space program(s), that the Contractor will follow. Confined Space Entry within the public Right-of-Way or easements will only be allowed through compliance with a confined space program meeting the requirements of OAR Chapter 437, Oregon Occupational Safety and Health Division.

Section 17. PWCC Section 102.12.00, Other Agency Permits, is deleted and replaced to read as follows:

102.12.00

Other Agency Permits

If the construction includes work within Clackamas County, Washington County, or State of Oregon rights-of-way or easements, or includes Clean Water Services (CWS) sensitive areas, a permit to perform such work is required from the respective agency prior to the start of construction. Provide copies of these permits, and all other agency-required permits, to the City Engineer for review and documentation prior to issuance of the City permit.

Section 18. PWCC Section 102.13.00, Issuance, Expiration, Reinstatement and Amendments, is deleted and replaced to read as follows:

102.13.00

Issuance, Expiration, Reinstatement and Amendments

Once the plans and specifications have been approved for construction, the necessary fees paid, the Contractor's prequalification accepted, the necessary certificates of insurance submitted and approved, the required easements submitted and approved, copies of other agency permits submitted, the grading/erosion control information worksheet submitted, the erosion control joint permit submitted, the contributed equity information and written documentation of confined space entry information submitted, the City Engineer will issue a permit for the proposed work. The City Engineer may impose any additional conditions, including but not limited to imposing time constraints and limits on work to be performed in existing public Right-of-Way and on existing public works facilities, which the City Engineer deems necessary to the permit. The date of issuance and the conditions under which the construction is authorized by the City will be clearly described in the permit.

When the City Engineer issues the permit, the City Engineer will endorse in writing or stamp the plans and specifications "APPROVED." Do not change, modify, or alter approved plans and specifications without authorization from the City Engineer. Complete all work regulated by this code in accordance with the approved plans.

Keep one set of approved plans and specifications on the site of the work at all times during which the work authorized thereby is in progress.

The issuance or granting of a permit or approval of plans, specifications and computations will not be construed to be a permit for, or an approval of, any violation of this code or of any other ordinance of the City. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the City will not be valid.

The issuance of a permit based upon plans, specifications and other data does not prevent the City Engineer from requiring the correction of errors in the plans, specifications and other data, or from preventing operations being carried on when in violation of this code or of any other ordinances of the City.

Every permit issued by the City Engineer under this code expires by limitation and becomes null and void if the work authorized by such permit has not commenced within 180 days from the date of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work has commenced for a period of 180 days. Before such

work can be resumed, reinstate the permit.

To reinstate the permit, submit a written request for reinstatement to the City Engineer giving the reasons for failure to begin construction and a date when construction will be commenced. In reinstating the permit, the City Engineer may impose any additional conditions deemed necessary or require amendment to the permit.

Any Permittee holding an unexpired permit may apply for an extension of the time within which to may commence work under that permit when the Permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The City Engineer may extend the time for action by the Permittee for a period not exceeding 180 days upon written request by the Permittee showing that circumstances beyond the control of the Permittee have prevented action from being taken. A permit will not be extended more than once.

The City Engineer may, in writing, suspend or revoke a permit issued under this code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or this Code. The Permittee may appeal the suspension or revocation of the permit as set forth in Section 104.6.00, Appeal of Disputed Work or Rulings, of this Code.

Changes to the approved plans and special specifications will only be allowed when requested by Permittee and approved by the City Engineer. Incorporate authorized changes by amendment to the permit and approved plans.

Section 19. PWCC Section 102.14.00, Performance of the Work, is deleted and replaced to read as follows:

102.14.00 Performance of the Work

In order to protect the safety of the public and the integrity of the City's public works facilities, enter into a Public Improvement Agreement for work proposed on an existing public works facility. Public works facilities include any public transportation, sanitary sewer, storm drainage, water, or park facility.

If the scope of work necessitates a Public Improvement Agreement, the permit for the project will not be issued until the Contract is executed and filed with the City. The contract is enforceable by and against the parties, their heirs, successors and assigns.

As a condition of the agreement, a bond, cash deposit, or other security acceptable to the City will be required from the applicant in an amount equal to the value of the improvements to the existing public facilities, but not less than \$25,000. This assurance is to ensure that the applicant constructs and completes all required improvements to the public facilities.

Fulfill the conditions of the agreement within the time limitations specified. Failure to fulfill a condition within the time may result in the City collecting the assurance and completing the improvements.

Further, notwithstanding any other provision, the City has the authority to deny a permit upon a determination that the applicant, or any officer, or principal of the applicant, willfully has failed to fulfill conditions of approval imposed in any previous permit and a determination that such a decision would encourage compliance or is necessary to protect the public from future noncompliance.

Section 20. PWCC Section 104.7.00, Notifications Relative to Contractor's Activities, is deleted and replaced to read as follows:

104.7.00 Notifications Relative to Contractor's Activities

Obtain prior approval from the City Engineer before working in the Right-of-Way or easements, and before closing or partially closing any road, street, alley, sidewalk, bike lane, or other public thoroughfare. Provide notice not less than two working days in advance of all construction in Rights-of-Way and easements. Notify the City and all agencies providing public services including, but not limited to, the sheriff, police, fire, ambulance services, Tri-Met, and the school district transportation services.

Notify all public utilities at least two working days before beginning work.

Verify location of all public utilities and public works facilities prior to construction and meet requirements of Oregon Administrative Rule (OAR) 952 Division 1. In accordance with OAR 952 Division 1, notify the Oregon Utility Notification Center of the date and location of the proposed excavation at least two working days and not more than ten working days before commencing work.

Notify all agencies and public utilities affected by the operations in order to coordinate and expedite the work in order to cause the least amount of conflict and interference between the operations and those of other agencies.

Include in the notification the time that work will begin and end, names of streets or location of alleys to be closed or impacted, schedule of operations, routes of possible detours, and additional information requested by the City Engineer.

The Permittee is responsible for all damages or claims resulting from improper or insufficient notification of the affected agencies.

Section 21. PWCC Section 104.8.00, Utilities and Existing Improvements, is deleted and replaced to read as follows:

104.8.00 Utilities and Existing Improvements

Do not block, obstruct or interfere with any portion of the City's public works facilities, including roads, bike lanes, and sidewalks.

Provide for the flow of sewers, drains, and watercourses interrupted during the progress of the work and restore all drains and watercourses as approved by the City Engineer.

Make excavations and pavement coring ahead of work as necessary to determine the exact location of existing utilities. If the Contractor is unable to determine the exact location of public storm and sanitary sewer utilities, provide a TV inspection after construction, if approved by the City Engineer.

Coordinate with Public Utilities to complete all installations, relocations, repairs, or replacements needed for those utilities before work begins, unless otherwise agreed to by the Public Utility. Provide the time needed for such public utility work to be accomplished during construction.

Where it is necessary to connect to existing public works facilities, do not interrupt City operations to make such connections. Before making connections to existing public works facilities, obtain approval from the City Engineer and schedule the work to be done at a time that is convenient to the City.

In accordance with Section 104.10.00, Protection of Property, the Contractor is responsible for all damage and associated costs caused directly or indirectly by execution of the work.

Section 22. PWCC Section 104.13.00, Traffic Maintenance, is deleted and replaced to read as follows:

104.13.00 Traffic Maintenance

Erect and maintain all barricades, guards, standard construction signs, warning signs, and detour signs as necessary to warn and protect the public at all times from injury, inconvenience, or damage as a result of the work operations on highways, roads, or streets affected by such operations. Install and maintain all detours/signs, traffic control devices and markings per the requirements of the MUTCD and Oregon Supplement, or the Oregon Temporary Traffic Control Handbook. Submit a plan and schedule for detours/signs, traffic control devices and markings to be approved by the City Engineer prior to installation and before construction starts.

Upon failure to immediately provide the necessary flaggers or to provide, erect, maintain, and remove barricades, detours, lights, and standard signs when so ordered, the City may issue a stop work order or at its discretion provide appropriate traffic control necessary to protect the public and assess all of the costs to the Permittee. Nothing contained in this section will require the City to do so or relieve the Permittee and Contractor of their responsibilities to provide traffic control for public safety.

At the end of each day, in locations where vehicular or pedestrian traffic will pass over trenches before they are paved, repair the pavement in accordance with Section 313.3.03G, Temporary Surfacing. Maintain a smooth driving surface to the satisfaction of the City Engineer for as long as the temporary surface is in place. If the Contractor or Permittee fails to maintain a smooth driving surface, the City may at its discretion repair the surface and assess all of the costs to the Permittee.

Provide access driveways where needed and maintain pedestrian access around the

construction zone as directed. Commence cleanup operations immediately following backfilling and maintain the work site in an orderly condition at all times.

See Section 302, Temporary Traffic Control, for additional traffic control requirements.

Section 23. PWCC Section 201.1.01, Scope, is deleted and replaced to read as follows:

201.1.01 Scope

This chapter covers the standards for the design of public works facilities, water quality facilities, Public Utilities, and the preparation and submittal of construction plans. Except as provided otherwise in a specific section, these standards and regulations apply to all public works and water quality construction within the City.

Design and construct all public works facilities in accordance with the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG).

Section 202, Construction Plans, does not apply to Public Utilities.

Section 24. PWCC Section 203.2.23 “Franchise Utilities” is deleted. Requirements for constructing Public Utilities in the Right-of-Way or easements are defined in Section 207, Public Utility Design.

Section 25. PWCC Section 205.02.07F, Spacing Requirements, is deleted and replaced to read as follows:

205.2.07F Spacing Requirements from Water Supplies

Meet requirements of Oregon Administrative Rule 33-061-0050(2), Construction Standards.

Construct public sanitary gravity sewers a minimum of 50-feet away from all wells, springs, or other sources of domestic water supply.

Construct public sanitary pressure sewers a minimum of 100-feet away from all wells, springs, or other sources of domestic water supply.

Section 26. PWCC Section 205.2.07G, Paralleling Water Lines, is added to read as follows:

205.2.07G Water Line – Sewer Line Horizontal Separation

For parallel water and sanitary sewer lines, maintain a minimum horizontal separation of at least 10-feet. If approved by the City Engineer, the horizontal separation can be reduced down to one foot (as measured from the outside edge of the pipes), with the requirement that the bottom of the water line be 18-inches or more above the top of the sewer line.

Refer to OAR 333-061-0050(9) "Crossings-Sanitary sewers and water lines" for additional information regarding Oregon Health Authority Rules.

Section 27. PWCC Section 205.2.07H, Crossing Water Lines, is added to read as follows:

205.2.07H Water Line – Sewer Line Vertical Separation

Whenever it is necessary for sanitary sewer and water lines to cross, the crossing should be at an angle of approximately 90 degrees.

Whenever possible, the bottom of the water line will be 18 inches or more above the top of the sewer line and one full length of water pipe will be centered at the crossing. Where the water line crosses over the sewer line but with a clearance of less than 18-inches, the sewer pipe will be exposed to the sewer pipe joints on both sides of the crossing to permit examination of the sewer pipe by the City. If the sewer pipe is in good condition and there is no evidence of leakage from the sewer pipe, as determined by the City, then 18 inch separation may be reduced. If it is determined that the conditions are not favorable or there is evidence of leakage from the sewer line, replace the sewer line with a full length of pipe centered at the crossing point, of:

- PVC Pressure Pipe (ASTM D-2241, SDR 32.5);
- High-Density Polyethylene Pipe (HDPE);
- Ductile-Iron Class 50 (AWWA C-151);
- Other similar acceptable pipe;

Alternatively, the sewer can be encased in a reinforced concrete jacket for a distance of 10-feet on both sides of the crossing.

Where water lines cross under sewer lines, expose the sewer line and examine it as described above. If conditions are favorable and there is no evidence of leakage from the sewer line, the sewer line may be left in place. Take special precautions to ensure that the backfill material over the water line near the crossing is thoroughly tamped in order to prevent settlement that could result in the leakage of sewage. In this situation, center one length of the water line at the crossing. If the City determines that conditions are not favorable or finds evidence of leakage from the sewer line, replace sewer line as described above.

Refer to OAR 333-061-0050(9) "Crossings-Sanitary sewers and water lines" for additional information regarding Oregon Health Authority Rules.

Section 28. PWCC Section 207, Public Utility Design, is added to read as follows:

207 PUBLIC UTILITY DESIGN

207.1.00 **Scope**

Public Utilities that have a current Franchise Agreement or a Rights-of-Way License with the City may construct Public Utilities in the City of Tualatin public Rights-of-Way or in publicly controlled easements in strict conformance with City of Tualatin standards and specifications and the requirements stipulated in City of Tualatin Municipal Code Chapter 03-06, Utility Facilities in the Rights-of-Way. Before starting construction of work in the public Rights-of-Way or publicly controlled easements, obtain a Public Utility Permit. Public Utilities may also be constructed with a Public Works Construction Permit.

207.2.00 **Construction Plans**

Show the location of all existing and proposed Rights-of-Way, easements, public utilities, and public works facilities including curb and gutter, edge of pavement and sidewalk. Label identifying features including street names and site addresses. Provide a north arrow and a scale.

On construction plans, clearly show the location and construction methods of all proposed work. When public works facilities are potentially affected or as directed by the City Engineer, include all applicable City of Tualatin standard drawings with the construction plan submittal.

207.3.00 **Location of Proposed Public Utilities**

Place Public Utilities in the Public Utility Easement (PUE) or as approved by the City Engineer. Place Public Utilities parallel to the Right-of-Way, except when crossing a street. Install public utility street crossings perpendicular to the Right-of-Way.

When an underground Public Utility is not completely installed before construction of the road subgrade, place the appropriate utilities conduits in all areas to be paved to allow future completion of the utility. Extend conduit termini beyond the edge of Right-of-Way a minimum of 5 feet or as directed by the City Engineer. Seal and mark the ends of the conduit in accordance with the requirements of the affected utility.

All installations of Public Utilities are subject to the inspection and approval of the affected utility and the City of Tualatin.

207.4.00 **Minimum Depth**

Place Public Utilities a minimum of 36 inches below finished grade.

207.5.00 **Minimum Vertical Separation**

Provide a minimum of 12 inches vertical separation from all City owned utilities, except as approved by the City Engineer. Locate public utilities below water lines when crossing. The City Engineer may require Public Utilities to be placed deeper to avoid the possibility of conflict. Sanitary sewer and water lines must comply with Section 205.2.07H, Water Line – Sewer Line Vertical Separation.

207.6.00 **Minimum Horizontal Separation**

Provide a minimum horizontal separation of ten feet from all parallel City utilities, except as approved by the City Engineer.

For sanitary sewer or water lines, conform to Section 205.2.07G, Water Line – Sewer Line Horizontal Separation.

Section 29. PWCC Section 302.1.00, General, is deleted and replaced to read as follows:

302.1.00 General

With the permit application submittal, provide a proposed traffic control plan that meets the requirements of this Code and the current version of the Manual of Uniform Traffic Control Devices or the Oregon Temporary Traffic Control Handbook for project durations of three days or less as approved by the City Engineer. On the traffic control plan, show all planned vehicular and bicycle lane closures, sidewalk closures, temporary traffic control devices, and all traffic control devices that may be impacted by the project, including but not limited to signals and signs.

Provide for the safe and proper routing of vehicular, bicycle, and pedestrian traffic in a manner that will minimize congestion and delay and maintain safety. Furnish, install, and maintain all construction signs and detour signs, temporary signs, temporary striping and pavement markings, lights, flares, barricades, cones, guardrail, runways, pavement, bridges, stairs, temporary pedestrian walkways, and other devices and facilities necessary to safeguard the public and the work. All temporary pedestrian walkways shall comply with the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way. Relocate devices and facilities as necessary to accomplish the proper routing of traffic as the work progresses and, when no longer needed, remove from the work site.

Notify the City Engineer, Fire Department, other Emergency Services, Police Department, appropriate School District, and Tri-Met before closing any street or portion of a street. For signal shutdowns, obtain a Washington County Traffic Signal Shutdown Permit and provide notifications as required by the permit.

Do not close a street or portion of a street, bicycle lane, or pedestrian route without the City Engineer's approval. Notify those departments when the streets are again passable for emergency vehicles. Do not block emergency vehicle access to consecutive arterial crossings or dead-end streets without special written permission from the Fire Department. Conduct operations with the least interference to the fire equipment access and at no time prevent such access.

Provide night emergency telephone number(s) to the City Engineer, Police Department, and Fire Department so the contractor may be contacted at all times.

Section 30. PWCC Section 304.3.03C, Embankment Compacting and Density Requirements, is deleted and replaced to read as follows:

304.3.03C Embankment Compacting and Density Requirement

Compact all embankments, fills, and backfills to a minimum density of 92 percent of maximum density per AASHTO T 180. Where materials are used that cannot be tested utilizing the above method (such as coarse aggregates or foundation stabilization material) a method compaction specification will be required. Provide the method compaction specification to the City Engineer or the City Engineer's designated geotechnical representative based on the material characteristics and appropriate compaction equipment.

Apply water to materials to provide compaction of embankments and backfills and to alleviate dust nuisance. Apply water with approved tanker trucks equipped with spray bars, by hose and nozzle, or by other approved equal means that will ensure uniform and controlled application. The use of splash boards will not be permitted without prior approval.

Do not place embankment or backfill materials in final position until moisture in excess of optimum moisture has been stabilized near optimum. Place and compact fill or backfill at a moisture content near optimum to provide a compact stable grade. Where unstable conditions are evident due to moisture deviation from optimum and/or disturbance due to construction traffic, remove or rework, and compact unstable fill to provide a stable grade meeting the compaction requirements outlined above.

Section 31. PWCC Section 305.3.02, Untreated Subgrade, is deleted and replaced to read as follows:

305.3.02 Untreated Subgrade

Excavate and shape subgrade to line, grade, and cross section. Compact to the depth of grubbing or a minimum of 12-inches, not less than 92 percent of maximum density as determined by AASHTO T 180. Remove all soft or otherwise unsuitable material disclosed by the proof-rolling as directed and replace with approved material. Compact to one foot beyond the edge of paving, curb, or form.

Subgrade areas that cannot be compacted to specified density, but which in the judgment of the City Engineer otherwise meet the requirements herein, may be removed and aerated or stabilized with an approved soil stabilizing material.

Do not excavate or shape subgrade in the rain.

Section 32. PWCC Section 305.3.03D, Compaction, is deleted and replaced to read as follows:

305.3.03D Compaction

Immediately after mixing treated subgrade, spread mixture to specified line, grade, and cross section and compact entire depth of mixture to not less than 92 percent of maximum density as determined by AASHTO T 180.

Compact and finish cement treated surface within three hours after cement is applied. Compact and finish other treated surfaces within 12 hours

after compaction begins. If not compacted and finished within this time period, loosen the mixture and add stabilizing material and water as directed, remix, relay, and compact. During compaction, maintain surface of mixture at proper grade and cross section and lightly water to retain optimum moisture content.

Accomplish final finishing by rolling accompanied by light watering and reshaping to provide a surface free of hairline cracking.

Section 33. PWCC Section 308.3.01, Base Course, is deleted and replaced to read as follows:

308.3.01 Base Course

Spread base course material on the prepared subgrade to such a depth that when thoroughly compacted it will conform to the grades and dimensions shown on the Plans, with proper allowance for the leveling course hereinafter specified. Build the base course up in layers, with a maximum compacted thickness of 6 inches per layer. Spread crushed rock in an even course of uniform thickness from vehicles equipped with spreading devices. Avoid segregation of material and spread material to be free from pockets of large or fine material.

In general, begin spreading at the end of the work farthest from the point of loading materials. Do not dump base course materials in piles upon the subgrade.

After the base course has been spread and brought to line and cross section, compact with approved equipment to achieve a minimum of 92 percent of the maximum density when tested in accordance with AASHTO T 180, as determined by the City Engineer. Add sufficient water as needed to facilitate the movement of key material into the voids. Remove all soft or otherwise unsuitable material disclosed by the proof-rolling as directed and replace with an approved material as specified herein.

The surface of the base course must be parallel with the cross section and grade established for the top of base course within 0.04 feet.

Section 34. PWCC Section 310.1.01, Scope, is deleted and replaced to read as follows:

310.1.01 Scope

This work shall consist of constructing Portland cement concrete (P.C.C.) pavement in accordance with Standard Drawing 481, Concrete Roadway, composed of Portland cement, water, fine aggregate, coarse aggregate, and special purpose additives when required or permitted. The P.C.C. pavement shall be constructed on a prepared base in accordance with these specifications and in conformity to the lines, grades, thicknesses and cross sections shown on the plans or established by the City Engineer. P.C.C. paving construction shall be in accordance with these specifications,

ACI 318 (Building Code Requirements for Structural Concrete) and ACI 325.9R (Guide for Construction of Concrete Pavements and Concrete Bases). All concrete, unless otherwise specified, shall be mixed and deposited in accordance with ASTM C 94 (Specifications for Ready-Mixed Concrete). Concrete placed during hot weather or cold weather shall be mixed, placed, cured, and tested in accordance with the recommendations of ACI 305R or ACI 306, respectively. When a conflict exists between various governing codes, the more stringent code requirement shall be followed.

Section 35. PWCC Section 310.2.00, Materials, is deleted and replaced to read as follows:

310.2.00 Materials

Materials shall meet the requirements of the applicable sections of the City of Tualatin Public Works Construction Code, applicable provisions of ASTM, as well as modifications and additions given in this Specification and the Special Provisions, Section 201.0.00.

Section 36. PWCC Section 310.2.04, Tie Bars, is deleted and replaced to read as follows:

310.2.04 Fly Ash

Furnish fly ash conforming to AASHTO M 295 (ASTM C618).

Section 37. PWCC Section 310.2.05, Dowels, is deleted and replaced to read as follows:

310.2.05 Steel Reinforcement

310.2.05A Dowels

Dowels must conform to the requirements of AASHTO M 31 (ASTM A615) for Grades 40 and 60, or AASHTO M 227 (ASTM A663) for Grades 70, 75, and 80. Unless otherwise specified or shown, all dowel bars must be Grade 60.

310.2.05B Tie Bars

Tie bars must conform to the requirements of ASTM A706, AASHTO M 31 (ASTM A615), or AASHTO MP 18 (ASTM A1035). Unless otherwise specified or shown, all tie bars must be Grade 60.

310.2.05C Welded Wire Reinforcement

Welded wire reinforcement and deformed welded wire reinforcement must conform to the requirements of ASTM A1064. Epoxy-coated welded wire reinforcement must conform to the requirements of ASTM A884.

310.2.05D Bar Mats

Bar mats must conform to the requirements of ASTM A184.

Section 38. PWCC Section 310.3.02, Mixers, is deleted and replaced to read as follows:

310.3.02 Mixers

Each mixer shall carry a clearly visible manufacturer's plate showing the capacity of the mixer and other pertinent operating rates and limits. Provision shall be made at the mixer for the controlled addition of air-entraining admixtures or other special components of the mix, when such items are required.

Central plant mixers shall be equipped with a timing device that will not permit the batch to be discharged until the specified mixing time has elapsed.

Section 39. PWCC Section 310.3.14, Placing Portland Cement Concrete, is deleted and replaced to read as follows:

310.3.14 Placing Portland Cement Concrete

The P.C.C. shall be delivered from the hauling vehicles to the paving machine hopper. The Contractor's equipment hauling P.C.C. or reinforcement will not be permitted on the subgrade but will be allowed on the base, with turns or other maneuvering kept to a minimum. Any damage to the subgrade or base due to the Contractor's operations shall be corrected by the Contractor, at the Contractor's expense, to the satisfaction of the City Engineer.

The P.C.C. shall be placed in final position by the slipform or other approved method, uniformly in one layer, so that a minimum of finishing will be necessary to provide a dense, homogenous pavement conforming to true grade and cross section.

- 1) The spreader shall receive the P.C.C. mixture in its hopper and uniformly spread and strike it off at the proper thickness for the full width of the area being paved.
- 2) The paver shall vibrate, consolidate, and finish the slab to the proper grade and cross section.

The paver shall be operated with as nearly continuous forward movement as possible, and all operations of mixing, delivering, and spreading P.C.C. shall be coordinated to provide uniform progress. Stopping and starting the paver shall be held to an absolute minimum. If, for any reason, it is necessary to stop the forward motion of the paver, the vibratory and tamping elements shall also be stopped immediately. No external force shall be applied to the paver except with the approval of the City Engineer.

While placing P.C.C., provision shall be made for constructing joints, placing dowels, tie bars, and other devices as required by Standard Drawing 481, Concrete Roadway, called for by the plans, as directed by the City Engineer, and as provided in 310.3.13.

P.C.C. will be rejected if it:

- 1) Has exceeded the batch to discharge time requirements of 310.3.05,
- 2) Has begun to take an initial set prior to placement,
- 3) Has been retempered with water, or
- 4) The surface finish is unacceptable to the City Engineer.

Supports for the paver, and other equipment which ride on previously placed pavement which meets the requirements of 310.3.06, shall be equipped to prevent marring, edge breaking, or chipping of the previously placed pavement.

Hand spreading and distributing shall be with shovels, not rakes. The P.C.C. shall not be fouled with foreign matter. The Contractor shall furnish hand operated mechanical vibrators satisfactory to the City Engineer. These vibrators shall be used to consolidate the P.C.C. pavement at least 6 feet each side of construction and expansion joints, or when using bridge finishing or other approved machines.

Section 40. PWCC Section 310.3.15, Joints, is deleted and replaced to read as follows:

310.3.15 Joints

Joints shall be the type called for by the plans, shown on Standard Drawing 481, Concrete Roadway, or otherwise directed by the City Engineer. Joints in the P.C.C. pavement will be referred to as contraction or construction either of which may be transverse or longitudinal, as called for by the plans or as directed by the City Engineer. All joints and joint filler shall extend to pavement edges or to each other, as the case may be, and shall be constructed normal to the surface of the pavement. Joints shall not vary from specified or indicated line by more than 1/4-inch.

The Contractor shall submit to the City Engineer for approval, a jointing plan, 7-days before placement of any concrete street. The Contractor shall take into consideration the placement of joints in curb and gutter, at catch basins, and the position of manholes and other structures, as well as the other limitations herein mentioned.

Compensation for jointing and fillers shall be incidental to paving.

310.3.15A Contraction Joints

Contraction joints shall be of the sawed type with poured rubber-asphalt filler, or as shown on Standard Drawing 481, Concrete Roadway. All joints must include dowels or tie bars. Sawing shall be to a depth of 1/4 the thickness of the P.C.C. with a maximum width of 1/4-inch and a minimum width of 1/8-inch, in straight lines as shown or directed. Saw-cuts shall be performed as soon as the P.C.C. has set enough to permit sawing without tearing or raveling, before uncontrolled cracking results, and within 24-hours of placing the P.C.C. Saws may be single or tandem, as the Contractor may elect, and shall be controlled by

guides to true line. The Contractor is wholly responsible for the timing of sawed concrete joints. The joints shall be thoroughly cleaned of all foreign matter before pouring the approved rubber-asphalt filler. The tops of joint filler shall be true to pavement cross section within 1/8-inch and shall be protected from damage by P.C.C. operations. Any area containing uncontrolled cracks shall be removed and replaced by the Contractor, at the Contractor's expense, at the direction of the City Engineer. Curing agents broken or damaged by the sawing operations shall be restored.

Longitudinal joints shall be spaced as shown on the plans at the interface between lanes, normally at intervals between 10 to 14-feet. All longitudinal joints must include tie bars per Standard Drawing 481, Concrete Roadway.

Transverse joints shall be perpendicular to the direction of traffic, as shown on the plans or as approved by the City Engineer, with intervals of 12 to 15-feet. A transverse type joint shall also be placed radial to and at the 1/2-angle point of a curb return, extended to meet a transverse or longitudinal contraction joint.

310.3.15B Construction Joints

Construction joints shall be constructed when there is an interruption of longer than 45 minutes in the P.C.C. placing operations or where herein specified. Both free edges of joints shall be tooled with 1/8-inch radius rounder to remove lattice and mortar resulting from finishing operations and to provide a clean rounded edge. Tooling shall not form ridges on the surface of the concrete.

The new P.C.C. placed contiguous to the joint shall conform closely to the proportions and consistency of the previously placed concrete and shall be vibrated and consolidated to a greater degree, with more care and to a closer surface tolerance than is usual in normal construction.

No transverse construction joint shall be constructed within 3-feet of a transverse contraction joint. If sufficient P.C.C. has not been mixed at the time of interruption to place a construction joint at least 3-feet from a planned contraction joint, remove excess P.C.C. back to a position to satisfactorily meet these criteria to the satisfaction of the City Engineer. Transverse construction joints shall be of the doweled type using 18-inch dowels of the diameter shown on Standard Drawing 481, Concrete Roadway, at 12-inch centers and coated with plastic, grease, heavy oil or other approved material that will neither bond with nor be harmful to the P.C.C.. Support dowels and maintain in position during the P.C.C. placing operation at a depth of 1/2 the pavement thickness parallel to the street centerline. Fill all transverse construction joints that have opened to a width of 1/8-inch or greater, during the construction or maintenance periods with approved poured rubber-asphalt filler.

Longitudinal construction joints shall include 36-inch long #5 deformed tie bars at 36-inch centers and shall be placed at all radiused sections of a curb return with a P.C.C. gutter as well as a normal longitudinal construction joint.

Tie bars shall not be required at the construction joint between the P.C.C. pavement and gutter except where shown on the plans and mentioned above. Tie bars shall be placed by:

- 1) Inserting the tie bars into the plastic P.C.C. before vibrating and finishing the P.C.C.
- 2) Drilling the hardened concrete section and then inserting and grouting the tie bars into place. The holes shall be drilled large and deep enough to allow the tie bars to be inserted with adequate approved grout and shall be performed any time after the P.C.C. has attained enough strength to resist any damage caused by drilling. Tie bars shall be grouted a maximum of 3-hours prior to placement of adjacent P.C.C.

All loose tie bars shall be replaced by drilling and grouting as described, at the Contractor's expense.

Section 41. PWCC Section 312.3.01, Excavation, Fill, and Sidewalk Base, is deleted and replaced with the following:

312.3.01 Excavation, Fill, and Sidewalk Base

Excavate and place fill for sidewalks in conformance with Section 304, Road Excavation and Embankment.

Prepare sidewalk base to the thickness shown on the standard drawings and approved plans, and construct in conformance with Section 308, Base and Leveling Courses.

312.3.01A Panel Demolition and Removal

Before removing a sidewalk panel that is to be replaced, sawcut to full depth of existing concrete panel along existing joint on each end of the panel. Remove existing panel carefully to avoid damaging adjacent panels. Replace all sidewalk panels damaged during construction.

Section 42. PWCC Section 312.3.07, Finish, is deleted and replaced to read as follows:

312.3.07 Finish

Construct concrete walks so longitudinal slope, cross slope, surface, and other features do not exceed maximum allowable slope according to the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG).

If the existing adjacent sidewalk cross slope exceeds PROWAG requirements, construct a transition panel between the new sidewalk panel and the nearest transverse joint with a minimum length of two feet. The intent of transitional segments is to

smoothly transition between the PROWAG-compliant replacement sidewalk panels and non-PROWAG-compliant existing sidewalk panels.

After the concrete has been thoroughly consolidated and leveled, float surface with a wood or magnesium float and finish with a steel float at the proper time. Edge joints with 1/4-inch radius edger. Use a fiber hair brush to apply a light broomed finish in a transverse direction to the centerline of the sidewalk as approved by the City Engineer.

The finished surface must be free of humps, sags or other irregularities and must be constructed within 0.02 feet of the specified line, grade, cross section, slope, and thickness.

Section 43. PWCC Section 313.1.01, Scope, is deleted and replaced to read as follows:

313.1.01 Scope

This section covers the work necessary to restore surfacing including driveways, extruded curb, trench repaving, pavement coring, and to adjust miscellaneous structures to grade.

For asphalt roads paved within the last five years, meet the requirements of Section 313.3.03D, Asphalt Repair for Newly Paved Roads.

Section 44. PWCC Section 313.1.02, Surfacing Depths, is deleted and replaced to read as follows:

313.1.02 Surfacing Depths for Surface Restoration

Provide a minimum pavement thickness of six inches for asphalt restoration and 10 inches for concrete restoration, or match existing pavement thickness, whichever is greater. Exceptions must be approved by the City Engineer.

Section 45. PWCC Section 313.2.03, Concrete, is deleted and replaced to read as follows:

313.2.03 Concrete Pavement

Furnish concrete as specified in the applicable section(s) listed below:

1. Section 310, Portland Cement Concrete Pavement
2. Section 311, Concrete Curb and Gutter
3. Section 312, Concrete Sidewalks, Pathways, and Driveway Approaches

Section 46. PWCC Section 313.3.01, Driveway, is deleted and replaced to read as follows:

313.3.01 Driveways and Sidewalks

Restore damaged driveways and sidewalks in compliance with Section 312, Concrete Sidewalk, Pathways, and Driveway Approaches. Replace full concrete panels only; partial panel replacement is not allowed. If an existing driveway approach does not meet PROWAG, replace the entire driveway approach.

Section 47. PWCC Section 313.3.03A, Trench Preparation and Backfill, is deleted and replaced to read as follows:

313.3.03A Trench Preparation and Backfill

Comply with Section 320, Trench Excavation and Backfill.

Section 48. PWCC Section 313.3.03D, Asphalt Concrete, is deleted and replaced to read as follows:

313.3.03D Asphalt Concrete

Comply with Section 309, Asphalt Concrete.

For all cuts into a road that was paved within the last five years, additional repair is required. Replace existing asphalt with grind and inlay replacement extending from the face of curb or gutter (or edge of asphalt) to the road centerline or other lane striping approved by the City Engineer, and 10 feet beyond the edges of trench cuts in the direction parallel to the road centerline. If a cut is made within two feet of the road centerline, or if the cut crosses the road centerline, extend the grind and inlay across the entire width of the road. The City Engineer may alter the limits of grind and inlay replacement. Perform work in accordance with Section 315, Cold Plane Pavement Removal.

Section 49. PWCC Section 313.3.03F, Contractor's Responsibility, is deleted and replaced to read as follows:

313.3.03F Contractor's Responsibility

Prior to the end of each workday, permanently resurface all trenches within the Right-of-Way in accordance with these specifications or provide temporary surfacing in accordance with Section 313.3.03G, Temporary Surfacing. Do not leave trenches in a condition that requires traffic to traverse crushed rock or unpaved surface.

Maintain and repair all settlement of pavement over trenches.

Restore all striping, traffic signal loops, and other public works facilities impacted by the work.

Section 50. PWCC Section 313.3.03G, Temporary Surfacing, is added to read as follows:

313.3.03G Temporary Surfacing

Temporary trench surfacing may include the following:

1. **Cold-Mix Asphalt:** Backfill the trench in accordance with Section 320, Trench Excavation and Backfill, and finish the trench with at least three inches of compacted cold-mix asphalt. Finish trench so compacted surface is flush with the surrounding surface. Promptly correct any irregularities in the pavement surface that deviate from the proper street grade or cross-section by 1/4-inch or more.
2. **CLSM:** Backfill the trench to the surface with Class E (CLSM) in accordance with Section 320, Trench Excavation and Backfill. Strike off CLSM to provide a smooth surface that is flush with the surrounding surface. Allow a minimum of 24-hours for CLSM to set. Open to traffic only after CLSM has hardened sufficiently to prevent rutting. Promptly correct any irregularities in the pavement surface that deviate from the proper street grade or cross-section by 1/4-inch or more.
3. **Steel Plates:** In special cases, if approved by the City Engineer, steel plates over the excavation may be used. Before steel plates are installed, the excavation must be adequately shored to support the bridging and traffic loads. Use steel plates that meet ASTM A36 Steel Requirements, and are able to withstand H-20 traffic loading without any movement. Use flat steel plates that do not deviate more than 1/4-inch when measured with a 10-foot long straight edge along the length of the plate. Install steel plates to resist bending and vibrations, and anchor securely to prevent movement. Use leveling shims as needed to reduce plate movement. When more than one plate is used, tack weld plates together at each corner. Place a "Steel Plate Ahead" warning sign (MUTCD W8-24) a distance in feet of four times the posted speed limit or 100 feet, whichever is greater, in advance of steel plate location. Perform and document daily inspections of steel plates and take immediate corrective action as needed to ensure public safety. Do not use steel plates for more than 30 consecutive days, unless otherwise approved by the City Engineer. Use one of the following installation methods as required:

Asphalt Roadways Below 35 MPH: Use steel plates that are a minimum of one inch thick. Install steel plates to provide a minimum of 12 inches overlap onto undisturbed pavement. Install compacted cold-mix asphalt transition taper a minimum of 12 inches wide around all edges of steel plates.

Asphalt Roadways 35 MPH and Greater: Use steel plates that are a minimum of 1 1/4-inch thick. Mill a minimum of 14 inches of undisturbed asphalt surface around the edges of the trench and install steel plates to overlap a minimum of 12 inches on top of the milled asphalt surface, and to be flush with the existing surface. The gap between the edge of steel plate

and undisturbed asphalt must be at least two inches wide. Fill the gap with compacted cold-mix asphalt.

All Concrete Roadways: Use steel plates that are 1 1/4-inch thick minimum. Install steel plates to provide a minimum of 12 inches overlap onto undisturbed pavement. Install compacted cold-mix asphalt transition taper a minimum of 12 inches wide around all edges of steel plates.

Section 51. PWCC Section 313.3.03H, Portland Cement Concrete, is added to read as follows:

313.3.03H Portland Cement Concrete

Comply with Section 310, Portland Cement Concrete Pavement. Replace damaged panels entirely. Place new dowels and tie bars between all cut dowels and tie bars. Provide a minimum pavement thickness of 10 inches or match existing.

Section 52. PWCC Section 313.3.05, Pavement Coring Repair, is added to read as follows:

313.3.05 Pavement Coring Repair

This section covers the repair of pavement coring. If multiple pavement cores are made within three feet of each other, repair in accordance with Section 313.3.03, Trench Repaving. All other excavations are covered under Section 313.3.03, Trench Repaving.

313.3.05A Asphalt Concrete Pavement Coring Repair

Backfill with CLSM to a depth six inches minimum below pavement surface or to bottom of existing asphalt, whichever is greater. Swab the hole with tack coat and fill with hot mix asphalt in three-inch maximum lifts, compacting each lift individually. Seal with tack coat and sand layer.

Use CLSM in compliance with Section 320.2.04, Controlled Low Strength Material (CLSM). Use tack coat in compliance with Section 309.2.08, Asphalt Tack Coat.

If pavement coring in a bike lane, repair in compliance with Section 313.3.03, Trench Repaving.

313.3.05B Portland Cement Pavement Coring Repair

Backfill with CLSM and repair with 10 inches minimum Portland Cement Concrete or match existing pavement thickness, whichever is greater.

Finish new concrete surface to match existing surrounding surface.

Use CLSM in compliance with Section 320.2.04, Controlled Low Strength Material (CLSM). Use concrete in compliance Section 310, Portland Cement Concrete Pavement.

If the edge of the pavement coring is within 18 inches of the edge of the panel, replace the entire panel in compliance with Section 313.3.03, Trench Repaving.

Section 53. PWCC Section 315.3.01, Pavement Removal, is deleted and replaced to read as follows:

315.3.01 Pavement Removal

Remove two inches minimum of existing asphalt surface for the entire area shown on the plans or as directed by the City Engineer. Sawcut the edges of the grind area to a depth of two inches to provide a vertical edge along the perimeter. An inspection will be required before paving may commence. Apply new pavement true to the grade and cross slope shown on the plans or as directed by the City Engineer. Conform to Section 309, Asphalt Concrete Pavement. Restore all striping in accordance with Section 317, Pavement Marking.

If the grind area is required to be open to traffic prior to final asphalt paving is complete, place asphalt joint paper on all edges and construct cold-mix asphalt transition ramps, a minimum of 12 inches long.

Do not remove the existing surfacing more than five days prior to construction of new surfacing, except where samples are taken to establish a job mix formula or otherwise approved by the City Engineer.

Section 54. PWCC Section 320.2.04, Controlled Low Strength Material (CLSM), is added to read as follows:

320.2.04 Controlled Low Strength Material (CLSM)

320.2.04A Materials

Furnish materials meeting the following requirements:

Portland Cement	Section 310.2.01
Fine Aggregates	Section 310.2.02A
Air Entraining Admixtures	Section 310.2.03
Fly Ash	Section 310.2.04

320.2.04B Proportioning of CLSM Mixture

Provide the City Engineer a written certification of proposed CLSM materials with proportions and compressive strength and 28-Day cylinder reports from a trial CLSM batch based on submitted certification. Include evidence that compressive strength requirements for specific applications are met.

320.2.04C Compressive Strength

CLSM must attain a 28-Day compressive strength between 100 and 200 psi.

Section 55. PWCC Section 320.3.09, Trench Backfill Above Pipe Zone, is deleted and replaced to read as follows:

320.3.09 Trench Backfill Above Pipe Zone

When trench width is two feet or less, backfill with Class E. Use Class D backfill when trench width is more than two feet. Use Class C backfill when trench surface is unpaved, regardless of trench width.

Do not allow backfill material to freefall into the open trench until at least 2 feet of cover is provided over the pipe. Do not allow sharp or heavy pieces of material to drop directly onto or near the pipe. Do not use backfill material of consolidated masses. Flooding and jetting are not allowed.

Promptly repair all subsequent settlement of the finished surfacing during the warranty period.

Use the following types of backfill as described above, as shown on the Plans, or as directed by the City Engineer:

Section 56. PWCC Section 320.3.09B, Class "D", is deleted and replaced to read as follows:

320.3.09B Class "D"

Backfill with 3/4-0 inch crushed aggregate in lifts not exceeding eight-inch loose depth. Compact each lift to a minimum of 92 percent relative compaction per AASHTO T 180. Moisture-condition backfill materials to near optimum moisture content prior to placement in the trench. Use mechanical vibrating or impact tampers.

Section 57. PWCC Section 320.3.09C, Class "E", is added to read as follows:

320.3.09C Class "E"

Backfill trench above pipe zone with CLSM. Allow a minimum of 24 hours for CLSM to set prior to paving.

Section 58. PWCC Section 326.3.09, Backfill at the Pipe Zone, is deleted and replaced to read as follows:

326.3.09 Backfill at the Pipe Zone

Use Class "D" backfill. After the water pipe is in place and ready for backfilling, place at approximately the same rate on each side of the pipe such that the elevation of the backfill on each side of the pipe is approximately equal at all times. Compact the backfill by tamping in six-inch lifts to the springline of the pipe, to satisfaction of the City Engineer. Give particular attention to compacting areas beneath the pipe.

Place remainder of the backfill in pipe zone without compacting. After backfilling to top of pipe zone, compact to a minimum of 92 percent relative compaction per AASHTO T 180.

Section 59. PWCC Section 330, Public Utility Installation, is added to read as follows:

330 PUBLIC UTILITY INSTALLATION

330.1.00 General

330.1.01 Scope

This section, in accordance with City of Tualatin Municipal Code 03-06, covers installation and repair of Public Utilities in Rights-of-Way or public easements.

330.1.02 Tree Protection

Locate the receiving and insertion point of all utility bores outside the tree drip line, unless otherwise approved by the City Engineer.

330.2.00 Workmanship

330.2.01 Location of Existing City Utilities

Core and vacuum excavate to verify location of existing utilities prior to construction. All exceptions must be approved by the City Engineer. Repair pavement coring in compliance with Section 313.3.05, Pavement Coring Repair.

330.2.02 Directional Boring

Bore all pipes and conduits to true line and grade. Correct any deviation from true line and grade considered excessive, in the judgment of the City Engineer, at no expense to the City.

330.2.03 Trench Excavation and Restoration

Repair trench in compliance with Section 313, Surface Restoration, and Section 320, Trench Excavation and Backfill.

Section 60. Standard Drawings 475 (Concrete Sidewalk) is deleted and replaced as set forth in Exhibit A, which is attached and incorporated by reference.

Section 61. The following Standard Drawings are added as set forth in Exhibit B, which are attached and incorporated by reference.

- 241 (Trench & Surface Restoration)
- 480 (Asphalt Repair for Newly Paved Roads)
- 481 (Concrete Roadway)
- 482 (Temporary Steel Plates)
- 483 (Temporary Surfacing)
- 484 (Pavement Coring Repair)

Section 62. To the extent this resolution conflicts with a prior resolution involving the PWCC, the provisions of this resolution control.

Section 63. This resolution is effective upon adoption.

INTRODUCED AND ADOPTED this 12th day of February 2018.

CITY OF TUALATIN OREGON

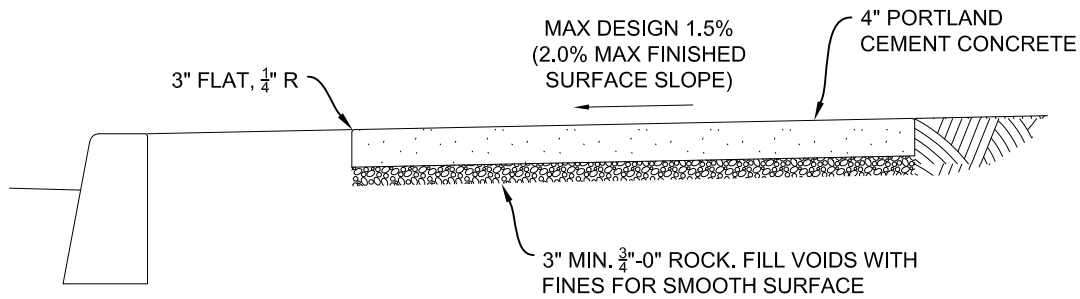
BY _____
Mayor

APPROVED AS TO LEGAL FORM

BY _____
City Attorney

ATTEST

BY _____
City Recorder



CROSS SECTION

NOTES:

1. PLATE COMPACT THE SIDEWALK SUBGRADE AND BASE ROCK TO SATISFACTION OF THE CITY ENGINEER. DO NOT COMPACT EARLIER THAN 7 DAYS AFTER CONSTRUCTING CURB OR BEFORE COMPLETING THE PLACEMENT OF PAVEMENT BASE ROCK. FILL VOIDS WITH FINES WHERE NECESSARY TO PROVIDE SMOOTH SURFACE.
2. USE PORTLAND CEMENT CONCRETE WITH 4-7% AIR ENTRAINMENT AND A 28 DAY COMPRESSIVE STRENGTH OF AT LEAST 3,300 PSI.
3. CONSTRUCT TRANSVERSE CONTROL JOINTS OF THE WEAKENED PLANE TYPE, 1-1/2" CONCRETE DEPTH AND SPACE AT 5' INTERVALS AND AT POINTS OF TANGENCY.
4. FORM CONTROL JOINTS WITH A SMOOTH FACE SQUARE TO THE SIDEWALK.
5. WHERE A STRUCTURE IS SURROUNDED BY OR IS ADJACENT TO THE SIDEWALK (EXCLUDING CURB), PROVIDE SEPARATION WITH $\frac{1}{2}$ " PREMOLDED ASPHALT-IMPREGNATED, NON-EXTRUDING EXPANSION JOINT MATERIAL.
6. BROOM FINISH THE SURFACE TRANSVERSE TO THE DIRECTION OF TRAFFIC.
7. FINISH ALL EDGES WITH $\frac{1}{4}$ " RADIUS EDGER WITH 3" FLAT.
8. WHERE PRACTICAL, ALIGN SIDEWALK CONTROL JOINTS WITH CURB JOINTS.
9. IF EXISTING ADJACENT SIDEWALK PANEL DOES NOT MEET PROWAG REQUIREMENTS, CONSTRUCT TRANSITIONAL PANEL THAT IS AT LEAST 2' LONG BETWEEN THE NEW SIDEWALK PANEL AND THE NEAREST CONTROL JOINT IN THE EXISTING SIDEWALK.



**CITY OF
TUALATIN, OR**

**CONCRETE
SIDEWALK**

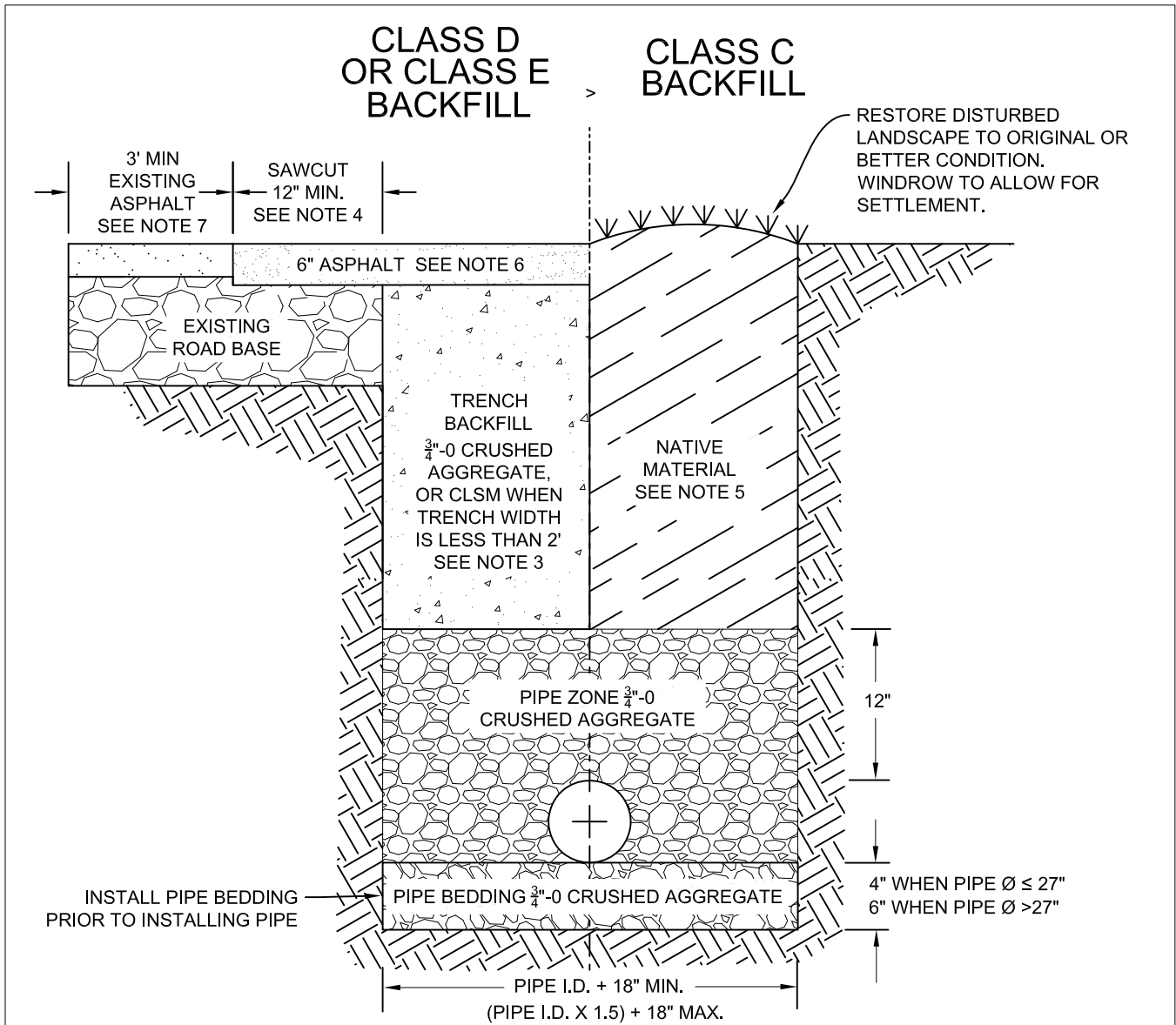
REVISED: 2/12/2018

DRAFTED BY: S. STRASSER
APPROVED BY: J. FUCHS

SCALE: NTS

DRAWING NO.

475



NOTES:

1. SEE STANDARD DRAWING NO. 480 FOR ROADS PAVED WITHIN THE LAST 5 YEARS.
2. SEE STANDARD DRAWING NO. 481 FOR CONCRETE ROADWAY RESTORATION.
3. WHEN TRENCH WIDTH IS LESS THAN 2' WIDE, BACKFILL WITH CLASS E, CONTROLLED LOW STRENGTH MATERIAL (CLSM) WITH A 28-DAY DESIGN STRENGTH OF 100-200 PSI.
4. SAWCUT A MINIMUM OF 12" OF PAVEMENT FROM EDGE OF TRENCH.
5. COMPACT CRUSHED AGGREGATE BACKFILL TO 92% AASHTO T 180, AND COMPACT NATIVE MATERIAL TO 90% AASHTO T 99, OR TO SATISFACTION OF CITY ENGINEER.
6. PROVIDE A MINIMUM ASPHALT THICKNESS OF 6" OR MATCH EXISTING THICKNESS, WHICHEVER IS GREATER.
7. IF LESS THAN 3' OF UNDISTURBED ASPHALT REMAINS BETWEEN THE EXCAVATION AND EDGE OF THE ROADWAY, REMOVE AND REPAIR THE REMAINING AREA.



**CITY OF
TUALATIN, OR**

**TRENCH & SURFACE
RESTORATION**

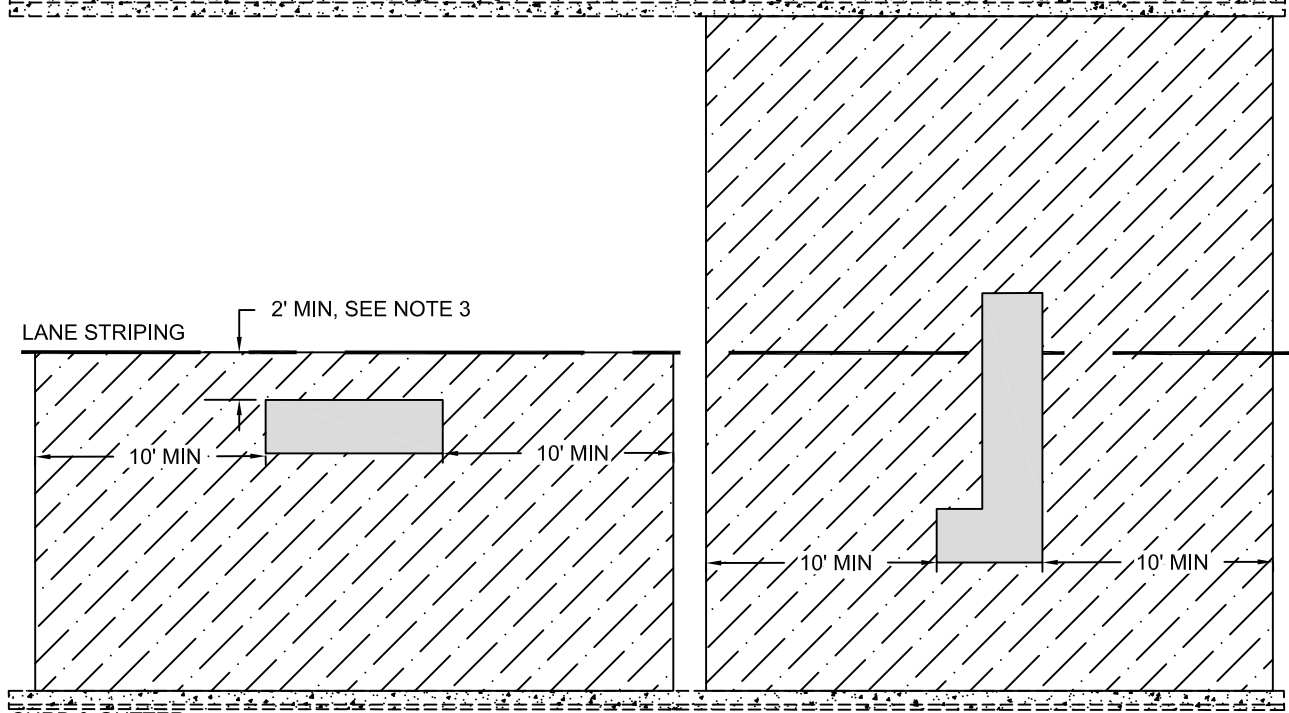
REVISED: 2/12/2018

DRAFTED BY: S. STRASSER
APPROVED BY: J. FUCHS

SCALE: NTS

DRAWING NO. **241**

CURB & GUTTER



CURB & GUTTER

LEGEND:

- TRENCH AREA
- GRIND & INLAY AREA

NOTES:

1. THIS STANDARD DRAWING APPLIES TO ROADS PAVED WITHIN THE LAST 5 YEARS.
2. ALL CUTS INTO ANY LANE REQUIRE A VERTICAL CUT AND A 2" GRIND AND INLAY REPLACEMENT EXTENDING FROM THE CURB AND GUTTER TO THE ROAD CENTERLINE, OR OTHER LANE STRIPING AS APPROVED BY THE CITY ENGINEER. EXTEND THE LENGTH OF THE GRIND AND INLAY TO 10' BEYOND THE EDGES OF THE TRENCH.
3. IF A TRENCH CUT IS MADE WITHIN 2' OF THE ROAD CENTERLINE OR IF A CUT CROSSES THE ROAD CENTERLINE, EXTEND THE GRIND AND INLAY THE ENTIRE WIDTH OF THE ROAD.
4. GRIND AND INLAY MUST BE AT LEAST 2" DEEP FOR THE ENTIRE AREA. AN INSPECTION IS REQUIRED BEFORE ASPHALT MAY BE APPLIED.
5. RESTORE ALL STRIPING.
6. REFERENCE STANDARD DRAWING NO. 241 FOR TRENCH REPAIR.



**CITY OF
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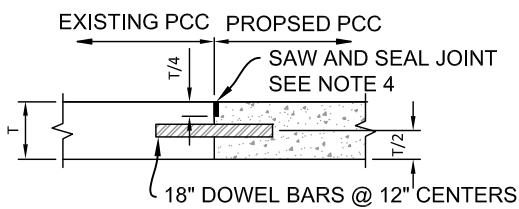
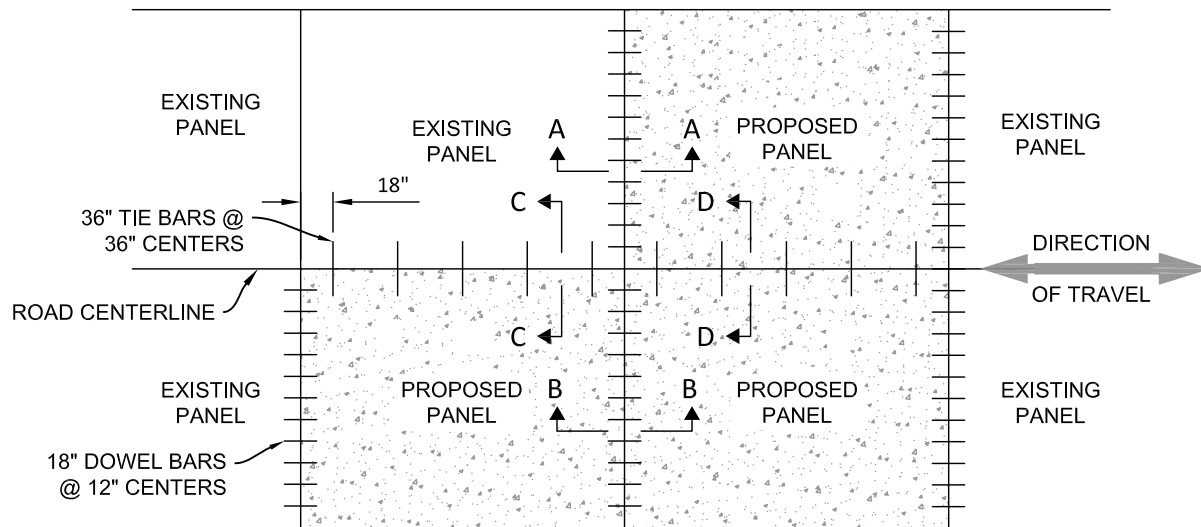
**ASPHALT REPAIR FOR
NEWLY PAVED ROADS**

REVISED: 2/12/2018

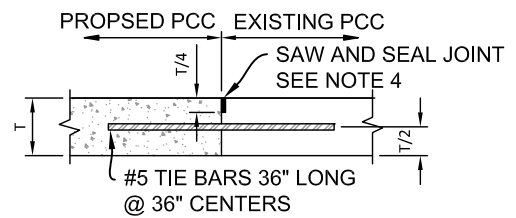
DRAFTED BY: S. STRASSER
APPROVED BY: J. FUCHS

SCALE: NTS

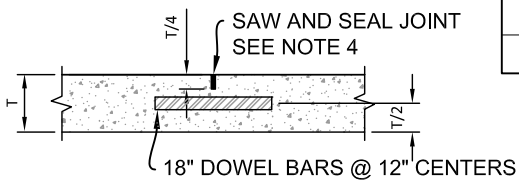
DRAWING NO. **480**



**SECTION A-A
CONSTRUCTION JOINT**

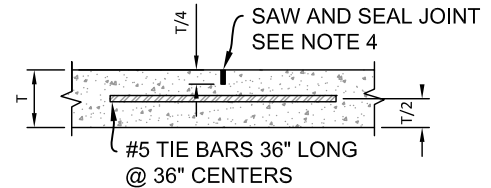


**SECTION C-C
LONGITUDINAL CONSTRUCTION JOINT**



**SECTION B-B
CONTRACTION JOINT**

DOWEL BAR TABLE	
PCC THKN (T)	DOWEL DIA
6" - 8"	1"
8 1/2" - 10"	1 1/4"
10 1/2" & UP	1 1/2"



**SECTION D-D
LONGITUDINAL CONTRACTION JOINT**

NOTES:

1. REPLACE FULL PANELS FOR ALL PCC PAVEMENT REPAIR, EXCEPT PAVEMENT CORING. REPAIR PAVEMENT CORING IN COMPLIANCE WITH STANDARD DRAWING 484, PAVEMENT CORING REPAIR.
2. PAVEMENT THICKNESS (T) FOR REPLACED PANELS MUST BE 10" MINIMUM OR MATCH EXISTING, WHICHEVER IS GREATER.
3. FINE FINISH THE CONCRETE SURFACE WITH 1/8" WIDE MARKINGS AT 1/2" CENTERS PERPENDICULAR TO THE DIRECTION OF TRAVEL, WITHOUT OVERLAP.
4. SAWCUT NEW JOINTS AS SOON AS CONCRETE HAS SET SUFFICIENTLY. FLUSH JOINTS WITH WATER AND VACUUM PRIOR TO FILLING WITH POURED RUBBER-ASPHALT JOINT FILLER.
5. ATTAIN A MINIMUM COMPRESSIVE STRENGTH OF 4,000 PSI PRIOR TO OPENING TO TRAFFIC.



**CITY OF
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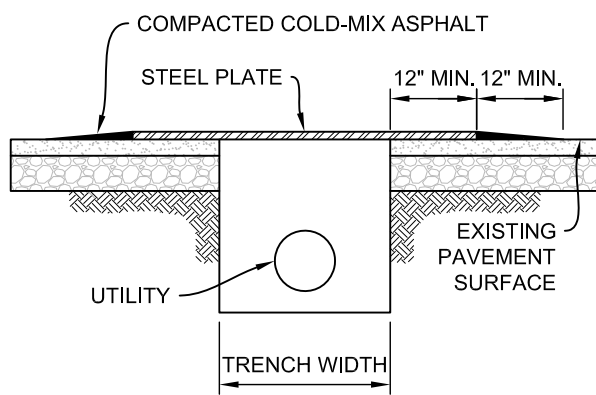
CONCRETE ROADWAY

REVISED: 2/12/2018

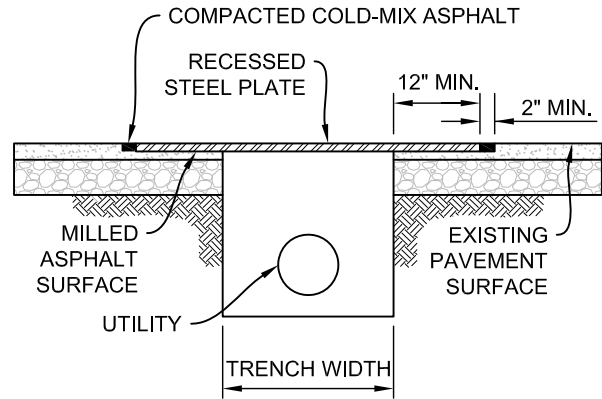
DRAFTED BY: S. STRASSER
APPROVED BY: J. FUCHS

SCALE: NTS

DRAWING NO. **481**



**ASPHALT ROADWAYS BELOW 35 MPH
AND ALL CONCRETE ROADWAYS**



ASPHALT ROADWAYS 35 MPH AND GREATER

STEEL PLATE INSTALLATION



W8-24
SEE NOTE 9

NOTES:

1. USE OF STEEL PLATES MUST BE APPROVED BY THE CITY ENGINEER.
2. USE 1" THICK MIN. STEEL PLATES ON ASPHALT ROADWAYS WITH SPEED LIMITS BELOW 35 MPH.
3. USE 1 ¼" THICK MIN. STEEL PLATES ON CONCRETE ROADWAYS AND ASPHALT ROADWAYS 35 MPH AND GREATER.
4. STEEL PLATES MUST MEET ASTM A36 STEEL REQUIREMENTS AND BE ABLE TO WITHSTAND H-20 TRAFFIC LOADING WITHOUT ANY MOVEMENT.
5. USE FLAT STEEL PLATES THAT DO NOT DEVIATE MORE THAN ¼" WHEN MEASURED WITH A 10' STRAIGHT EDGE.
6. BEFORE STEEL PLATES ARE INSTALLED, ADEQUATELY SHORE AND SUPPORT TRENCH WALLS TO SUPPORT BRIDGING AND TRAFFIC LOADS
7. INSTALL STEEL PLATES TO RESIST BENDING, VIBRATIONS, AND MOVEMENT. ANCHOR SECURELY TO PREVENT MOVEMENT. USE LEVELING SHIMS AS NEEDED TO REDUCE PLATE MOVEMENT.
8. WHEN MORE THAN ONE PLATE IS USED, TACK WELD PLATES TOGETHER AT EACH CORNER.
9. IN ACCORDANCE WITH MUTCD REQUIREMENTS FOR ADVANCE WARNING SIGNS, PLACE W8-24 "STEEL PLATE AHEAD" WARNING SIGN A DISTANCE IN FEET OF 4 TIMES THE POSTED SPEED LIMIT (100' MINIMUM) IN ADVANCE OF STEEL PLATE LOCATION.
10. DO NOT USE STEEL PLATES FOR MORE THAN 30 CONSECUTIVE DAYS.



**CITY OF
TUALATIN, OR**

TEMPORARY STEEL PLATES

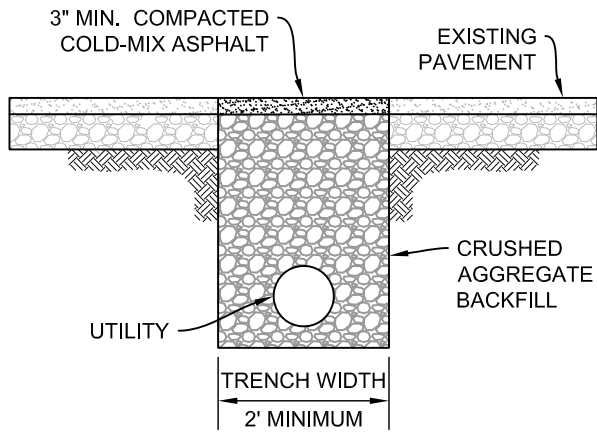
REVISED: 2/12/2018

DRAFTED BY: S. STRASSER
APPROVED BY: J. FUCHS

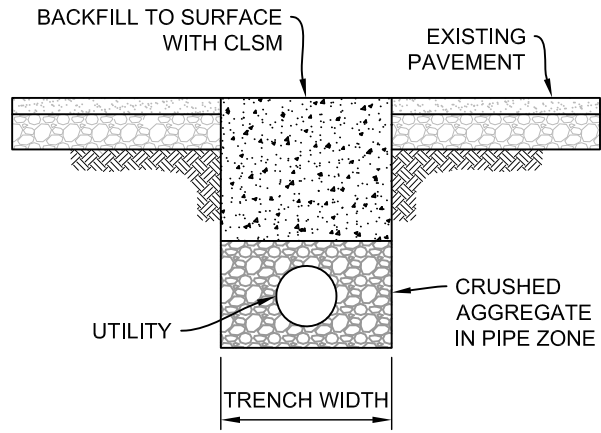
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DRAWING NO.

482



COLD-MIX ASPHALT



CONTROLLED LOW STRENGTH MATERIAL (CLSM)

TEMPORARY SURFACING

NOTES:

1. BACKFILL IN ACCORDANCE WITH STANDARD DRAWING NO. 241, TRENCH & SURFACE RESTORATION.
2. BACKFILL TRENCHES LESS THAN 2' WIDE WITH CONTROLLED LOW STRENGTH MATERIAL (CLSM). WIDER TRENCHES MAY ALSO BE BACKFILLED WITH CLSM.
3. USE CLSM WITH 28-DAY DESIGN STRENGTH OF 100-200 PSI. ALLOW CLSM TO SET FOR AT LEAST 24-HOURS BEFORE OPENING TO TRAFFIC.
4. COMPACT COLD-MIX ASPHALT IN 1.5" MAXIMUM LIFTS, TO SATISFACTION OF THE CITY ENGINEER.
5. FINISH AND MAINTAIN TEMPORARY SURFACE TO BE FLUSH WITH EXISTING SURFACE.



**CITY OF
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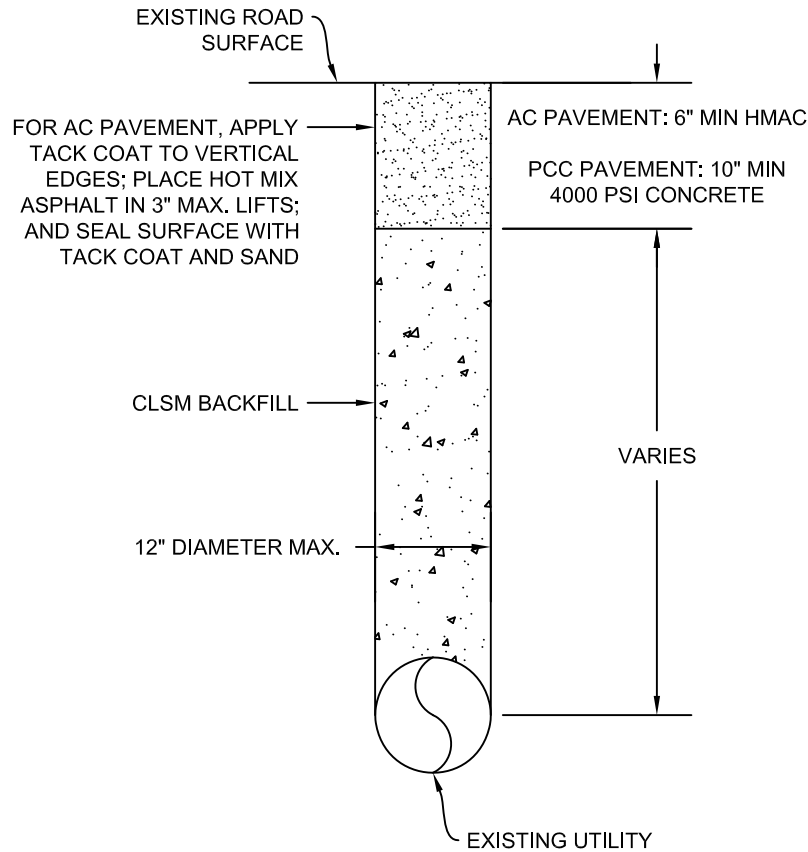
TEMPORARY SURFACING

REVISED: 2/12/2018

DRAFTED BY: S. STRASSER
APPROVED BY: J. FUCHS

SCALE: NTS

DRAWING NO. **483**



NOTES:

1. REPAIR EXCAVATIONS LARGER THAN 12" IN DIAMETER IN COMPLIANCE WITH STANDARD DRAWING 241, TRENCH AND SURFACE RESTORATION.
2. IF PAVEMENT CORING IS WITHIN 18" OF THE EDGE OF A CONCRETE PANEL, REPLACE THE ENTIRE PANEL IN COMPLIANCE WITH STANDARD DRAWING 481, CONCRETE ROADWAY.
3. IF MULTIPLE PAVEMENT CORINGS ARE WITHIN 3' OF EACH OTHER, REPAIR AS A SINGLE AREA TRENCH AND SURFACE RESTORATION, IN COMPLIANCE WITH STANDARD DRAWING 241 FOR ASPHALT, AND STANDARD DRAWING 481 FOR CONCRETE.
4. IF PAVEMENT CORING IS WITHIN A BIKE LANE, REPAIR IN COMPLIANCE WITH STANDARD DRAWING 241 FOR ASPHALT, AND STANDARD DRAWING 481 FOR CONCRETE.
5. IF PAVEMENT IS UNDERMINED OR DAMAGED DURING CONSTRUCTION THEN RESTORE PAVEMENT AS DIRECTED BY THE CITY ENGINEER.
6. REPAIR ASPHALT ROADS WITH HOT MIX PLACED IN 3" MAXIMUM LIFTS AND COMPACT WITH PNEUMATIC TAMPER (OR APPROVED EQUAL). TACK COAT ALL SIDE SURFACES AND SAND SEAL TOP SURFACE.
7. REPAIR CONCRETE ROADS WITH 4,000 PSI MIN. PREMIX OR BATCH PLANT CONCRETE. STRIKE LEVEL WITH EXISTING PAVEMENT AND FINISH TO MATCH EXISTING SURFACE TEXTURE.



**CITY OF
TUALATIN, OR**

PAVEMENT CORING REPAIR

REVISED: 2/12/2018

DRAFTED BY: S. STRASSER
APPROVED BY: J. FUCHS

SCALE: NTS

DRAWING NO. **484**



PUBLIC WORKS CONSTRUCTION CODE

CITY OF TUALATIN

ENGINEERING DIVISION

18880 S.W. MARTINAZZI AVENUE
TUALATIN, OR 97062-7092

NOVEMBER 2001

LATEST REVISION: February 12, 2018

The selection and use of the enclosed specifications and standards, while in accordance with generally accepted engineering principles and practices, is the sole responsibility of the user and should not be used without consulting a registered professional engineer.

REVISIONS SUMMARY

February 12, 2018 Revisions (Adopted under Resolution No. 5353-18)

Revised Specification Sections:

- Section 100.1.00 “Application of Provisions” *(Revised)*
- Section 101.1.00 “Definitions” *(Revised)*
- Section 101.2.00 “Abbreviations” *(Revised)*
- Section 102.1.00 “Permits Required” *(Revised)*
- Section 102.2.1 “Application Procedure” *(Deleted)*
- Section 102.3.1 “Permit Fees and Deposits” *(Revised)*
- Section 102.4.1 “Plans and Specifications” *(Revised)*
- Section 102.5.00 “Prequalification of Contractor” *(Revised)*
- Section 102.6.6 “Exemption for Public Utilities” *(Added)*
- Section 102.7.2 “Easements and Tracts Granted to the City” *(Revised)*
- Section 102.7.3 “Temporary Construction Easements” *(Revised)*
- Section 102.8.00 “Erosion Control Permit” *(Deleted)*
- Section 102.9.00 “Erosion Control Joint Permit” *(Deleted)*
- Section 102.10.00 “Contributed Equity Information” *(Revised)*
- Section 102.11.00 “Confined Space Entry Information” *(Revised)*
- Section 102.12.00 “Other Agency Permits” *(Revised)*
- Section 102.13.00 “Issuance, Expiration, Reinstatement and Amendments” *(Revised)*
- Section 102.14.00 “Performance of the Work” *(Revised)*
- Section 104.7.00 “Notifications Relative to Contractor’s Activities” *(Revised)*
- Section 104.8.00 “Utilities and Existing Improvements” *(Revised)*
- Section 104.13.00 “Traffic Maintenance” *(Revised)*
- Section 201.1.01 “Scope” *(Revised)*
- Section 203.2.23 “Franchise Utilities” *(Deleted)*
- Section 205.2.07F “Spacing Requirements” *(Revised)*
- Section 205.2.07G “Water Line – Sewer Line Horizontal Separation” *(Revised)*
- Section 205.2.07H “Water Line – Sewer Line Vertical Separation” *(Revised)*
- Section 207 “Public Utility Design” *(Added)*
- Section 302.1.00 “General” *(Revised)*
- Section 304.3.03C “Embankment Compacting and Density Requirements” *(Revised)*
- Section 305.3.02 “Untreated Subgrade” *(Revised)*
- Section 305.3.03D “Compaction” *(Revised)*
- Section 308.3.01 “Base Course” *(Revised)*
- Section 310.1.01 “Scope” *(Revised)*
- Section 310.2.00 “Materials” *(Revised)*
- Section 310.2.04 “Fly Ash” *(Revised)*

- Section 310.2.05 “Steel Reinforcement” *(Revised)*
- Section 310.3.02 “Mixers” *(Revised)*
- Section 310.3.14 “Placing Portland Cement Concrete” *(Revised)*
- Section 310.3.15 “Joints” *(Revised)*
- Section 312.3.01 “Excavation, Fill, and Sidewalk Base” *(Revised)*
- Section 312.3.07 “Finish” *(Revised)*
- Section 313.1.01 “Scope” *(Revised)*
- Section 313.1.02 “Surfacing Depths for Surface Restoration” *(Revised)*
- Section 313.2.03 “Concrete Pavement” *(Revised)*
- Section 313.3.01 “Driveways and Sidewalks” *(Revised)*
- Section 313.3.03A “Trench Preparation and Backfill” *(Revised)*
- Section 313.3.03D “Asphalt Concrete” *(Revised)*
- Section 313.3.03F “Contractor’s Responsibility” *(Revised)*
- Section 313.3.03G “Temporary Surfacing” *(Added)*
- Section 313.3.03H “Portland Cement Concrete” *(Added)*
- Section 313.3.05 “Pavement Coring Repair” *(Added)*
- Section 315.3.01 “Pavement Removal” *(Revised)*
- Section 320.2.04 “Controlled Low Strength Material (CLSM)” *(Added)*
- Section 320.3.09 “Trench Backfill Above Pipe Zone” *(Revised)*
- Section 320.3.09B “Class “D”” *(Revised)*
- Section 320.3.09C “Class “E”” *(Added)*
- Section 326.3.09 “Backfill at the Pipe Zone” *(Revised)*
- Section 330 “Public Utility Installation” *(Added)*

Revised Standard Drawings:

- Standard Drawing No. 475 “Concrete Sidewalk” *(Modified)*

New Standard Drawings:

- Standard Drawing No. 241 “Trench & Surface Restoration” *(Added)*
- Standard Drawing No. 480 “Asphalt Repair for Newly Paved Roads” *(Added)*
- Standard Drawing No. 481 “Concrete Roadway” *(Added)*
- Standard Drawing No. 482 “Temporary Steel Plates” *(Added)*
- Standard Drawing No. 483 “Temporary Surfacing” *(Added)*
- Standard Drawing No. 484 “Pavement Coring Repair” *(Added)*

April 24, 2017 Revisions (Adopted under Resolution No. 5314-17)

Revised Specification Sections:

- Section 102.3.3 “Erosion Control Fees”

- Section 102.3.4 “Water Quality Fees”
- Section 203.2.01 “Design Speed”
- Section 312.5.00 “Sidewalk Repair”

Revised Standard Drawings:

- Commercial Driveway Approach – Curbside Planter Strip (Drawing No 440)
- Commercial Driveway Approach – Curbside Sidewalk (Drawing No 441)
- Residential Driveway Approach – Curbside Planter Strip (Drawing No 442)
- Residential Driveway Approach – Curbside Sidewalk (Drawing No 443)
- Curb and Gutter (Drawing No 470)
- Curb (Drawing No 471)

New Standard Drawings:

- Example Single Family Erosion & Sediment Control Site Plan (Drawing No 001)

Deleted Standard Drawings:

- Approach Private Driveway (Drawing No 444)

December 12, 2016 Revisions (Adopted under Resolution No. 5302-16)

Revised Specification Sections:

- Section 202.1.00 “Scope”
- Section 202.2.00 “Plan View”
- Section 203.2.02 “Sight Distance”
- Section 203.2.04 “Superelevation”
- Section 203.2.08 “Intersections”
- Section 203.2.11C “Accessways”
- Section 203.2.14 “Sidewalks”
- Section 203.2.15 “Curb Ramps”
- Section 203.2.24A “Design and Installation Requirements”
- Section 203.2.25 “Traffic Signs”
- Section 203.2.27 “Traffic Marking”
- Section 311.3.05 “Control Joints”
- Section 312.3.05 “Control Joints”
- Section 312.3.07 “Finish”

Revised Standard Drawings:

- ADA Ramp – General Notes (Drawing No 460)
- ADA Ramp – Perpendicular (Drawing No 461)
- ADA Ramp – Parallel (Drawing No 462)
- ADA Ramp – Midblock (Drawing No 463)
- Concrete Sidewalk (Drawing No 475)
- Street Sign Post (Drawing No 516)

New Standard Drawings:

- ADA Ramp – Details (Drawing No 464)
- Street Name Sign (Drawing No 517)

Standard Drawings Table of Contents

NUMBER	EFF. DATE	TITLE
001	Apr-17	EXAMPLE SINGLE FAMILY EROSION & SEDIMENT CONTROL SITE PLAN
010	Oct-01	48-INCH MANHOLE ECCENTRIC CONE TOP
011	Oct-01	48-INCH MANHOLE FLAT TOP
012	Oct-01	60-INCH MANHOLE ECCENTRIC CONE TOP
013	Oct-01	60-INCH MANHOLE FLAT TOP
014	Oct-01	72-INCH MANHOLE ECCENTRIC CONE TOP
015	Oct-01	72-INCH MANHOLE FLAT TOP
016	Oct-01	84-INCH MANHOLE ECCENTRIC CONE TOP
017	Oct-01	84-INCH MANHOLE FLAT TOP
018	Oct-01	96-INCH MANHOLE ECCENTRIC CONE TOP
019	Oct-01	96-INCH MANHOLE FLAT TOP
020	Feb-00	MANHOLE OUTSIDE DROP ASSEMBLY
021	Mar-04	MANHOLE INSIDE DROP ASSEMBLY
030	Jul-96	MANHOLE COVER AND FRAME
031	Jun-97	MANHOLE COVER AND FRAME WATERTIGHT
032	Feb-98	MANHOLE STEPS
040	Dec-01	CATCH BASIN GUTTER GRATE INLET 36-INCH
041	Dec-01	CATCH BASIN CURB INLET 30-INCH
042	Dec-01	CATCH BASIN CURB INLET 48-INCH
043	Dec-01	DITCH INLET 24-INCH
050	Feb-02	FRAME AND GRATE CATCH BASIN
060	Mar-03	MANHOLE WATER QUALITY CONTROL
100	Feb-98	SEWER CLEANOUT
240	Oct-01	PIPE TRENCH BACKFILL
241	Feb-18	TRENCH & SURFACE RESTORATION
270	Mar-03	CONCRETE PIPE SLOPE ANCHORS
290	Mar-04	UNDERCROSSING
300	Mar-03	SEWER BUILDING LATERAL (SERVICE)

Standard Drawings Table of Contents

NUMBER	EFF. DATE	TITLE
310	Jan-02	SUBGRADE DRAIN
330	Mar-03	PIPELINE STREAM CROSSING
425	Jul-92	UTILITY LOCATIONS
450	Oct-02	PARABOLIC SPEED HUMP CONSTRUCTION
451	Oct-02	PARABOLIC SPEED HUMP PAVEMENT MARKINGS & STREET SIGNS
452	Oct-02	SPEED TABLE HUMP CONSTRUCTION
453	Oct-02	SPEED TABLE HUMP PAVEMENT MARKINGS AND STREET SIGNS
460	Dec-16	ADA RAMP – GENERAL NOTES
461	Dec-16	ADA RAMP – PERPENDICULAR
462	Dec-16	ADA RAMP – PARALLEL
463	Dec-16	ADA RAMP – MIDBLOCK
464	Dec-16	ADA RAMP – DETAILS
470	Apr-17	CURB AND GUTTER
471	Apr-17	CURB
475	Feb-18	CONCRETE SIDEWALK
480	Feb-18	ASPHALT REPAIR FOR NEWLY PAVED ROADS
481	Feb-18	CONCRETE ROADWAY
482	Feb-18	TEMPORARY STEEL PLATES
483	Feb-18	TEMPORARY SURFACING
484	Feb-18	PAVEMENT CORING REPAIR
500	Oct-01	MAILBOX POST INSTALLATION
510	Feb-02	STREET BARRICADE
511	Feb-02	STREET BARRICADE SIGN
512	Mar-04	STORMWATER FACILITY SIGN
514	Feb-13	TREE WELL AND GRATE
516	Dec-16	STREET SIGN POST
517	Dec-16	STREET NAME SIGN
520	Apr-10	CENTERLINE SURVEY MONUMENT

Standard Drawings Table of Contents

NUMBER	EFF. DATE	TITLE
600	Apr-10	GATE VALVE AND BOX
601	Apr-10	BUTTERFLY VALVE AND BOX
602	Mar-08	1-INCH AIR RELEASE VALVE
603	Mar-08	2-INCH AIR RELEASE VALVE
604	Mar-08	SAMPLE STATION
605	Mar-08	VALVE ASSEMBLY PERMANENT BLOW-OFF
606	Mar-08	VALVE ASSEMBLY TEMPORARY BLOW-OFF
607	Mar-08	OUTSIDE RPBA 2" AND SMALLER
608	Mar-08	INSIDE RPBA 2" AND SMALLER
609	Mar-08	INSIDE RPBA 3/4"- 1"
610	Mar-03	FIRE HYDRANT ASSEMBLY
611	Mar-08	INSIDE RPBA 1 1/2"- 2 1/2"
612	Mar-08	INSIDE RPBA 2 1/2"- 10"
613	Mar-08	BACKFLOW ASSEMBLY DOUBLE CHECK 3" THRU 10"
614	Mar-08	BACKFLOW ASSEMBLY FIRE PROTECTION WITHOUT FDC
615	Mar-08	BACKFLOW ASSEMBLY FIRE PROTECTION WITH FDC
616	Mar-08	BACKFLOW ASSEMBLY REDUCED PRESSURE 3/4" THRU 2"
617	Mar-08	BACKFLOW ASSEMBLY REDUCED PRESSURE 2 1/2" THRU 10"
620	Feb-02	JOINT RESTRAINT BEARING THRUST BLOCKS
621	Oct-01	JOINT RESTRAINT GRAVITY THRUST BLOCKS
622	Oct-01	JOINT RESTRAINT STRADDLE THRUST BLOCK
630	Apr-10	WATER SERVICE 5/8" x 3/4" METER
631	Mar-08	WATER SERVICE 1" METER
632	Mar-08	WATER SERVICE 1 1/2" METER
633	Mar-08	WATER SERVICE 2" METER
634	Mar-08	WATER SERVICE 3" AND LARGER METER COMPOUND TYPE
635	Mar-08	WATER SERVICE 4" AND LARGER METER FIRE SERVICE TYPE

City Council Meeting

Meeting Date: 02/12/2018

SPECIAL REPORTS: Tualatin Tomorrow Advisory Committee Annual Report

Submitted For: Sherilyn Lombos, City Manager

SPECIAL REPORTS

Tualatin Tomorrow Advisory Committee Annual Report

SUMMARY

The Tualatin Tomorrow Advisory Committee will share updates from 2017 on the progress of the Tualatin Tomorrow vision.

2018 Annual Report

2017 Tualatin Tomorrow Update



TUALATIN
TOMORROW

TUALATIN TOMORROW VISION + ACTION PLAN

2018 ANNUAL PROGRESS REPORT

City Council Presentation – February 12, 2018

Tualatin Tomorrow Vision

- **In 2014, the Council adopted the updated vision which included 100 actions to tackle goals in these areas:**
 - ▣ Fostering Shared Sense of Place and Community Identity
 - ▣ Creating Activities and Attractions for All Ages
 - ▣ Sustaining Quality Community Services
 - ▣ Enhancing Mobility
 - ▣ Promoting Environmental Sustainability
 - ▣ Ensuring Community Health and Safety
 - ▣ Creating Economic Opportunity
 - ▣ Advancing Education and Learning Opportunities

Plan in Summary

- 8 Focus Areas
- 18 Community Goals
- 100 Actions Derived From the Community

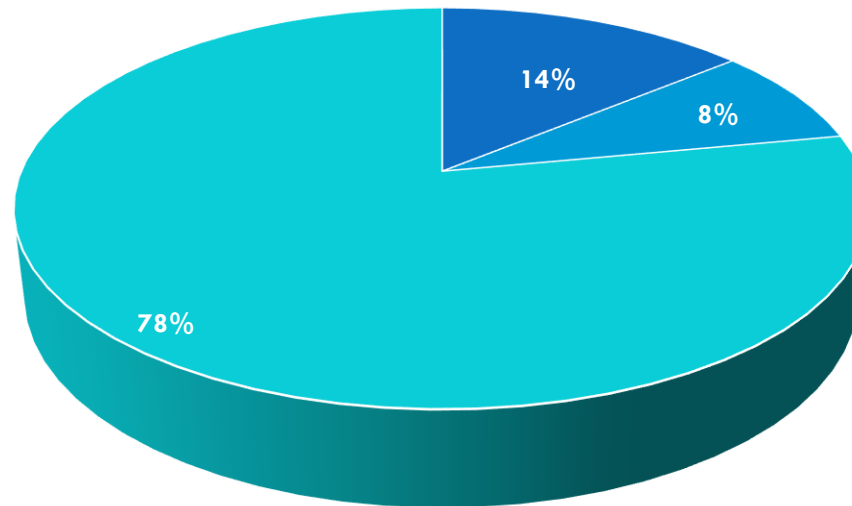
2017 Activities Highlights

- Monthly TTAC Meetings
- Partner Events & Survey
- America's Best Communities Team Recognition
- Social Services Partner Event & Panel

Overall Progress

- In three years, partners have initiated or completed 92 out of 100 actions from the original action plan

Vision Progress



■ Implemented ■ Not Started ■ Underway

Thanks to the Committee

- Out-going Chair
Candice Kelly
- Vice-Chair/Chair John
Bartholomew
- Councilor Paul Morrison
- Ed Casey
- Dana Terhune & Jill
Zurschmeide (TTSD)
- Bethany Wurtz

- Larry McClure
- Linda Moholt (Chamber)
- Daniel Bachhuber
- Alice Galloway

Welcome New Committee Member!

- Maria Reyes

Most Importantly...Thanks to the Lead Partners!!

- City of Tualatin
- Washington County
- Clean Water Services
- Legacy Meridian Park Hospital
- Neighbors Nourishing Communities
- Tigard-Tualatin School District
- Tualatin Chamber of Commerce
- TriMet
- Tualatin Citizen Involvement Organizations
- Tualatin Together
- Tualatin Valley Fire & Rescue
- Wetlands Conservancy
- Republic Services
- Mask & Mirror Community Theater
- Tualatin Historical Society
- All City Advisory Committees

On the Horizon!

- Evaluating The Action Plan & Areas that still need to be addressed
- Partner recruitment & Retention
- Preparing for the next phase



TUALATIN
TOMORROW

Thank You

Council Questions and Comments



2017
Annual
Progress
Report

February 2018

TUALATIN
TOMORROW

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- 2 ABOUT TUALATIN TOMORROW**
- 3 2017 ACTIVITIES SUMMARY**
- 4 OVERALL PROGRESS**
- 5 PHYSICAL & SOCIAL CONNECTIVITY: ACTION UPDATES**
- 6 COMMUNITY HEALTH & WEALTH: ACTION UPDATES**
- 7 ACKNOWLEDGEMENTS**

LETTER FROM THE CHAIR

January 31, 2018

Dear Mayor Ogden and Members of the Tualatin City Council,

I am pleased to present the fourth Tualatin Tomorrow Annual Progress Report since completing the five-year Action Plan update. We are more than half way through our five-year implementation period and 92 % of our actions are completed or underway. We continue to see momentum build in the community for efforts related to the vision such as park improvements, transportation enhancements, and connecting partners to each other and the community.

Our Tualatin Tomorrow Partners have been very busy working on moving their actions towards implementation. Those successes have been documented in the pages that follow. We have also included an overview of Tualatin Tomorrow for readers who may be new to our visioning project.

On behalf of the Tualatin Tomorrow Advisory Committee, I want to thank the Council for your continued support of the vision. We look forward to connecting with you and other community partners in 2018 as we continue our work.

Sincerely,

John Bartholomew, Chair

Tualatin Tomorrow Advisory Committee

ABOUT TUALATIN TOMORROW

The Tualatin Tomorrow Vision and Action Plan was originally adopted in 2007 following a two-year public engagement and planning campaign. In the past nine years, more than 100 community-identified priorities were implemented by the City and partner organizations, including:

- » The development of a local transit plan
- » Planning and development of a community dog park
- » The implementation and expansion of a farmer's market
- » Completion of an industry cluster analysis as a part of the Economic Development Strategic Plan

As part of its promise to maintain a "living" action plan, the Tualatin Tomorrow Advisory Committee (TTAC) completed a plan update in 2013. Through forums, online surveys, work groups and other outreach activities, more than 1,000 people shared their suggestions and priorities for Tualatin's future. Four "theme teams" were convened to sort through ideas and develop a new round of actions to advance the community vision plan. In early 2014, the City Council adopted the updated Action Plan which provides a 100-action road map for tackling community goals in the following areas:

- » Fostering Shared Sense of Place and Community Identity
- » Creating Activities and Attractions for All Ages
- » Sustaining Quality Community Services
- » Enhancing Mobility
- » Promoting Environmental Sustainability
- » Ensuring Community Health and Safety
- » Creating Economic Opportunity
- » Advancing Education and Learning Opportunities

The TTAC continues to oversee and facilitate implementation progress by convening and coordinating with vision partners and provides periodic updates to the community through newsletters and an Annual Progress Report. The Vision Action Plan is available online at www.tualatintomorrow.org or in hard copy by visiting Tualatin's City Offices.

2017 ACTIVITIES SUMMARY

The Tualatin Tomorrow Advisory Committee (TTAC) undertook the following activities in 2017:

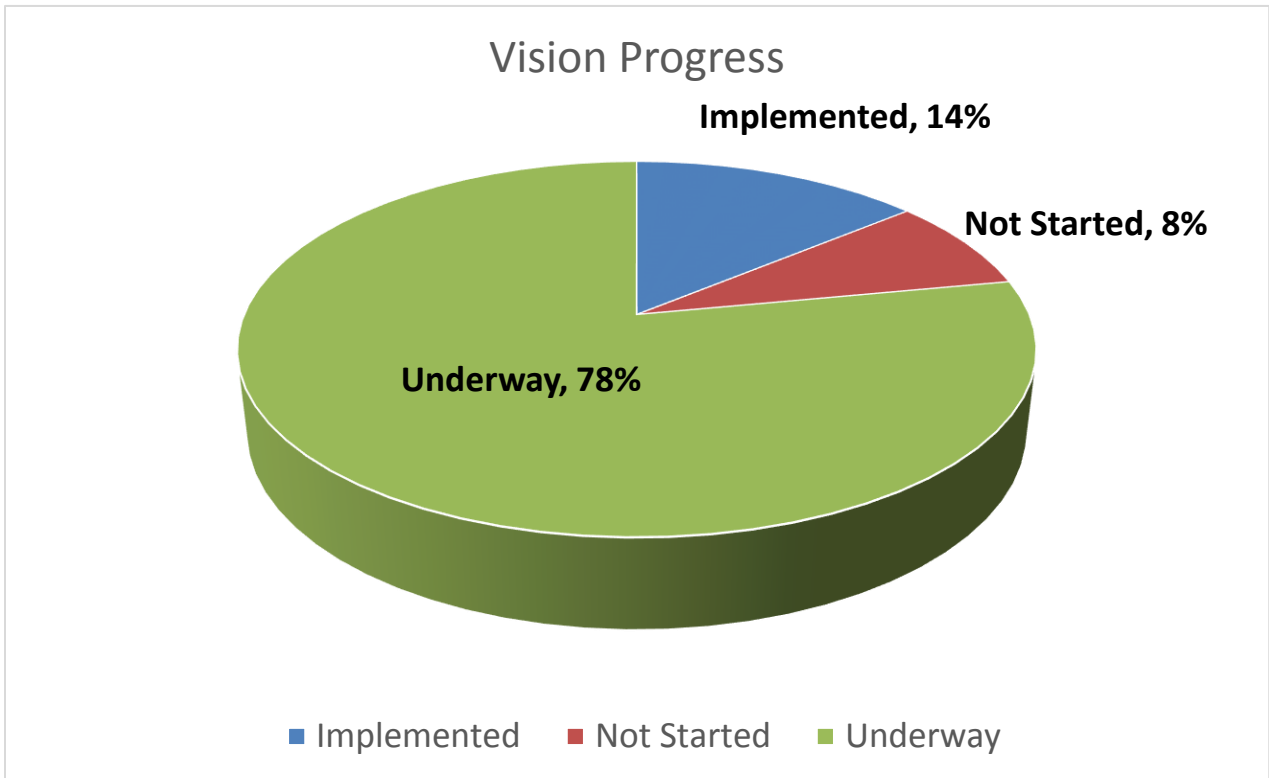
- » **TTAC Meetings** – The TTAC met nine times to plan and coordinate vision implementation, partner outreach and other logistics.
- » **Partner Events** – TTAC hosted two events to facilitate partner interaction and information-sharing.
- » **Partner Survey** – TTAC surveyed lead partners to ascertain implementation progress, and identify highlights and challenges requiring follow-up assistance.
- » **America's Best Communities (ABC) Competition**
– Recognized the commitment & effort of the team following the competition & talked about how to apply collective impact going forward
- » **Partner Event Focused on Social Services**
– Held the first ever partner event focused on connecting social service providers to each other & the community in November

Tualatin Tomorrow Advisory Committee

Chair Candice Kelly
Vice-Chair John Bartholomew
Councilor Paul Morrison
Daniel Bachhuber
Ed Casey
Alice Galloway
Larry McClure
Linda Moholt
Dana Terhune
Bethany Wurtz
Jill Zurschmeide
Maria Reyes

OVERALL PROGRESS

In February 2014, the Tualatin City Council adopted an updated Vision Action Plan with 100 proposed actions. Four years later, 78% of those actions are underway, 14% are implemented and only 8% are not yet started. Implementation is planned on a staggered timeline, with some actions scheduled to begin in the first two years, others on a 3-5 year timeline, and others— typically those requiring intense capital outlays, scheduled to begin in year 6 and beyond. This year, the Tualatin Tomorrow Advisory Committee will be looking at those areas that are not yet started and identifying partners and opportunity to move them towards completion. Some of the many actions underway within the various vision focus areas are highlighted in the following pages.



PHYSICAL & SOCIAL CONNECTIVITY

» VISION FOCUS AREA: FOSTERING SHARED SENSE OF PLACE AND COMMUNITY IDENTITY

Community Goals:

Goal 1: Establish a stronger sense of place through improvements to our built environment

Goal 2: Increase sense of belonging by enhancing community connections and amenities

Goal 3: Make it easier for people to gather and connect

Goal 4: Proactively engage diverse community groups in local events and decision-making

Action 1.2: City Gateways

Illumination lighting was installed to at the Lazy River sculpture in Tualatin Commons Park (gateway park). Tualatin River Greenway Trail at Highway 99W and 124th now has a new trail gateway at River Ridge Apartments as well.

Action 2.1: Parks Master Plan

The Parks & Recreation Master Plan Update began in July 2017 after receiving Request for Proposals a consultant was selected and hired. Three phases of the project have been completed. These include: System Inventory & Analysis, Public Involvement & Outreach and Needs Assessment. The ADA Assessment and Transition Plan is in the process with the following phases to follow: System Goals & Site Recommendations, Funding & Action Plans and Plan Review and Adoption. A citizens Project Advisory Committee was formed and has met three times to provide review, comments and input. Total public involvement includes 2,892 people who provided input primarily through the Online Survey and Pop Up Activities. Twelve focus Groups were held to obtain input from segments of the community which included seniors, youth, sports, historical, business, CIO's and Hispanic/Latino.



PHYSICAL AND SOCIAL CONNECTIVITY

Action 3.1: Neighborhood Connections

This year, the CIO's have continued implementing their CERT programs and map your neighborhood programs. To date, there are 65 CERT members. The midwest CIO had a very successful National Night Out event, with 150 neighborhood attendees. The CIO's continue to utilize Nextdoor as a means for communicating with neighbors and disseminating information.

Action 4.2: Latino Outreach Program

This year the city manager's office hired a community engagement officer to work with our newly formed diversity task force. Part of the responsibility of this position is to directly build relationships with the Latino community, and other underrepresented communities of color in Tualatin. This is an important and exciting step in building a formal program and strategy to incorporate these voices into our on-going outreach and engagement efforts.

Action 4.5: Unite Churches, Social Service Organizations, Schools, Seniors & Youth to Work on Common Causes

Rolling Hills Community Church took the lead on this action following the faith leaders summit in 2016. Throughout the year, the faith leaders have engaged in several opportunities to meet and connect. Several have participated in supporting the building of the Family Justice Center, and most recently participated in a county-wide facilitated dialogue on homelessness.



PHYSICAL & SOCIAL CONNECTIVITY

» VISION FOCUS AREA: CREATING ACTIVITIES AND ATTRACTIONS FOR ALL AGES

Community Goals:

Goal 5: Develop and facilitate access to activities for residents of all ages

Goal 6: Establish and promote the city as a destination for unique activities

Action 5.2: More Sports & Recreational Activities for Youth & Adults

City of Tualatin summer camps for ages 4 through high school are at capacity. Community Services Recreation also partnered with other service providers such as the YMCA, Skyhawks Sports Camp, Code to the Future, Willowbrook Arts Camp, Kidz Love Soccer and the Historical Society to provide recreational opportunities for youth. The Juanita Pohl Center held American Mah Jongg Tournaments, added evidence-based programming (Active Living Every Day, Walk With Ease), Active Adult Day Trips, Regional Excursions, pickleball and fitness classes offered 6 days a week (SilverSneakers, Silver&Fit, Yoga, Tai Chi, Line Dance). The City continues to provide community youth sports such as baseball, softball, basketball, soccer, football and lacrosse with sports and athletic facilities as they continue to grow and provide recreational and competitive opportunities for Tualatin youth.

Action 6.4: Theater Performances

Mask and Mirror Community Theatre has presented several productions, and will continue to present more, in Tualatin: In the summer of 2015, this included the musical "Singin' in the Rain" at Tualatin High School. In 2017, we presented two shows of our UnMasked series at the Tualatin Heritage Center. In 2018, we have two more scheduled UnMasked series shows in Tualatin: "The Receptionist" Dates: Jan 19, 20, 21, 26, 27, 28 2018 "Eleemosynary" Dates: July 13, 14, 15, 20, 21, 22 2018 The Mask & Mirror UnMasked series will present unique plays of merit not usually produced by all-volunteer, non-profit community theatre; especially plays that are edgy, having a bold, provocative, or unconventional quality. We will also strive to keep costs low for our patrons, at \$10 per ticket.



PHYSICAL & SOCIAL CONNECTIVITY

» VISION FOCUS AREA: SUSTAINING QUALITY COMMUNITY SERVICES

Community Goals:

Goal 7: Make municipal services more accessible

Goal 8: Sustain community services through collaborative efforts and stable funding

Action 7.4: Enewsletter

In 2017, the City created and implemented the online version of Tualatin Today the city's monthly newsletter. This online version contains similar content to the paper version, but has direct links to events, activities and the city's website which has a wealth of information available to our community. The subscription list is a little over 5,000 as of Dec 2017.

Action 7.7: Municipal Labor Force

This year the City sent the largest group of employees to date to the NW Public Employee Diversity Conference and the organization has started to take steps toward creating an internal resource team that will both support and encourage diverse employees within our organization. This support system and structure will be an important resource for recruiting minorities and continuing to ensure that our organization reflects our community.

» VISION FOCUS AREA: ENHANCING MOBILITY

Community Goals

Goal 9: Make it easier to get around town and to and from employment centers

Goal 10: Make it safer to drive, walk and bike

Action 10.1: Midblock Crossing

In partnership with Lam Research, the City of Tualatin completed its first midblock crosswalk with pedestrian activated flashing beacons. The crosswalk is located on Leviton west of 108th. LAM paid for the project and it will provide easy access for their employees crossing Leviton between the new Bulding K south of Leviton and the main campus.



Action 10.4: Neighborhood Traffic Safety

The City completed the Garden Corner Curves project to evaluate options for improving safety for along the “S” curve that includes SW 105th Avenue, Blake Street, and SW 108th Avenue. The City also received a grant to fund the design phase of a project that will add or upgrade bike lanes and sidewalks to Herman Road between Tualatin Road and SW 124th Avenue.

COMMUNITY HEALTH AND WEALTH

» **VISION FOCUS AREA: PROMOTING ENVIRONMENTAL SUSTAINABILITY**

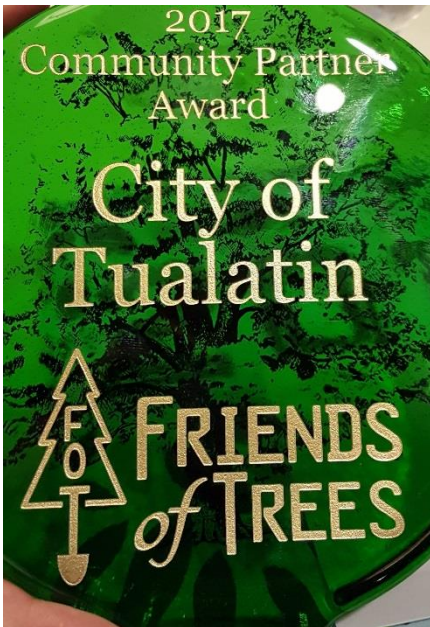
Community Goals

Goal 11: Facilitate environmentally-friendly practices, programs and policies

Goal 12: Protect and enhance our environmental resources and assets

Action 12.1: Pursue Policies that Protect and Enhance the River, Wetland and Natural Area Resources

Significant renewable energy efforts at our treatment plants -Updates to our Design & Construction Standards and Watershed-wide Permit with DEQ -Partnerships with Metro, USFWS, Columbia Land Trust, TSWCD, and others to expand the scale and variety of protected lands in the basin -Internal and external support of watershed health environmental education through CWS' River Rangers program, CWS' Confluence Environmental Center's Americorps members that work with schools, and support of The Wetlands Conservancy and Friends of Trees' programs



Action 12.7: Expand City's Adopt a Park Program

Put Down Roots in Tualatin continues to thrive, engaging volunteers in restoring natural areas in our parks and natural areas. COT was named "Municipal Partner of the Year" in May of 2017 by Friends of Trees, one of our non profit partners

COMMUNITY HEALTH AND WEALTH

» VISION FOCUS AREA: ENSURING COMMUNITY HEALTH AND SAFETY

Community Goals:

Goal 13: Promote and facilitate community health and wellness

Goal 14: Expand the community public safety network

Action 13.7: Drug and Alcohol Addiction Prevention

This is an ongoing effort for Tualatin Together and our community. We have hosted marijuana education, partnered with the police on prescription take backs, support the Tualatin High School prevention club, StandUp Tualatin, began a prevention club at Hazelbrook Middle School, real conversation about a Peer Court in Tualatin has begun and will continue in 2018 after sending our intern to a conference, youth marijuana & alcohol rates are slightly down however prescription drug abuse (which is a direct connection to opioid use and abuse) is up significantly.

CoMMUNITY HEALTH AND WEALTH

» VISION FOCUS AREA: CREATING ECONOMIC OPPORTUNITY

Community Goals:

Goal 15: Identify and accelerate business development within targeted industry clusters

Goal 16: Prioritize economic development that catalyzes community benefits

Action 16.4: Small and Family-Owned Business Support

City staff created a restaurant-oriented tenant improvement guide that will lead to a general tenant improvement guide. In addition, the small business tool kit remains a tool to help businesses get up and running.

COMMUNITY HEALTH AND WEALTH

» FOCUS AREA: ADVANCING EDUCATION AND LEARNING OPPORTUNITIES

Community Goals:

Goal 17: Maintain and perfect existing education and training programs

Goal 18: Strengthen learning options that align with future employment opportunities

Actions 18.4-18.6 Skills Training, College & High School Connections & Entrepreneurial Training

These actions all continue to be addressed via the new Community Revitalization Plan developed for the America's Best Communities competition. This plan focuses on increasing opportunity and the standard of living for everyone in the community through advancing STEAM (science, technology, engineering, arts and math) education. These efforts are being led by a team made up of several key partners including the City of Tualatin, the Tualatin Chamber of Commerce, Mask & Mirror Community Theatre, Tigard-Tualatin School District, the South Metro-Salem STEM Partnership, local businesses and many other community organizations and individuals.

In 2017, this effort was rolled into the Tualatin STEAM team. The Chamber of Commerce has built solid relationships with PCC and is working to connect local businesses with students at Hazelbrook Elementary.

The Chamber Champions is a networking group that focuses on Young Professionals and those young in business by providing educational opportunities while having fun. In addition we offer bi-monthly educational forums through our Thrive classes. Thrive provides high quality business education on a variety of topics regardless of their length in business.



ACKNOWLEDGEMENTS

The Tualatin Tomorrow Advisory Committee is grateful to the following implementation lead and support partners who continually work to bring our community vision to life:

- » CenterCal
- » City of Tigard
- » City of Tualatin
- » Clackamas County
- » Clean Water Services
- » Core Area Parking Board
- » Cultural Coalition of Washington County
- » Friends of Trees
- » Horizon Community Church
- » Legacy Meridian Park Hospital
- » LDS Church
- » Living Savior Lutheran
- » Mask & Mirror Community Theatre
- » Metro
- » MITCH Charter School
- » Neighbors Nourishing Community
- » New Seasons
- » Oregon Cultural Trust
- » Pamplin Media
- » Portland Community College
- » Providence Health
- » Republic Services
- » Resurrection Catholic Church
- » Ride Connection
- » Rolling Hills Community Church
- » Sharky's
- » SOLVE
- » Southlake Church
- » South Metro-Salem STEM Partnership
- » Tigard-Tualatin School District
- » TriMet
- » Tualatin Aging Task Force
- » Tualatin Arts Advisory Committee
- » Tualatin Chamber of Commerce
- » Tualatin Citizen Involvement Organizations
- » Tualatin Friends of the Library
- » Tualatin High School FBLA
- » Tualatin Historical Society
- » Tualatin Life
- » Tualatin Library Foundation
- » Tualatin Library Advisory Committee
- » Tualatin Parks Advisory Committee
- » Tualatin Planning Commission
- » Tualatin Riverkeepers
- » Tualatin River Watershed Council
- » Tualatin Rotary Club
- » Tualatin School House Pantry
- » Tualatin Together
- » Tualatin United Methodist Church
- » Tualatin Valley Fire and Rescue
- » Vision Action Network
- » Washington County
- » Wetlands Conservancy
- » Worksystems, Inc.

Staff Liaison: Tanya Williams, Assistant to the City Manager

Vision Implementation Support:





WWW.TUALATINTOMORROW.ORG

City Council Meeting

Meeting Date: 02/12/2018

SPECIAL REPORTS: General Update from NW Natural

Submitted For: Sherilyn Lombos, City Manager

SPECIAL REPORTS

General Update from NW Natural

PowerPoint

Handout

OUR LOW-CARBON PATHWAY



NW Natural analysis, not for investment purposes.

A LOW CARBON FUTURE

We believe climate change requires collective action.

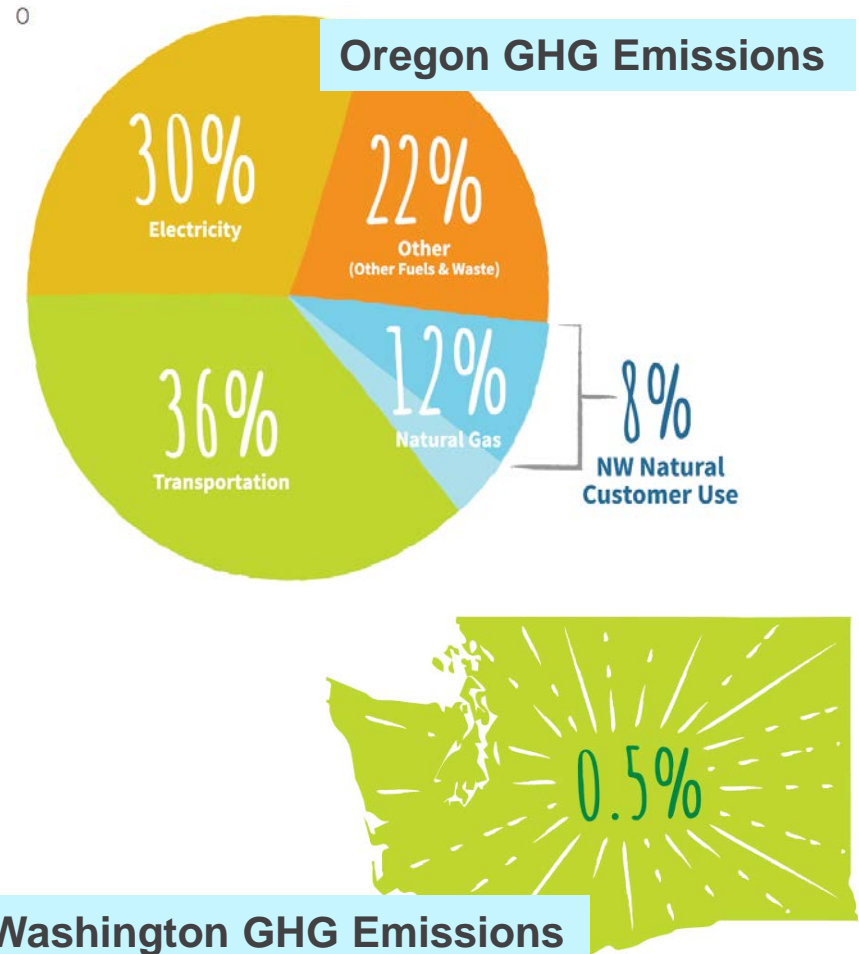
NW Natural has an important role to play in a smart and affordable Northwest climate strategy.

OUR OBJECTIVES:

- 1** Long-term goal of deep decarbonization that leaves no one behind.
- 2** Near-term actions take advantage of the natural gas infrastructure already in place.
- 3** Lead the way on natural gas innovations and share broadly for larger impact.

WHAT IS OUR STARTING POINT?

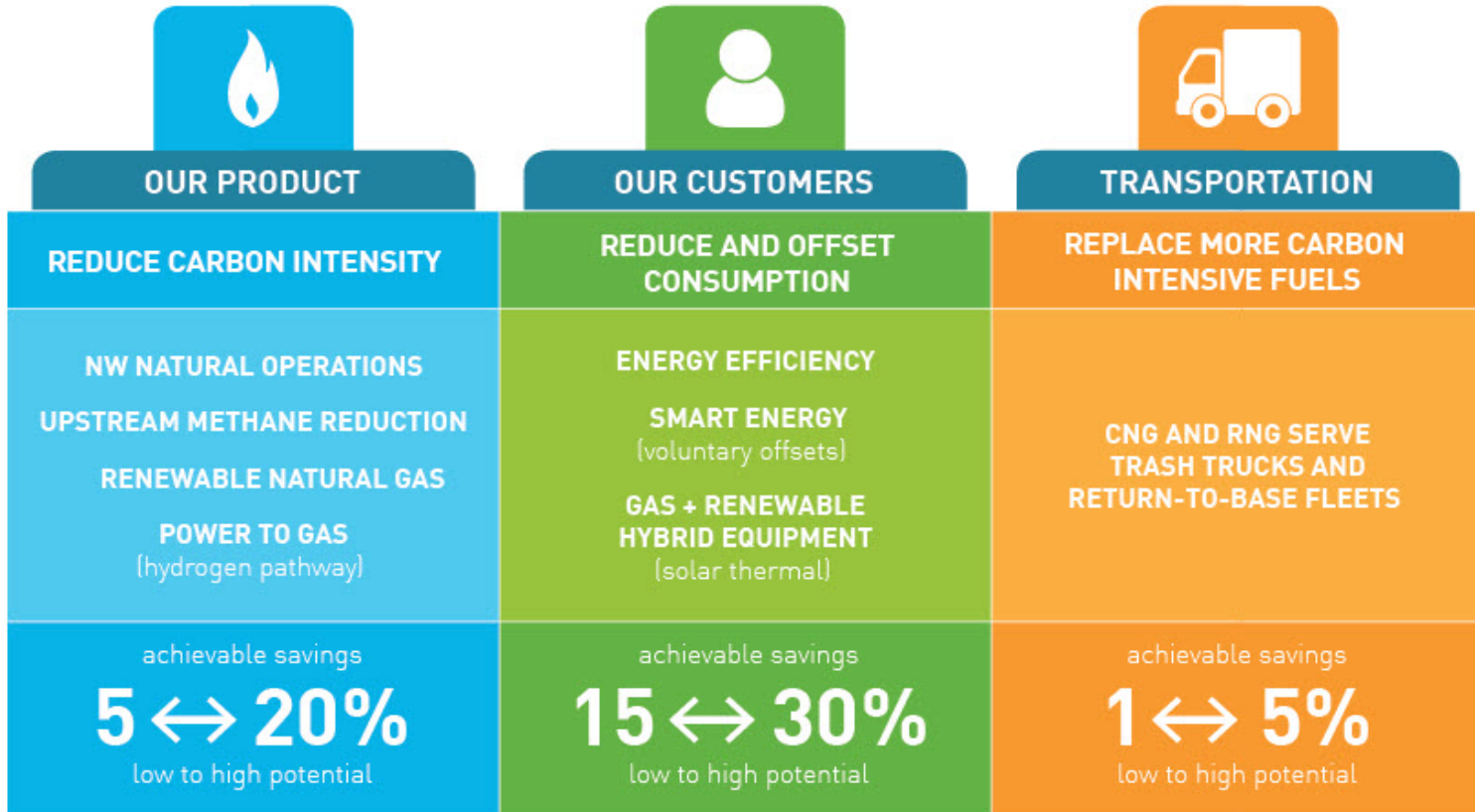
- **We serve 74%** of residential square footage in our territory where gas is available
- **We provide 90%** of peak day energy needs for our residential space and water heat customers
- Our customers' direct use of gas accounts for 8% of Oregon's emissions and 0.5% of Washington's state emissions



WHAT IS OUR GOAL?

30% CARBON SAVINGS BY 2035

Baseline: 2015 emissions from customer end use and NWN operations



OUR PRODUCT



- Renewable Natural Gas at wastewater treatment plants, dairies and landfills is a great way to work with jurisdictions on their GHG reduction goals
- Power to Gas will help store energy seasonally
- NW Natural will reach upstream to reduce methane at the well-head



OUR CUSTOMERS



Natural Gas Zero Energy Homes



- Lower cost to build and operate
- Has amenities homeowners prefer

Gas-Fired Heat Pump Water Heater

- Full fuel-cycle efficiency = 200%
- Installed in conditioned spaces
- Operates in low temps
- Undergoing market testing



Low-Cost Absorption Heat Pumps



- High-efficiency alternative to boilers
- Can be used for combo systems
- Low-cost residential option - commercially available now

“Use Less, Offset the Rest”

SMART ENERGY

Presented by NW Natural



TRANSPORTATION

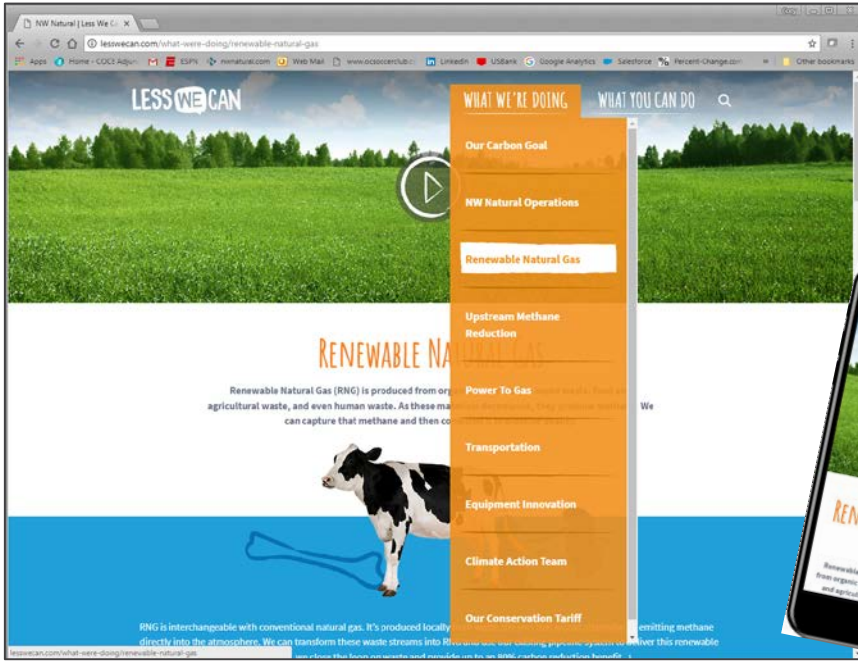


- Largest contributor to carbon emissions and growing.
- New CNG engines provide the cleanest, most cost effective solution for heavy duty vehicles.
- Delivers 20% reduction in carbon emissions compared to diesel and a 90% reduction in air pollution.
- Allows for drop-in renewable natural gas for an 80%+ reduction in carbon emissions.



NEW CAMPAIGN:

LESS WE CAN



RENEWABLE WATER AT GAS
Renewable natural gas is made from organic materials, like manure, waste, food and agricultural waste and even human waste. When all of these materials decompose they produce methane which can be converted to renewable natural gas or stored for use later.

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Renewable natural gas is made from organic materials, like manure, waste, food and agricultural waste and even human waste. When all of these materials decompose they produce methane which can be converted to renewable natural gas or stored for use later.



THANK YOU

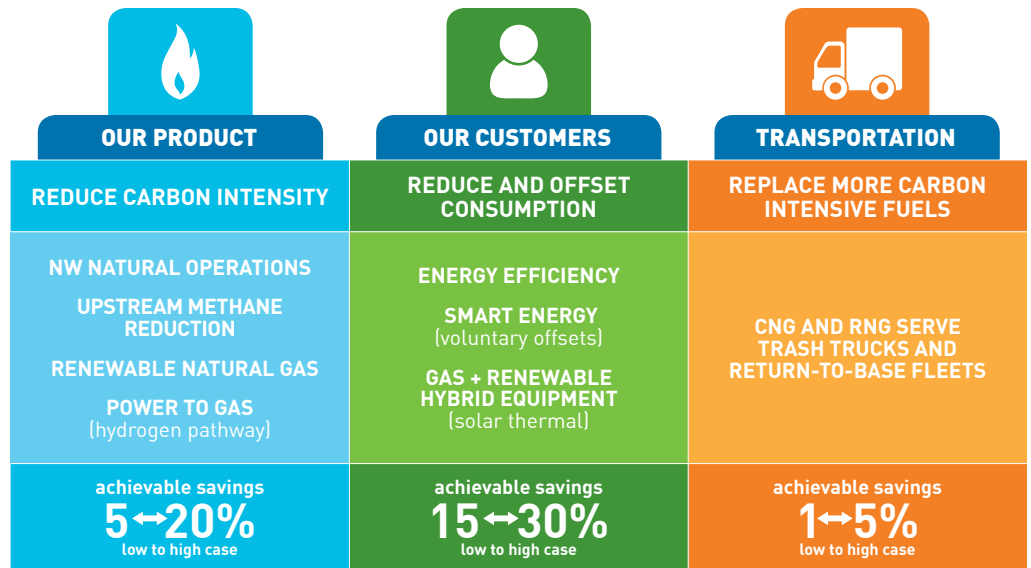


OUR LOW-CARBON PATHWAY

CONSERVING, OFFSETTING, INNOVATING TO ADDRESS CLIMATE CHANGE.



NW Natural's pipeline system—one of the newest, tightest in the country—can help achieve our region's carbon reduction goals affordably. Using a bottom-up approach, NW Natural identified known technologies to develop an aggressive, but attainable, carbon savings goal. NW Natural customers' natural gas use represents 8% of Oregon's greenhouse gas emissions.* Through voluntary action and collective engagement we can drive that number down further.



CARBON SAVINGS GOAL: 30% BY 2035

Our goal addresses the full value chain of natural gas—from production at the wellhead to use at the burner tip in homes and businesses.



WHY A SAVINGS GOAL?

Allows a societal look at carbon savings—adding up emission reductions from the production of natural gas to customer use to diesel displacement in heavy-duty vehicles.



AFFORDABLE SAVINGS

We prioritize the lowest cost savings first, and will work to drive down the cost of newer, cutting-edge technologies through pilots, partnerships and R&D.

WHAT WE'RE WORKING ON TODAY



DECARBONIZING THE PRODUCT

Leverage National Resource Defense Council best practices to target production emissions and engage in partnerships to integrate renewable natural gas onto the system—starting locally with municipal waste water from treatment plants—and expanding over time to include other waste streams.



DRIVING DOWN CUSTOMER USE

Partner with Energy Trust to help customers conserve and be more comfortable through energy efficiency. By 2035, we can save enough energy to heat 230,000 homes annually—about the same amount of homes Oregon expects to add over the next decade. Increase participation in our Smart Energy program, which allows customers to offset emissions by funding renewable energy projects.



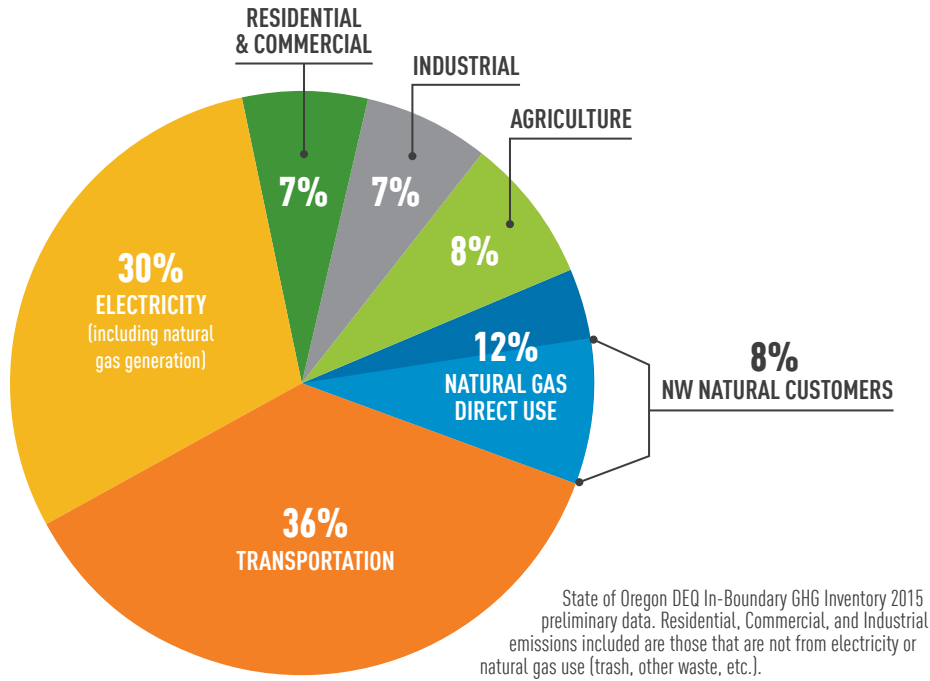
TRANSPORTATION OPPORTUNITIES

The transportation sector is the top contributor of carbon emissions in our region—and growing. Heavy-duty natural gas vehicles provide 20% carbon savings with compressed natural gas or 80% carbon savings with renewable natural gas—while emitting 90% fewer smog-forming air pollutants than the cleanest diesel.

*Oregon DEQ In-Boundary GHG Inventory, 2015 Preliminary Data.

DIRECT USE OF NATURAL GAS

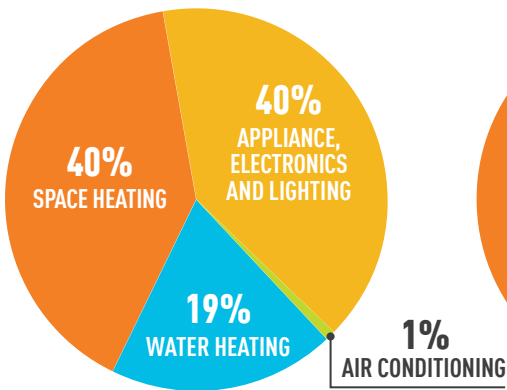
NW Natural's system plays a critical role serving our region's energy needs



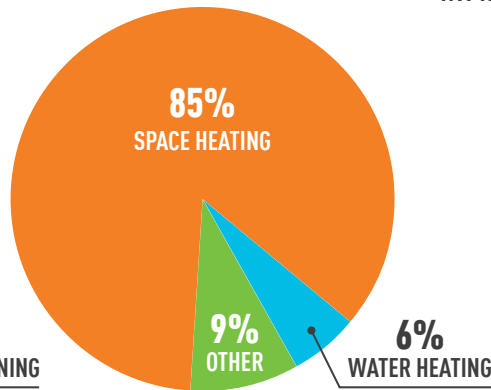
- The direct use of natural gas — in homes, businesses and industrial applications — makes up about 12% of Oregon's greenhouse gas emissions. NW Natural's customer and company use accounts for 8%.
- While that's a modest piece of Oregon's emissions pie, NW Natural can put our pipeline system to work in new ways to drive emissions down further. And we can do it with an existing modern system — making it more affordable for everyone.

ENERGY SYSTEMS ARE BUILT TO SERVE PEAK NEEDS

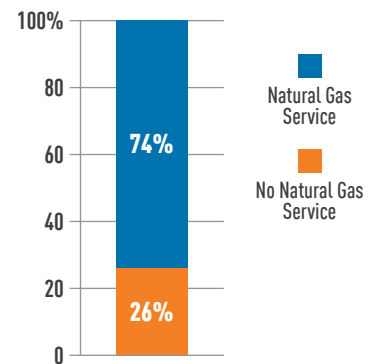
Average Annual Home Energy Use*



Winter Peak Hour Home Energy Use**



Share of Residential Square Footage in NW Natural Service Area with Natural Gas Service***



NW Natural's modern system is an efficient way to serve winter peak energy needs.

It takes a lot of energy to keep us warm during the cold, dark days of winter. And on those coldest winter mornings, natural gas provides 90% of our residential space-and-water-heat customers' energy needs.



*USDOE 2009 Residential Energy Consumption Survey. **kWh Home Usage, 9.0 HSPF Heat Pump; 7 am in Winter, 7° F. ***2014 Residential Sites Database; On/near NW Natural mains.



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Ginny Kirby, Office Coordinator
Alice Cannon, Assistant City Manager

DATE: 02/12/2018

SUBJECT: Consideration of **Resolution No. 5354-18** Referring to the Electors of the City of Tualatin the Question of Authorizing \$20,000,000 of General Obligation Bonds for Traffic Congestion and Safety Improvements

ISSUE BEFORE THE COUNCIL:

Consideration of Resolution No. 5354-18 referring to the Electors of the City of Tualatin the question of authorizing \$20,000,000 of General Obligation Bonds for traffic congestion and safety improvements.

RECOMMENDATION:

Staff Recommends Council consider Resolution No. 5354-18.

EXECUTIVE SUMMARY:

Adopting Resolution No. 5354-18 places a measure on the May 15, 2018 general election ballot for Tualatin voters to consider authorizing the City to issue \$20,000,000 of General Obligation Bonds for traffic congestion and safety improvements.

The resolution also approves a ballot title and explanatory statement for the measure, which are attached to the resolution as Exhibits A and C, respectively.

The City Council identified seven goals in early 2017. Among them is a goal for a funded transportation system that supports mobility, connectivity and accessibility. Since July, City Council has considered how to implement this goal. On October 22, 2017, the City Council asked staff to conduct opinion research with Tualatin voters to gauge their interest in funding citywide traffic congestion and neighborhood safety projects through a property tax measure.

At the January 22, 2018 City Council Work Session, the City Council heard the results of Tualatin voter opinion research about transportation issues in Tualatin. After hearing these results and discussion, Council directed staff to prepare the attached ballot title and explanatory statement for voter consideration on the May 15, 2018 election.

If approved, the measure authorizes the City of Tualatin to issue \$20,000,000 in general

obligation bonds to provide improvements for traffic congestion relief, neighborhood traffic safety, and safe access to schools throughout the community.

Attachments: [Resolution No. 5354-18](#)

RESOLUTION NO. 5354-18

A RESOLUTION CALLING A MEASURE ELECTION TO SUBMIT TO THE ELECTORS OF THE CITY THE QUESTION OF AUTHORIZING UP TO \$20,000,000 OF GENERAL OBLIGATION BONDS FOR TRAFFIC CONGESTION AND SAFETY IMPROVEMENTS; DECLARING INTENT TO REIMBURSE EXPENDITURES; AND RELATED MATTERS

The City Council of the City of Tualatin, Oregon, finds as follows:

WHEREAS, traffic congestion and neighborhood traffic safety repeatedly score as the #1 concern among Tualatin residents on community surveys; and

WHEREAS, the City has consulted with the seven Citizen Involvement Organizations, along with the Aging Task Force, Tualatin residents and businesses, and other interested groups to identify priority projects to relieve traffic congestion and improve safety; and

WHEREAS, the City has identified specific local traffic congestion relief and traffic safety improvements citywide that cannot be constructed without additional funding; and

WHEREAS, the City has also confirmed project priorities with registered voters through a telephone survey and two focus groups; and

WHEREAS, the City Council of the City of Tualatin, Oregon (the "City"), determines that it will benefit the City to obtain the authority to issue up to \$20,000,000 (Twenty Million Dollars) of general obligation bonds (the "Bonds") for traffic congestion and safety improvements, as more fully described in the Summary section of the attached Exhibit A (the "Project"); and

WHEREAS, the Oregon Constitution and Oregon Revised Statutes Chapter 287A allow the voters of the City to authorize the City to issue general obligation bonds to provide funds to finance the costs of the Project, including costs of issuing the Bonds; and

WHEREAS, ORS 287A.050 limits the amount of general obligation bonds for transportation improvements and certain other types of general obligation bonds to three percent of the real market value of taxable property in the City, and issuing the Bonds will not cause the City to exceed this limit; and

WHEREAS, the Bonds are expected to pay "tax-exempt" interest (interest that is excluded from gross income under Section 103 of the Internal Revenue Code of 1986, as amended); and

WHEREAS, the City may spend money on the Project before the City issues the tax-exempt Bonds and the rules of the United States Internal Revenue Service require

the City to declare its official intent to reimburse itself for amounts that the City will spend before the tax-exempt Bonds are issued.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, RESOLVES AS FOLLOWS:

Section 1. Measure. A measure election is hereby called for the purpose of submitting to the electors of the City the question of issuing up to \$20,000,000 (Twenty Million Dollars) in general obligation bonds for the Project. Bond proceeds will be used to finance the Project, including Bond issuance costs.

Section 2. Election Conducted by Mail. The measure election hereby called shall be held in the City on the 15th day of May, 2018. The election shall be conducted by mail pursuant to ORS 254.465 and 254.470.

Section 3. Delegation. The City of Tualatin authorizes the City Manager, or the City Manager's designee, to act on behalf of the City and to take such further action as is necessary to carry out the intent and purposes set forth herein, in compliance with the applicable provisions of law.

Section 4. Ballot Title. Pursuant to ORS 250.285, the City Council approves the ballot title that is attached as Exhibit A, in substantially the form attached but with such changes as the City Manager may approve, and directs that this ballot title be filed with the City Elections Officer.

Section 5. Notice of Ballot Title and Right to Appeal. Pursuant to ORS 250.275(5) and 250.285, the City Elections Officer shall publish in the next available edition of the *Tigard Tualatin Times* a notice of receipt of the ballot title including notice that an elector may file a petition for review of the ballot title pursuant to ORS 250.296 not later than the seventh business day after the title is filed with the City Elections Officer. The notice shall be in substantially the form attached to this resolution as Exhibit B.

Section 6. Filing with County Elections Office. Pursuant to ORS 254.095(2), the City directs the City Elections Officer to file a Notice of City Measure Election with the Washington County Elections Office. If no petition is filed pursuant to ORS 250.296 to change the ballot title, the Notice of City Measure Election shall be filed in substantially the form of Exhibit A, but with such changes as may be approved by the City Manager, with the Washington County Elections Office no later than March 15, 2018 (sixty-one (61) days prior to the election date), and no earlier than the eighth business day after the date on which Exhibit A is filed with the City Elections Officer. If a petition is filed pursuant to ORS 250.296 to change the ballot title, the Notice of Measure Election, in substantially the form of Exhibit A, but with any changes required by the circuit court, shall be filed as soon as the circuit court certifies the ballot title to the City Elections Officer, and no later than March 15, 2018.

Section 7. Explanatory Statement. The explanatory statement for the measure shall be in substantially the form attached to this resolution as Exhibit C, but with such changes as the City Manager may approve.

Section 8. Reimbursement from Proceeds. The City hereby declares its official intent to reimburse itself with the proceeds of the Bonds for any amounts the City spends on the Project before the Bonds are issued.

Section 9. Effective Date. This resolution is effective upon adoption.

INTRODUCED AND ADOPTED this 12th day of February, 2018.

CITY OF TUALATIN OREGON

BY _____
Mayor

APPROVED AS TO LEGAL FORM

ATTEST

BY _____
City Attorney

BY _____
City Recorder

EXHIBIT A
NOTICE OF CITY MEASURE ELECTION
NOTICE OF BOND ELECTION

Caption

AUTHORIZES GENERAL OBLIGATION BONDS FOR TRAFFIC CONGESTION AND SAFETY IMPROVEMENTS

Question

Shall Tualatin issue \$20,000,000 of general obligation bonds to provide traffic congestion relief projects and neighborhood traffic safety improvements citywide?
If the bonds are approved, they will be payable from taxes on property or property ownership that are not subject to the limits of sections 11 and 11b, Article XI of the Oregon Constitution.

Summary

The measure authorizes the City of Tualatin to issue \$20,000,000 in bonds to provide improvements for traffic congestion relief, neighborhood traffic safety and safe access to schools throughout the community.

Congestion relief projects will improve existing roads by adding new signals and travel lanes. Traffic flow improvement projects are expected to be provided on Tualatin-Sherwood Road, Sagert, Martinazzi, Tualatin Road, Myslony and other streets where congestion relief is needed.

Safety projects include pedestrian crossings with signals, crosswalks, sidewalks, driver feedback signs that display speed and other improvements. These will be installed in areas identified as a priority by residents. Locations are projected to include downtown, Boones Ferry, the Garden Corner Curves at 105th/Blake, Sagert, Highway 99W, Grahams Ferry and other areas.

Bond proceeds can only be used for capital costs. The bonds would be payable from property taxes. If approved, the tax rate is estimated to increase by 50 cents per \$1,000 of taxable value, or \$150 per year on an average Tualatin home.

EXHIBIT B

NOTICE OF RECEIPT OF BALLOT TITLE

Notice is hereby given that a ballot title for a measure referred by the City of Tualatin has been filed with the City Elections Officer on February 12, 2018. The ballot title caption AUTHORIZES GENERAL OBLIGATION BONDS FOR TRAFFIC CONGESTION AND SAFETY IMPROVEMENTS. A copy of the ballot title is available from the City's Elections Officer. An elector may file a petition for review of this ballot title in the Washington County Circuit Court no later than 5:00 p.m., February 21, 2018, under ORS 250.296.

Signature of City Elections Officer	Date signed
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Printed name of City Elections Officer	Title
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This legal notice is to be published by the City Elections Officer in the *Tigard Tualatin Times*, Tualatin, Oregon, or in another newspaper of general distribution within the City.

EXHIBIT C

EXPLANATORY STATEMENT

Traffic congestion and neighborhood traffic safety repeatedly score as the #1 concern among Tualatin residents on community surveys. City Council, business, and other city leaders identified solutions to address Tualatin's traffic problems through a three-year process that began in 2014 with the update of Tualatin's Transportation System Plan. Members of Tualatin's Citizen Involvement Organizations (CIOs), the Aging Task Force, residents, and local businesses identified over one hundred projects that could provide traffic and safety enhancements citywide. What emerged were three citizen-backed project priorities:

- Removing local bottlenecks and improving traffic flow
- Improving pedestrian safety on neighborhood streets; and
- Providing safe access to schools

The initial list was screened to select projects that best address these three priorities. The very highest priority projects total \$20 million and are expected to be funded through this bond measure.

Local traffic congestion relief projects and safety improvements cannot be constructed in a timely manner without the proceeds from the proposed bond measure. Current state revenues distributed to Tualatin cover only a small number of road projects each year, limiting Tualatin's ability to address critical needs and priorities identified by residents and businesses. The proceeds from Tualatin's road utility fee are dedicated to street maintenance and are not available to make new traffic congestion and safety improvements. This bond measure will allow Tualatin to provide priority traffic congestion relief and safety improvements citywide.



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Sean Brady, City Attorney

DATE: 02/12/2018

SUBJECT: Consideration of Resolution No. 5355-18 to Adopt Council Rules

ISSUE BEFORE THE COUNCIL:

Consideration of Resolution No. 5355-18 to Adopt Council Rules.

RECOMMENDATION:

Staff recommends Council consider adopting Resolution No. 5355-18.

EXECUTIVE SUMMARY:

Resolution No. 5355-18 would adopt Council Rules.

City Charter Section 13 authorizes the Council to adopt rules for the "government of its members and proceedings." To this end, the Council established a Council Subcommittee, consisting of Council President Davis, Councilor Bubenik, and Councilor Kellogg, to consider and draft Council Rules. The Subcommittee met several times to consider and draft Council Rules. The Subcommittee then presented its draft to the full Council for consideration.

The Council met multiple times in both work session and regular session meetings to consider and revise the draft presented by the Subcommittee. At the December 10, 2017, Council Meeting, the Council finalized the draft and recommended it be presented for consideration for final adoption. Resolution No. 5355-18 adopts the Council Rules.

Exhibit A to Resolution No. 5355-18 contains the Council Rules to be adopted. Also included as an attachment to this staff report is a "redline" version that compares the Subcommittee draft to the final version.

Attachments: Reso 5355-18 - Adopt Council Rules
Ex A - Council Rules - 5355-18
Redline Council Rules

RESOLUTION NO. 5355-18

A RESOLUTION ADOPTING COUNCIL RULES.

WHEREAS, the City Charter authorizes the Council to adopt rules for the “government of its members and proceedings”; and

WHEREAS, the Council established a Council Subcommittee to consider and draft Council Rules; and

WHEREAS, the Council Subcommittee drafted Council Rules and presented the rules to the full Council for consideration; and

WHEREAS, the Council met in multiple work session and regular session meetings to consider and revise the Council Rules; and

WHEREAS, the Council now wishes to adopt Council Rules for the “government of its members and proceedings”;

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

Section 1. The Council adopts the Council Rules set for in Exhibit A, which is attached and incorporated herein.

Section 2. This resolution is effective upon adoption.

Adopted by the City Council this 12th day of February, 2018.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder

EXHIBIT A

Resolution No. 5355-18



**CITY OF TUALATIN
COUNCIL RULES**

Adopted

February 12, 2018

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RULE 1

General Governance

A. Rules of Procedure.

1. Chapter IV of the Charter authorizes the Council to adopt rules of procedure for Council meetings.¹ Unless otherwise provided by the Charter, an ordinance, or these rules, the procedure for all Council meetings, and any subcommittee of the Council, will be guided by Robert's Rules of Order, 11th Edition.
2. To maintain orderly procedures, members of Council should be recognized by the chair before commenting and should maintain decorum with courteous interactions during debate. Members of Council are encouraged to avoid invoking the finer points of parliamentary procedure found in Robert's Rules of Order when such points could obscure the issues before Council and confuse the public.
3. Whenever these rules and Robert's Rules of Order conflict, these rules govern.

B. Council. The members of Council are the Mayor and the Councilors.² There are six Councilor positions.³

1. Council Position 1 – the term ends December 31, 2018 and every four years thereafter.
2. Council Position 2 – the term ends December 31, 2020 and every four years thereafter.
3. Council Position 3 – the term ends December 31, 2018 and every four years thereafter.
4. Council Position 4 – the term ends December 31, 2020 and every four years thereafter.
5. Council Position 5 – the term ends December 31, 2018 and every four years thereafter.
6. Council Position 6 – the term ends December 31, 2020 and every four years thereafter.

C. Quorum.

1. A quorum is required to conduct official City business. A quorum consists of three (3) Councilors plus the Mayor or Mayor pro tem.⁴

¹ Charter Section 13 (Meetings) (“[the Council] shall adopt rules for the government of its members and proceedings”).

² Charter Sections 7 (Council); 8 (Councilors); 8a (Assignment of Council Positions); 9 (Mayor) (describing Council, Mayor, and powers).

³ Charter Section 8a (Assignment of Council positions).

⁴ Charter Section 14, (“Three Councilors and the Mayor or Mayor pro tem shall constitute a quorum for its business, but a small number may meet and compel the attendance of absent members in a manner provided by ordinance.”).

2. In the event a quorum is not present, the members of Council present may choose to hear comments from the public and receive reports, provided however no votes or official Council actions will be taken.

D. Presiding Officer.

1. The Mayor is the Presiding Officer and presides over all meetings.⁵
2. In the Mayor's absence the President of the Council, as Mayor Pro-Tem, serves as the Presiding Officer and presides over the meeting.⁶
3. If both the Mayor and the President of the Council are absent from the meeting, the following procedure may be utilized to determine the Presiding Officer for the meeting:⁷
 - a. Any member of Council present at a meeting may call the Council to order.
 - b. Those members of Council present must elect a temporary Presiding Officer, as Mayor Pro Tem, for the meeting. A Councilor must receive the majority vote of the incumbent members on the Council to become the Presiding Officer for the meeting.
4. Should either the Mayor or the President of the Council arrive at the meeting after it begins, the temporary Presiding Officer must relinquish control of the meeting immediately upon the conclusion of the item presently being discussed.

E. Other Officers.

1. **City Recorder.** The City Recorder, or designee, must keep the official minutes of the Council in compliance with Oregon Public Meetings laws.
2. **City Manager.** The City Manager, or designee, is required to attend all meetings of the Council and to assist in answering questions. The City Manager may participate in any discussion, when recognized by the presiding officer. However, the City Manager has no authority to vote on any decision rendered by the Council.⁸

⁵ Charter Section 17 (Mayor's Functions at Council Meetings) ("The Mayor shall be chair of the Council and preside over its deliberations.").

⁶ Charter Section 18 (President of the Council) ("In the Mayor's absence from a Council meeting, the president shall preside over it as Mayor pro tem.").

⁷ Charter Section 33 (Filling of Vacancies) (authorizes the Council to fill temporary vacancies by majority vote of the "incumbent members.") The term "incumbent members" in the Charter means the entire Council minus any permanently vacant seats (e.g., resignation, death, permanent incapacity). For instance, if the Mayor and Council President are absent, but 5 Councilors are present at the meeting, a Councilor must receive at least 4 votes to become the Presiding Officer because there are 7 "incumbent members" of the Council. However, if two seats on Council are permanently vacant seats, then in the same scenario above, the Councilor must receive 3 votes to be the Presiding Officer because there are 5 "incumbent members." The term "incumbent members" does not mean a majority of those Councilors actually attending the meeting.

⁸ Charter Sections 20a (City Manager) ("attend all meetings of the Council, unless excused

3. **City Attorney.** The City Attorney serves as the parliamentarian of the Council and will advise the Council on any questions of order. The City Attorney may attend any meeting of the Council, and will, upon request, give an opinion, either written or oral, on legal questions.

F. Agendas.⁹

1. The City Manager must prepare an agenda for every meeting, including regular, special, and executive session meetings.
2. Agendas and informational material for meetings will generally be distributed to the Council at least seven (7) days preceding the meeting. However, in certain circumstances less time may be provided.
3. The agenda for a meeting does not require Council approval.
4. The City Manager may place routine items and items referred by staff on the agenda without Council approval or action.
5. The City Manager may remove any items on the consent agenda, any item of old business, any resolution, or any ordinance placed for first reading from the agenda at any time prior to the time the meeting is convened. The Presiding Officer must announce such removal under announcements.
6. A member of Council who wishes to have an item placed on the agenda must bring the matter before the Council for consideration of adding the matter to the agenda and to determine the meeting date on which the agenda item is to be placed, if at all. Adding a matter to the agenda requires a majority vote of the member of Council present at the meeting.
7. As a guiding matter, the Council will not add an item to the agenda on the same night as the item was first submitted by a member of Council for consideration by the full Council. The exception to this general rule is for emergency purposes and only with the unanimous consent of all members of Council present.

G. Order of Business.

1. The Mayor, or Mayor pro tem, as the presiding officer has the authority to determine the order of business at any meeting of the Council.
2. The order of business for all regular meetings will generally be as follows:¹⁰

therefrom”); Section 22 (Recorder). The person appointed as City Manager is also the same person appointed as the Recorder.

⁹ An agenda is required by ORS 192.640 (Oregon Public Meetings Law) (public notice of a meeting must include “[a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of a governing body to consider additional subjects.]”)

¹⁰ Charter Section 17 (Mayor’s Functions at Council Meetings) (the Mayor is to “determine the order

- a. **Call to Order.** The Presiding Officer announces the opening of the meeting and designates the person to lead the pledge of allegiance;
- b. **Announcements.** Brief announcements relating to the community, including upcoming events and proclamations;
- c. **Citizen Comments.** Public comments received concerning matters not on the agenda for the meeting;
- d. **Consent Agenda.** Routine items to be adopted by one motion of the Council;
- e. **Special Reports.** Reports of City Boards and Commissions, proclamations, special presentations, or reports.
- f. **Public Hearings (Legislative and Other).** Public hearings on legislative land use matters;
- g. **Public Hearings (Quasi-Judicial).** Public hearings on quasi-judicial land use matters.
- h. **General Business.** Consideration of ordinances, resolutions, contracts, policy statements, and other items. General Business items may also include public hearings on those matters.
- i. **Items Removed from Consent Agenda.** Any item removed from the Consent Agenda will be discussed and voted on at this time;
- j. **Communications from Councilors.** Announcements and information provided by members of Council; and
- k. **Adjournment.** The conclusion of the meeting. Adjournment of the meeting is by majority vote of the members of Council present at the meeting.

H. Reports of Boards, Commissions, Committees, Elected Officials and City Employees.

- 1. When necessary, reports can be given to the Council by boards, commissions committees, elected officials and/or City employees.
- 2. When appropriate, reports to the Council should include written materials which are provided to the Council at least seven (7) days in advance of the meeting.
- 3. Oral reports to the Council should generally not exceed five (5) minutes in length.
- 4. The Council may ask questions of the presenter upon conclusion of the report being given.

I. Public Comment.

- 1. One (1) period for public comment will be reserved for every regular meeting of the Council.

2. Persons wishing to speak during public comment should sign the “Speaker Request Form” and provide the person’s name and place of residence, as well as the topic upon which the person wishes to speak. The Council may request that groups with like comments choose a spokesperson to present joint remarks.
3. If a member of the public wishes to speak on an item that is scheduled for a public hearing at that same meeting, the speaker must wait until that public hearing portion of the meeting. Public comment must not be used to testify about a quasi-judicial land use matter, to testify on an item that is not a public matter, to testify on a matter which has been or is scheduled to be heard by a hearings official, or to provide or gather additional testimony or information on any matter after the official record has been closed on any matter which has been the subject of a public hearing.
4. Speakers are limited to three (3) minutes. At the discretion of the Presiding Officer, spokespersons for a group of people may be given additional time beyond three (3) minutes to speak on the matter.
5. Before providing any public comment, speakers must announce the person’s name and place of residence to the Council.
6. Members of Council may, after obtaining the floor, ask questions of speakers during public comment. In general, members of Council should not respond to comments made during the public comment agenda time, except to ask clarifying questions. Any public requests for Council action will be referred to staff for review before placing it on a future agenda. Any member of Council may intervene if the Mayor or a Councilor is violating the spirit of this guideline.
7. Speakers may play electronic audio or visual material during the time permitted for comment and may use available City-provided audio or visual equipment located in the Council chambers.

J. Consent Agenda.

1. In order to expedite the Council’s business, the approval of minutes and other routine agenda items will be placed on the consent agenda.
2. All items on the consent agenda must be approved by a single motion, unless an item is removed for separate consideration.
3. Any item on the consent agenda may be removed for separate consideration by any member of Council by stating which item is to be removed.
4. Appointments to committees must not be placed on the consent agenda.

K. Ordinances and Resolutions – See RULE 3

L. Public Hearings Generally.

1. Public hearings may be held to consider legislative, quasi-judicial, or administrative matters.

2. Persons wishing to speak should sign the “Speaker Request Form” with the person’s name and place of residence prior to the commencement of the public hearing at which the person wishes to speak.
3. The Presiding Officer will announce at the commencement of any public hearing the subject of the hearing as it is set forth on the agenda. The Presiding Officer will then declare the hearing open.
4. Prior to giving testimony, each person must state the person’s name and their place of residence. All remarks must be addressed to the Council as a body and not to any member thereof.
5. Speakers at hearings on legislative or administrative matters, other than legislative land use matters, will be limited to three (3) minutes.
6. Members of Council may, after recognition by the Presiding Officer, ask clarifying or follow up questions of individuals providing testimony after that individual has completed testifying. Questions posed by members of Council should be to provide clarification or additional information on testimony provided. Questions should not be used as an attempt to lengthen or expand the testimony of the individual. Members of Council should use restraint and be considerate of the meeting time of the Council when exercising this option. Any member of Council may intervene if another member of Council is violating the spirit of this guideline.
7. Members of Council may, after the presentation of testimony of all interested persons, ask clarifying or follow-up questions of staff. Questions posed by a member of Council should be to provide clarification or additional information on testimony provided.
8. The Presiding Officer may exclude or limit cumulative, repetitious, or immaterial matters. The Presiding Officer may order the testimony by having all speaking in favor testify, followed by all those in opposition. The Presiding Officer, with the approval of the Council, may further limit the time and/or number of speakers at any public hearing; provided that the Presiding Officer should announce any such restrictions prior to the commencement of the testimony.
9. At the end of public testimony and questions of staff, the Council must do one of the following:
 - a. Initiate deliberations by introducing a motion on the matter;
 - b. Continue the hearing; or
 - c. Keep the record open for additional written testimony.
10. During deliberations, each member of Council must have the opportunity to comment on or discuss testimony given during the public hearing.
11. A copy of any written testimony or physical evidence, which a party desires to have introduced into the record of the hearing, must be submitted to the City Recorder, or designee, prior to the conclusion of the hearing, unless the record is held open.

12. Documents submitted to the City as evidence or written testimony during a public hearing are public records. If such a document contains the name, address, including email address, and telephone number of the person, then it will be included in the record of the proceeding. Because the name, address, including email address, and telephone number are part of a public record, this information will be generally disseminated to the public, and must be disclosed, unless exempt under Oregon law, if a public records request is submitted for the documents. A person who believes such disclosure would present a danger to his or her personal safety, and who wishes to exempt his or her address, including email address, and telephone number from disclosure must submit a written request for non-disclosure to the City Recorder, or designee, pursuant to ORS 192.455(1).

M. Conduct of Hearings on Land Use Matters – See RULE 4

RULE 2

Meeting Time, Location, and Frequency

A. Regular Meetings. The Council will generally hold regular meetings at 7:00 p.m. on the second and fourth Monday of each and every month, excluding the fourth Monday in December. If a second or fourth Monday falls on a City-recognized holiday, the meeting will be held on the following business day.¹¹

B. Special Meetings. Special meetings may be called by the Mayor, three members of Council, or by the City Manager.¹²

1. The City Manager will provide notice of the special meeting to each member of Council, each local newspaper, radio, and television station, and any other person or entity which has on file a written request for notice of special meetings.
2. The notice of the special meeting must be given to each Councilor via personal notice, telephone, email, or other electronic means sufficient to provide actual notice.
3. Special meetings must be noticed in accordance with Oregon's public meetings law, and, at a minimum, must be noticed at least 48 hours prior to the meeting taking place.

C. Emergency Meetings. Emergency meetings may be called by the Mayor, three members of Council, or by the City Manager.¹³

1. The City Manager will provide notice of the emergency meeting to each member of Council, each local newspaper, radio, and television station, and any other person or entity which has on file a written request for notice of emergency meetings.
2. The notice of the emergency meeting must be given to each Councilor via personal notice, telephone, email, or other electronic means sufficient to provide actual notice.
3. Emergency meetings are those meetings called with less than 48 hours' notice and the Council must identify why the meeting could not be delayed 48 hours immediately after calling the meeting to order.

¹¹ Charter Section 13 (Meetings) ("The Council shall hold a regular meeting at least once a month in the City at a time and a place which is designated."); Tualatin Municipal Code 1-04 (setting forth specific times of meetings); see also ORS 192.610 to 192.690 (Oregon Public Meetings Law).

¹² Charter Section 13 (Meetings) ("The Mayor upon his or her own motion may, or at the request of three members of the Council shall, by giving notice thereof to all members of the Council then in the City, call a special meeting of the Council in accordance with procedures prescribed by the state law and general ordinance. Special meetings of the Council may also be held by the common consent of all the members of the Council in accordance with procedures prescribed by state law and general ordinance."); Tualatin Municipal Code 1-04 (48 hours' notice requirement for Special Meetings); see also ORS 192.610 to 192.690 (Oregon Public Meetings Law).

¹³ Charter Section 13 (Meetings); see also ORS 192.610 to 192.690 (Oregon Public Meetings Law).

4. The minutes for any emergency meeting must specifically identify why the meeting constituted an emergency and was necessary.

D. Executive Sessions. Executive sessions may be called by the Presiding Officer, by the request of three members of Council, by the City Manager, or by the City Attorney.¹⁴

1. Executive Sessions may be called for any purpose authorized by ORS 192.660, including but not limited to the following reasons:
 - a. Consider employment of a public officer, employee, or agent pursuant to regularized procedures for hiring adopted by the public body in meetings open to the public in which there has been opportunity for public comment. (ORS 192.660(2)(a)).
 - b. Consider discipline of a public officer, employee, or agent. (ORS 192.660(2)(b)).
 - c. Conduct deliberations with persons designated by the governing body to carry on labor negotiations. (ORS 192.660(2)(d)). Conduct deliberations with persons designated to negotiate real estate transactions (ORS 192.660(2)(e)).
 - d. Consider information or records exempt by law from public inspection. (ORS 192.660(2)(f)).
 - e. Consult with legal counsel concerning litigation or litigation likely to be filed. (ORS 192.660(2)(h)).
 - f. Review and evaluate the employment-related performance of the chief executive officer pursuant to standards, criteria, and policy directives adopted by the governing body. (ORS 192.660(2)(i)).
2. Only members of Council, the City Manager, and persons specifically invited by the City Manager or the Council are allowed to attend executive sessions.
3. Representatives of recognized news media may attend executive sessions, other than those sessions during which the Council conducts deliberations with persons designated to carry on labor negotiations, or where the matter involves litigation and the news media is a party to the litigation. Members of the media are not to report on the issues discussed in executive session.
4. No final decision can be made in executive session. All final decisions must be made in open session at a regular meeting.

E. Work Sessions. Work sessions are permitted to present information to the Council so that the Council is prepared for regular or special meetings.¹⁵

¹⁴ Charter Section 13 (Meetings); see also ORS 192.610 to 192.690 (Oregon Public Meetings Law).

¹⁵ Charter Section 13 (Meetings); TMC 1-4-020 (“A work session of the City Council will be held from 5:00 p.m. to 7:00 p.m., as needed, before each regular meeting.”); see also ORS 192.610 to 192.690 (Oregon Public Meetings Law).

1. Work sessions are generally scheduled, as needed, between 5:00 and 7:00 p.m., immediately preceding each regular meeting.
2. All work sessions are subject to Oregon's public meetings law and must be noticed accordingly.
3. Work sessions are intended to allow for preliminary discussions, and the Council is not permitted to take formal or final action on any matter at a work session.
4. Work sessions are to be scheduled by the City Manager.
5. The City Manager may invite any relevant staff to work sessions so that the sessions are as productive as possible.
6. At any work session or regular meeting, a member of Council may request an item be placed on a work session agenda. A majority vote of the Council members present is required to place the item on a future work session agenda.

F. Location of Meetings.¹⁶

1. Council meetings must be held at City Hall.
2. In the event City hall is not available for a meeting, the Council must meet at a venue open to the public and which is located within the jurisdictional limits of the City.
3. Training sessions may be held outside of the City's jurisdictional limits, provided no deliberations toward a decision are made.
4. Interjurisdictional meetings may be held outside of the City's jurisdictional limits, but should be held as close as practical to the City, and such meetings must be located within the jurisdictional boundaries of the other government entity.
5. No Council meeting must be held at any place where discrimination on the basis of an individuals' race, religion, color, sex, national origin, ethnicity, marital status, familial status, age, gender, sexual orientation, source of income, or disability is practiced.

G. Notice of Meetings. The City Recorder, or designee, must provide notice of all meetings in accordance with Oregon's public meeting law and City codes.¹⁷

¹⁶ This section sets forth the requirements for public meetings locations as contained in ORS 192.610 to 192.690 (Oregon Public Meetings Law).

¹⁷ Tualatin Municipal Code Chapter 1-04 (48 hours' notice for meetings); ORS 192.610 to 192.690 (Oregon Public Meetings Law).

H. Attendance at Meetings.

1. Under the charter, a Council position becomes vacant if the member of Council is absent from the City for more than 30 days without Council permission or absent from all meetings of the Council within a 60-day period.¹⁸
2. It is the responsibility of each members of Council to advise the City Manager if the member of Council will be unable to attend any regular, special, emergency, or work session meetings, or any assigned committees. The member of Council should communicate the absence to the City Manager as soon as reasonably practicable under the circumstances.
3. Attendance at meetings must be in person, by telephone, or other electronic means where the person's voice may be heard.¹⁹ The preference of the Council is for all members of Council to attend in person.
4. A member of Council should not attend by telephone, or other electronic means where the person's voice may be heard, more than two consecutive meetings. A member of Council appearing by telephone, or other electronic means where the person's voice may be heard, should remain present for the entire meeting, unless it is the result of a malfunction or technical issue out of the control of the Councilor.

¹⁸ Charter Section 32 (What Creates Vacancy) (vacancy created “upon absence from the City for 30 days without the consent of the Council or upon absence from meetings of the Council for 60 days without like consent, and upon a declaration by the Council of the vacancy.”)

¹⁹ ORS 192.610 to 192.690 (Oregon Public Meetings Law) requires the public to have the opportunity to hear the proceedings of a meeting.

RULE 3

Ordinances and Resolutions

A. Ordinances. An ordinance is a law passed by the Council in its legislative capacity.

1. Introduction.

- a. An ordinance is introduced for consideration by the Presiding Officer for presentation for first reading.
- b. After introduction, the Council may direct by majority vote of the members present any of the following:²⁰
 1. A public hearing on the ordinance be held;
 2. Refer the ordinance to committee for review and recommendation;
 3. Refer the ordinance to the City Manager for further revision;
 4. Pass the ordinance to a second reading; or
 5. Reject the ordinance in whole or in part.

2. Readings and Final Action.

- a. Every ordinance of the Council must, before final passage, be read fully and distinctly in an open Council meeting on two different days.²¹
- b. However, an ordinance may be enacted at a single meeting, if the Council approves the ordinance by the unanimous vote of all Council members present. In such cases, the ordinance must be read first in full and then by title.²²
- c. Any of the readings may be by title only, instead of a full reading, if:²³
 1. No Council member present at the meeting requests to have the ordinance read in full; or

²⁰ Charter Section 19 (Vote Required) Charter Section 35 (Mode of Enactment).

²¹ Charter Section 35 (Mode of Enactment).

²² Charter Section 35 (Mode of Enactment).

²³ Charter Section 35 (Mode of Enactment).

2. A copy of the ordinance is provided for each Council member, and a copy is available for public inspection in the office of the City Recorder, or designee, not later than five days before the first reading of the ordinance and notice of its availability is given forthwith upon the filing, by: (i) written notice posted at the City Center; or (ii) advertisement in a newspaper of general circulation in the City.
- d. An ordinance enacted after being read by title alone has no legal effect if it differs substantially from its original terms, unless, prior to being approved by the Council, each substantial difference is read fully and distinctly at the meeting as finally amended.²⁴
- e. The City Recorder, or designee, must take a “roll call” vote of each Councilor upon the final vote on an ordinance and the ayes and nays and abstentions of the members of Council must be recorded in the meeting minutes.²⁵

B. Resolutions. A resolution is an action by the Council to adopt a policy, order, rule, or expression of opinion. All resolutions considered and voted upon by the Council must adhere to the rules outlined herein.

1. Introduction.

- a. Resolutions should be introduced by the Presiding Officer.
- b. After introduction of the resolution, the Council may direct that:
 1. A public hearing be held on the resolution;
 2. Pass the resolution; or
 3. Reject the resolution in whole or in part.

2. Readings and Final Action.

- a. Resolutions do not need to be read in full or by title at a Council meeting prior to adoption.
- b. An affirmative vote of a majority of the Council members present is necessary to pass a resolution.²⁶

²⁴ Charter Section 35 (Mode of Enactment).

²⁵ Charter Section 35 (Mode of Enactment) (“Upon the final vote of an ordinance, the ayes and nays of the member shall be taken and recorded in the journal); Charter Section 15 (Journal); ORS 192.650(1)(c)(Oregon Public Meetings Law) (require the meeting minutes to include “[t]he results of all votes and, except for public bodies consisting of more than 25 members unless requested by a member of that body, the vote of each member by name”).

²⁶ Charter Section 19 (Vote Required) (“ Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

- c. Resolutions may be placed on the Consent Agenda and may be considered as a group under the Consent Agenda.
- d. Resolutions may also be placed on the agenda as a General Business item.
- e. For resolutions placed on General Business, the City Recorder, or designee, must take a “roll call” vote of each Councilor upon the final vote on the resolution and the ayes and nays and abstentions of the members must recorded in the meeting minutes.²⁷

²⁷ Charter Section 15 (Journal) (“Upon request of any of its members, the ayes and nays upon any question before it shall be taken and a record of the vote entered in the journal.”); ORS 192.650(1)(c)(Oregon Public Meetings Law) (require the meeting minutes to include “[t]he results of all votes and, except for public bodies consisting of more than 25 members unless requested by a member of that body, the vote of each member by name”).

RULE 4 Land Use Hearings

A. General Conduct of Hearings.²⁸

1. Any party may speak in person, through an attorney, or elect to have a representative from an officially recognized Citizen Involvement Organization (CIO) present the party's case.
2. A copy of any written testimony or physical evidence which a party desires to have introduced into the record at the time of hearing must be submitted to the City Recorder, or designee, at the time the party makes his or her presentation. If the testimony or evidence is not submitted to the City Recorder, or designee, it must not be included in the record for the proceeding.
3. Except as otherwise provided by these rules, no person may speak more than once without obtaining permission from the Presiding Officer.
4. Upon being recognized by the Presiding Officer, any member of Council, may question any person who testifies.
5. Testimony must be directed towards the applicable standards and criteria which apply to the proposal before the Council.
6. The Presiding Officer may exclude or limit cumulative, repetitious, or immaterial testimony. To expedite hearings, the Presiding Officer may call for those in favor and those in opposition to rise, and the City Recorder, or designee, must note the numbers of such persons for the record in the minutes.

B. Quasi-Judicial Land Use Matters.

1. **Scope of Review.** All appeals and Council-initiated review in quasi-judicial land use proceedings are new (de novo) and must be held on the record.
2. **Conflicts of Interest.**
 - a. A member of Council must not participate in a discussion or vote in a quasi-judicial land use proceeding if:
 1. The member of Council has an actual conflict of interest as defined by the Oregon Revised Statutes or the City charter; or
 2. The member was not present during the public hearing; provided, however, the member may participate if they have reviewed the evidence, including recordings of the hearing, and declared such fact for the record.

²⁸ State law governs this process. ORS Chapter 197 (Comprehensive Land Use Planning; ORS Chapter 227 (City Planning and Zoning).

3. **Ex Parte Contact.**

- a. Ex parte contacts are any contacts with any party outside of the hearing process. Specific questions about whether a contact is considered ex parte should be discussed with the City Attorney before the meeting begins.
- b. Members of the Council must reveal any ex parte contacts with regard to the proceeding at the commencement of any quasi-judicial land use proceeding. See, ORS 227.180. If such contact impairs the member's impartiality, the member must state this fact and abstain from participation on the matter.

4. **Burden of Proof.**

- a. The proponent has the burden of proof on all elements of the proposal, and the proposal must be supported by proof that it conforms to all applicable standards and criteria.
- b. The decision of the Council must be based on the applicable standards and criteria set forth in the Tualatin Development Code, the City's comprehensive plan, and, if applicable, any other land use standards imposed by state law or administrative rule.
- c. The proponent, any opponents, and/or City staff may submit to the Council a set of written findings or statements of factual information which are intended to demonstrate the proposal complies or fails to comply with any or all applicable standards and criteria.

5. **Hearing Procedures.** The order of hearings in quasi-judicial land use matters is:

- a. **Land Use Hearing Disclosure Statement.** The Presiding Officer must read the land use hearing disclosure statement, which must include:
 1. A list of the applicable criteria;
 2. A statement that testimony, arguments and evidence must be directed toward the applicable criteria or other criteria in the plan or land use regulation which the person believes to apply to the decision;
 3. A statement that failure to raise an issue accompanied by statements or evidence sufficient to afford the Council and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue; and
 4. If applicable, a statement that a failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.
- b. **Call for Ex Parte Contacts.** The Presiding Officer must inquire whether any member of Council had ex parte contacts. Any member of Council announcing an ex parte contact must state for the record the nature and content of the contact.

- c. **Call for Abstentions.** The Presiding Officer must inquire whether any member of Council must abstain from participating in the hearing due to a conflict of interest or bias. Any member of Council announcing a conflict of interest must or bias must state the nature of the conflict or bias, and must not participate in the proceeding, unless the person's vote is necessary to meet a requirement of a minimum number of votes necessary to take official action; provided, however, that the member must not participate in any discussion or debate on the issue of which the conflict arises.
 - d. **Staff Summary.** Planning staff will present a summary and recommendation concerning the proposal.
 - e. **Presentation of the Case.** The presentation of the case will be as follows:
 - 1. Proponent's case.
 - 2. Persons in favor.
 - 3. Persons opposed.
 - 4. Other interested persons.
 - 5. Rebuttal. Rebuttal may be presented by the proponent. The scope of rebuttal is limited to matters which were introduced during the hearing.
 - f. **Close of Hearing.** Unless the Council leaves the record open for a specified period of time, no further information will be received after the close of the hearing, provided however Council may ask specific questions of staff. If the response by staff to any such questions requires the introduction of additional factual evidence, all parties must be afforded an opportunity for rebuttal.
 - g. **Deliberations.** Deliberations will immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.
- 6. **Findings and Order.** The Council may approve or reject the proposal. The Council must adopt a resolution or order containing findings to support its decision. The Council may incorporate findings proposed by the proponent, the opponent, or staff in its decision.
 - 7. **Continuances.** Only one continuance is available by right. However, nothing in this section restricts the Council, in its discretion, from granting additional continuances. Any continuance must result in a corresponding extension of the 120-day time limitations imposed by the Oregon Revised Statutes.

C. Legislative Land Use Matters.

- 1. **Hearings Procedures.** The order of procedures for hearings on legislative land use matters must be:
 - a. **Call for Abstentions.** Inquire whether any member of Council wishes to abstain from participation in the hearing. Any member announcing an abstention must identify the reason therefore and must not participate in the proceedings.

- b. **Staff Summary.** Staff must present a statement of the applicable criteria, and a summary and recommendation concerning the proposal.
- c. **Presentation of the Case.** The presentation of the case will be as follows:
 - 1. Proponent's case.
 - 2. Persons in favor.
 - 3. Persons opposed.
 - 4. Other interested persons.
- d. **Close of Hearing.** Unless the Council leaves the record open for a specified period of time, no further information will be received after the close of the hearing, provided however, Council may ask questions of staff.
- e. **Deliberations.** Deliberations will immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.
- f. **Reopening Hearing.** Prior to second reading of an ordinance relating to a legislative land use matter, and upon majority vote of the Council, a hearing may be reopened to receive additional testimony, evidence or argument. The same notice requirements must be met for the reopened hearing as were required for the original hearing.

RULE 5

Motions, Debate, Public Comment, and Voting

A. Motions. The following rules apply to motions:

1. All motions must be distinctly worded.
2. The Presiding Officer must repeat the motion prior to a vote.
3. The Council will discuss a motion only after the motion has been moved and seconded. Nothing in this section prevents general discussion or expression of opinions before a motion is made.
4. If a motion does not receive a second, it dies.
5. A motion that receives a tie vote fails.²⁹
6. A motion to amend can be made to a motion that is on the floor and has been seconded.
7. Amendments are voted on first, then the main motion is voted on, as amended.
8. A member of Council may have a motion which contains several elements divided, but the mover has the right to designate which element will be voted on first.
9. A motion may be withdrawn by the mover at any time without the consent of the Council.
10. No motion will be received when a question is under debate except for the following:
 - a. To lay the matter on the table;
 - b. To call for the previous question;
 - c. To postpone;
 - d. To refer; or
 - e. To amend.
11. A call for the question is intended to close the debate on the main motion; does not require a second and is not debatable.
12. A call for the question fails without a majority vote.
13. Debate on the main subject resumes if the motion to call for the question fails.
14. A motion to adjourn cannot be amended.

²⁹ Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

B. Motion to Reconsider.

1. A motion to reconsider may only be made by a member of the prevailing side. Any member may second the motion.
2. A motion to reconsider can be made only once and must be made before the final adjournment of the meeting when the item goes out of possession of the Council.

C. Debate. The following rules govern the debate of any item being discussed by the Council:

1. Every member of Council wishing to speak on the matter must address the Presiding Officer, and, upon recognition by the Presiding Officer, confine remarks to the question under debate, at all times acting and speaking in a respectful manner.
2. Once the member of Council is recognized by the Presiding Officer, the other members of Council must not interrupt, unless it is a call to order.
3. The member of Council moving the adoption of any ordinance or resolution will have the privilege of closing the debate.

D. Public Comment.

1. The public is entitled to comment on all matters before the Council that require a vote.
2. Public comment will occur after the matter up for vote has been presented by City staff and before the Council takes any formal action on the matter.
3. Each member of the public is entitled to comment on the matter before the Council for three (3) minutes.
4. Public comment is a time for comment; it is not a time for debate. Any questions from members of the public to Council or City staff will be referred to City staff for a response to be provided a later time.
5. Prior to giving comment, each person must state the person's name and their place of residence. This information will be used to insure the minutes of the meeting properly reflect those persons who provided public comment.
6. All remarks must be addressed to the Council as a whole. Any person making personal, impertinent, or slanderous remarks, or who becomes boisterous, threatening, or personally abusive while addressing the Council, may be requested to leave the meeting. Applause, boos or other public demonstrations by those attending the Council meeting are considered inappropriate behavior.

E. Voting. The following rules apply to voting on matters before the Council, unless amended in the manner outlined in Rule 3 of these Rules.

1. **Reports.** A majority of a quorum is required to approve or accept a report. However, no vote is required if the report is only for informational purposes.³⁰

³⁰ Charter Section 19 (Vote Required) ("Except as this Charter otherwise provides, the concurrence of
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2. **Consent Agenda.** The unanimous vote of all members of Council present is required to approve the matters on a consent agenda.
3. **Ordinances.** An ordinance requires a majority of a quorum to pass.³¹
4. **Emergency Clause in Ordinances.** An emergency ordinance requires the unanimous vote of all Council members present.³²
5. **Resolutions.** A majority of a quorum is required to pass a resolution.³³
6. **Budget.** The budget requires a majority of a quorum to pass.³⁴
7. **Franchise Agreements.** A majority of a quorum is required to pass an ordinance granting a franchise.³⁵
8. **Suspension of Rules.** A majority vote of all members of Council present is required to suspend or rescind a rule contained in these rules of procedure, however, rules which also appear in the Charter may not be suspended or rescinded.³⁶

a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

³¹ Charter Section 35 (Mode of Enactment); Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

³² Charter Section 35 (Mode of Enactment) (“an ordinance may be enacted at a single meeting of the Council by unanimous vote of all Council member present...”); Charter Section 36 (When Ordinances Shall Take Effect) (“An ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. When the Council deems it advisable, however, an ordinance may provide a later time for it to take effect, and in case of an emergency, it may take effect immediately.”)

³³ Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

³⁴ Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

³⁵ Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

³⁶ Charter Section 6 (Where Powers Vested) (“Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.”); Charter Section 13 (Meetings) (“[the Council] shall adopt rules for the government of its members and proceedings.”); Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

9. **Votes.** All votes must be recorded in the minutes.³⁷

10. **Tie Votes.** Tie votes indicate a denial of the motion or proposal.³⁸

F. Effective Date.

1. Ordinances take effect 30 days from the date of passage, unless a later date is indicated in the ordinance, in which case it takes effect on that date. However, the following ordinances take effect immediately upon passage:³⁹
 - a. Ordinances making appropriations and the annual tax levy;
 - b. Ordinances relative to local improvements and assessments; and
 - c. Emergency ordinances.
2. A resolution becomes effective upon adoption unless otherwise stated in the resolution.
3. The filing of a referendum petition suspends the effective date of an ordinance.

³⁷ Charter Section 15 (Journal); Charter Section 35 (Mode of Enactment) (“Upon the final vote of an ordinance, the ayes and nays of the member shall be taken and recorded in the journal); ORS 192.650(1)(c)(Oregon Public Meetings Law) (require the meeting minutes to include “[t]he results of all votes and, except for public bodies consisting of more than 25 members unless requested by a member of that body, the vote of each member by name”).

³⁸ Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

³⁹ Charter Section 36 (When Ordinances Shall Take Effect) (“An ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. When the Council deems it advisable, however, an ordinance may provide a later time for it to take effect, and in case of an emergency, it may take effect immediately.”)

RULE 6

Minutes

A. Generally.⁴⁰

1. All minutes must be in written form, with an electronic copy of the meeting maintained by the City Recorder, or designee, in accordance with the appropriate record retention schedule.
2. The minutes must contain the following information:
 - a. The date, time and place of the meeting;
 - b. The members of the Council present;
 - c. The motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition;
 - d. The results of all votes and the vote of each member by name;
 - e. The substance of any discussion on any matter; and
 - f. A reference to any document discussed at the meeting.

B. Approval. The Council must approve all minutes of any meeting.

1. All minutes must be approved within ninety days of the meeting having occurred.
2. The draft minutes must be submitted to the Council as part of the Council's packet prior to the meeting where they will be discussed.
3. Any member of Council may request an amendment or correction of the minutes prior to a final vote being taken on the minutes.

⁴⁰ Charter Section 15 (Journal) ("The Council shall cause a journal of its proceedings to be kept. Upon request of any of its members, the ayes and nays upon any question before it shall be taken and a record of the vote entered in the journal."); Charter Section 13 (Meetings); Charter Section 22 (Recorder); see also, ORS 192.610 to 192.690 (Oregon Public Meetings Law).

RULE 7 Appointments

A. Appointments of City Staff. The Council appoints and can remove those positions identified in the City’s charter. All appointments require a majority vote of the members of Council present at a meeting.^{41 42}

B. City Manager/Recorder. The City Manager (who also serves the role of Recorder under the Charter) is appointed by the Council.⁴³

1. **Reviews.** The City Manager is subject to a review by the Council to be generally conducted during the first quarter of the year, in even numbered years.
2. **Removals.** The City Manager may be removed by a majority vote of the entire Council.⁴⁴

C. Municipal Judge.

1. **Appointment and Removal.** The Mayor, with the consent of the Council, appoints and may remove the Municipal Judge, including pro tem judges.⁴⁵

⁴¹ Charter Section 20a (City Manager); Charter Section 21 (Municipal Judge); Charter Section 22 (Recorder); Charter Section 10 (Other Officers) (“Additional officers of the City shall be a Municipal Judge, a Recorder, and such other officer as the Council deems necessary. Each of these officers shall be appointed and may be removed by the Mayor with the consent of the Council. The Council may combine any two or more appointive City offices. The Council may designate any appointive officer to supervise any other appointive officer, except the Municipal Judge in the exercise of judicial functions.”)

⁴² The City Manager has the power to appoint and remove all other City officers under Charter Section 20a (City Manager) (City Manager’s power to “appoint and may remove appointive City officers and employees except as this Charter otherwise provides, and shall have general supervision and control over them....”)

⁴³ Charter Section 20a (City Manager) (“The Manager shall be chosen by the Council....”); Charter Section 22 (Recorder); Charter Section 10 (Other Officers) (“Additional officers of the City shall be a Municipal Judge, a Recorder, and such other officer as the Council deems necessary. Each of these officers shall be appointed and may be removed by the Mayor with the consent of the Council. The Council may combine any two or more appointive City offices. The Council may designate any appointive officer to supervise any other appointive officer, except the Municipal Judge in the exercise of judicial functions.”)

⁴⁴ Charter Section 20a (City Manager) (“The Manager shall be appointed for an indefinite term and may be removed at the pleasure of the Council.”); Charter Section 22 (Recorder); Charter Section 10 (Other Officers) (“Additional officers of the City shall be a Municipal Judge, a Recorder, and such other officer as the Council deems necessary. Each of these officers shall be appointed and may be removed by the Mayor with the consent of the Council. The Council may combine any two or more appointive City offices. The Council may designate any appointive officer to supervise any other appointive officer, except the Municipal Judge in the exercise of judicial functions.”)

⁴⁵ Charter Section 21 (Municipal Judge) (“The Council may, in addition to appointing the Municipal Judge, appoint such pro tem judges as it considers necessary, to hold office at the pleasure of the

2. **Interference.** If the Council appoints a municipal judge, the Council may meet with the judge, but in no instance may the Council interfere with the judge’s exercise of judicial authority or discretion.⁴⁶

D. Council Subcommittees. Council subcommittees may be created, and dissolved, by a majority vote of the members of Council present at a meeting.⁴⁷

1. Under Section 20 of the Charter, the Mayor appoints Councilors to all Council subcommittees.⁴⁸
2. Council subcommittees may be standing committees or other committees created under the rules of the Council.
3. The following are current Council subcommittees that have been previously created or are created by these rules. These may be dissolved by majority vote of the members of Council present at a meeting:
 - a. *Council Committee on Advisory Appointments.* The purpose of the CCAA is to screen and recommend citizens to be appointed City Boards, Commissions, and Committees.

E. Appointments of Citizen Members to Boards, Commissions and/or Committees.

1. **Council Committee on Advisory Appointments.** The Council Committee on Advisory Appointments (CCAA) is a standing subcommittee of the Council. The purpose of the CCAA is to screen and recommend citizens to be appointed City Boards, Commissions, and Committees through the following general process:
 - a. The CCAA will conduct interviews of all candidates for appointment, including candidates wishing to renew their appointments.
 - b. After reviewing the candidates, the CCAA will vote on all recommendations and forward those recommendations to the full Council for consideration.

Council.”); Charter Section 10 (Other Officers) (“Additional officers of the City shall be a Municipal Judge, a Recorder, and such other officer as the Council deems necessary. Each of these officers shall be appointed and may be removed by the Mayor with the consent of the Council. The Council may combine any two or more appointive City offices. The Council may designate any appointive officer to supervise any other appointive officer, except the Municipal Judge in the exercise of judicial functions.”).

⁴⁶ Charter Section 21(Municipal Judge); Charter Section 10 (Other Officers).

⁴⁷ Charter Section 6 (Where Powers Vested) (“Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.”); Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”).

⁴⁸ Charter Section 20 (Mayor) (“The Mayor shall appoint the committees provided by the rules of the Council and sign all approved records of proceedings of the Council.”)

- c. Upon receiving the recommendation from the CCAA, the Council will place the names for consideration on the regular meeting agenda as a General Business item.
- d. The Council may consider the candidates submitted as a group or may consider each candidate individually.
- e. The Council may accept, reject, or appoint any candidate, including those not considered by the CCAA.
- f. All appointments must be by majority vote of the members of Council present.

RULE 8

Ethics, Decorum, Outside Statements, and Social Media

A. Ethics. ⁴⁹

1. All members of Council must review and observe the requirements of state ethics laws.
2. In addition to complying with state ethics law, all members of Council must refrain from:
 - a. Disclosing confidential information.
 - b. Taking action which benefits special interest groups or persons at the expense of the City as a whole.
 - c. Expressing an opinion contrary to the official position of the Council without so saying.
 - d. Conducting themselves in a manner so as to bring discredit upon the government of the City.
 - e. Not profiting from their position on Council in violation of state law.
3. All ethics complaints received about a Councilor will be forwarded to the Oregon Government Ethics Commission (OGEC).

B. Decorum.

1. The Presiding Officer will preserve decorum during meetings and decide all points of order, subject to appeal of the Council.
2. Members of the Council will preserve decorum during meetings, and must not, by conversation or action, delay or interrupt the proceedings or refuse to obey the orders of the Presiding Officer or these rules.
3. City staff and all other persons attending meetings must observe the Council's rules of proceedings and adhere to the same standards of decorum as members of Council.
4. All audience members must abide by the rules of decorum contained in these Rules. No audience member may disrupt the conduct of the meeting, clap, cheer, hoot, holler, gesture, whistle, guffaw, jeer, boo, hiss, make remarks out of turn, use profanity, or the like. Any audience member who does so will be deemed out of order and the Presiding Officer may have the person removed from the Council chambers immediately, and the person will not be permitted to attend the remainder of that Council meeting.

⁴⁹ ORS Chapter 244 (Government Ethics).

C. Statements to the Media and Other Organizations

1. **Representing City.** If a member of Council, to include the Mayor, appears as a representative of the City before another governmental agency, the media or an organization to give a statement on an issue, the member of Council may only state the official position of the City, as approved by a majority of the Council.
2. **Personal Opinions.** If a member of Council, to include the Mayor, appears in their personal capacity before another governmental agency, the media or an organization to give a statement on an issue, the member of Council must state they are expressing their own opinion and not that of the City or of any other Councilor, unless they receive the express permission of that Councilor, before giving their statement.

D. Use of Social Media.

1. Members of Council are encouraged to exercise caution when commenting on municipal affairs on social media platforms. While using social media, members of Council are subject to applicable Oregon Laws as they pertain to public meetings and public records retention schedules.
2. Under ORS 192.610, a public meeting occurs when a quorum is required in order to make a decision or to deliberate toward a decision on a matter. Under Oregon Law, certain telephone and electronic communications may be considered a public meeting. Certain uses of social media may constitute a public meeting, and accordingly, Councilors should use appropriate caution to avoid public meeting violations.⁵⁰
3. A public record created through a member of Council's social media footprint must be retained by the elected official in accordance with any state laws and local retention schedules. A "public record" encompasses any information that is prepared, owned, used or retained by the city; relates to an activity, transaction or function of the city; and is necessary to satisfy the fiscal, legal, administrative or historical policies, requirements or needs of the city. Councilors should forward social media posts to the City Manager or seek other assistance from the City for retention if the member of Council does not wish to be individually responsible for retaining the public record.⁵¹
4. The digital decorum of elected and appointed officials will be governed by Council Rules. Consistent with these Rules, members of Council must conduct themselves so as to bring credit upon the City government. Councilors must abide by Rule 8 (C)(Statements to the Media and Other Organizations) above in all social medial activities.
5. City Council members will refrain from posting comments that:
 - a. Express a Council or Committee position prior to a Council or Committee determination of a position or on a matter that would otherwise require Council or Committee authorization prior to the conveyance of a position; or
 - b. Express an opinion in a manner contrary to Rule 8 (C) (Statements to the Media and Other Organizations) above.

⁵⁰ ORS 192.610 to 192.690 (Oregon Public Meetings Law).

⁵¹ ORS 192.410 to 192.505 (Oregon Public Records Law).

RULE 9

Interactions with City Staff

A. City Staff. All members of Council must respect the separation between the Council's role and the City's Manager's responsibility by:

1. Not interfering with the day-to-day administration of City business, which is the responsibility of the City Manager.⁵²
2. Refraining from actions that would undermine the authority of the City Manager or a Department Head.
3. Limiting individual inquiries and requests for information from staff to those questions that may be answered readily as part of staff's day-to-day responsibilities. Questions of a more complex nature must be directed to the City Manager. Questions sent to staff must be copied to the City Manager. Councilors may not directly interfere with staff or the City Manager's management of staff.
4. Members of the Council must normally share any information obtained from staff with the entire Council when it involves an action item on a Council agenda. This section is not intended to apply to questions by members of Council acting in their individual capacities rather than as members of Council, nor to questions regarding conflict of interest or similar issues particular to a member of Council.

B. City Attorney. Members of the Council may contact the City Attorney directly without contacting the City Manager in the following circumstances:

1. When the issue involves allegations of misconduct by the City Manager; or
2. To discuss parliamentary procedures of these Rules.

⁵² Charter Section 20a (City Manager) (“(c) Powers and Duties. The Manager shall: (1) Devote his or her entire time to the discharge of official duties, attend all meetings of the Council unless excused therefrom by the Council or the Mayor, keep Council advised at all times of the affairs and needs of the City, and make reports annually, or more frequently if requested by the Council, of all the affairs and departments of the City. (2) See that all ordinances are enforced and that the provisions of all franchises, leases, contracts, permits, and privileges granted by the City are observed. (3) Appoint and may remove appointive City officers and employees except as this Charter otherwise provides, and shall have general supervision and control over them and their work with power to transfer an employee from one department to another. The Manager shall supervise the departments to the end of obtaining the utmost efficiency in each of them but shall have no control over the judicial activities of the Municipal Judge. (4) Be responsible for preparing and submitting to the Budget Committee the annual budget estimates and such reports as the body requests. (5) Supervise the operation of all public utilities owned and operated by the City and shall have general supervision over all City property.”).

RULE 10

Enforcement and Consequences

A. Enforcement. The Council may ensure compliance with City ordinances, charter, and state laws applicable to governing bodies.⁵³ If a member of Council violates these rules, City ordinances, the City charter, or state laws applicable to governing bodies, the Council may take action to protect the integrity of the Council and discipline the member with a public reprimand or removal as provided for in the City charter.⁵⁴ A majority of the entire Council is required to issue a reprimand.

B. Investigations and Hearings.

1. A majority of the Council may investigate the actions of any member of Council and meet in executive session under ORS 192.660(2)(b) to discuss any finding that reasonable grounds exist that a violation of these rules, local ordinance, the City charter, or state laws applicable to governing bodies has occurred.⁵⁵
2. Before the Council may publicly reprimand or remove a member of Council, the Council must provide the member of Council notice of the alleged violations and an opportunity to be heard on, and rebut, the allegations. Sufficient notice must be given to the affected member of Council to afford them the opportunity to request an open hearing under ORS 192.660(2)(b).⁵⁶
3. No final action or decision can be made in executive session, as provided by ORS 192.660(6).⁵⁷

⁵³ Charter Section 6 (Where Powers Vested) (“Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.”); Charter Section 19 (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”).

⁵⁴ Other than for the reasons stated in Charter Section 32 (What Creates Vacancy), an elected official cannot be removed from office absent a recall vote by the electorate in accordance with the Oregon Constitution Article II, section 18, and ORS 249.865.

⁵⁵ Charter Section 6 (Where Powers Vested) (“Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.”); Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”).

⁵⁶ ORS 192.610 to 192.690 (Oregon Public Meetings Law) (process for executive session).

⁵⁷ ORS 192.610 to 192.690 (Oregon Public Meetings Law) (process for executive session).

RULE 11

Amendment and Repeal of Council Rules

A. Amendment. These Rules are subject to amendment by the Council.⁵⁸

1. Any proposed amendment to these rules must be listed on an agenda for a regular meeting and the agenda posted prior to the meeting, wherein the same will be discussed, and open for comment by the public, except in cases of an emergency.
2. All amendments to these rules require approval by a majority of a quorum of Council.
3. Amended rules do not go into effect until the meeting after the rule was approved.

B. Repeal. These Rules are subject to repeal and replacement by the Council. ⁵⁹

1. Any proposed repeal of these rules must be accompanied by a proposed replacement rule.
2. Any proposed repeal and replacement of these rules must be noted on an agenda for a regular meeting and the agenda posted prior to the meeting, wherein the same will be discussed, and open for comment by the public.
3. Any repeal and replacement of these rules requires approval by a majority of a quorum of Council.
4. Any repeal and replacement of these rules does not go into effect until 30 days after the replacement rule was approved.

⁵⁸ Charter Section 6 (Where Powers Vested) (“Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.”); Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”); Charter Section 13 (Meetings) (“[the Council] shall adopt rules for the government of its members and proceedings.”).

⁵⁹ Charter Section 6 (Where Powers Vested) (“Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.”); Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”); Charter Section 13 (Meetings) (“[the Council] shall adopt rules for the government of its members and proceedings.”).

RULE 12

Finances and Travel Policy

A. Financial Statements. Pursuant to ORS 244.050, members of Councilor are required to file annual Statements of Economic Interest (SEI) by April 15 of each year. For more information, see the Oregon Government Ethics Commission (OGEC) website on how to file.⁶⁰

B. Health Insurance. Pursuant to Resolution No. 3837-01, members of Council are entitled to receive the following health insurance benefits:

1. The Mayor may receive City health insurance benefits at the family level.
2. Councilors may each receive City health insurance benefits at the single employee level, not to exceed the level offered to City department managers. In lieu of health insurance benefits, Councilors may receive a stipend in an amount determined by the City's health insurance provider (currently CIS), consistent with all plans and requirements of the health insurance provider. Councilors may obtain family level coverage by paying the difference in the cost of the family policy and the single employee policy.
3. The health insurance benefits provided are subject to the rules for enrollment and contractual conditions of the health insurance provider.

C. Technology Stipend. Pursuant to Resolution No. 5128-13, each member of Council is entitled to a technology stipend of \$750.00 to be received at the beginning of their terms of office.

D. Water Bill. Pursuant to Resolution No. 3216-96, each member of Council receives a \$20.00 monthly credit on their water bill.

E. Travel Policy.

1. **Adoption of Reimbursement Rates.** Members of Council may be reimbursed, or may seek an advancement of funds, for normal expenses incurred while carrying out their official duties at the usual and customary rates. Councilors are required to submit receipts and appropriate documentation to the City Manager. Councilors should use prudence in the expenditure of City funds.
2. **Registration Fees for Conferences and Trainings.** Members of Council are encouraged to take advantage of early registration to obtain discounted rates.
3. **Transportation.**
 - a. **Airfare.** The City will pay for roundtrip, coach airfare. Members of Council are expected to look for the least expensive fare available within the appropriate arrival/ departure times. If the member of Council makes first-class or business- class travel reservations, the member of Council must pay the difference between those rates and the coach rate.
 - b. **Vehicle Rental.** Vehicle rental is a reimbursable expense at the midsize rate.

⁶⁰ ORS Chapter 244 (Government Ethics).

- c. **Ground Transportation.** Ground transportation (e.g., taxis, buses, mass transit, and shuttles) is a reimbursable expense.
- d. **Individual Vehicles.** Members of Council will be reimbursed for City-related travel in their individual vehicles for the actual miles traveled at the GSA rate.

4. **Parking.**

- a. Parking fees are reimbursable for business purposes or attending training.
- b. Long-term economy parking at airports is expected to be used for airport travel of more than one day in duration.

5. **Lodging.**

- a. Reimbursement for lodging is authorized when the member of Council's travel requires an overnight accommodation.
- b. Reimbursement will be at the reasonable and customary cost of a single standard room, or at the conference/training rate.
- c. The final itemized lodging bill is required when submitting for reimbursement of the expenditure.
- d. Any additional room charges room service, movies, personal phone calls, laundry service, etc. are the responsibility of the member of Council. If cell phone coverage is unavailable, business calls and reasonable personal calls will be reimbursed. In-room internet is reimbursable.

6. **Meals.**

- a. The City will pay reasonable and customary meal expenses.
- b. Members of Council have the choice of an advance or a reimbursement for the total authorized per diem amount.
- c. When meals are provided as part of the conference or training, reimbursement will generally not be given for that meal without proper cause. Conference "continental" is not considered a meal.
- d. A member of Council may meet with and purchase a meal for others, including persons of other government jurisdictions and professional institutions from which an exchange of information is obtained that may aid the City in improving its efficiency, service, or governance.

7. **Travel Advances and Reimbursements.**

- a. Members of Council may choose to be reimbursed for expenses or receive an advance.

- b. For travel and training cash/check advances, members of Council should submit a check request to the City Manager one week in advance of the expected travel or training date, when possible.
- c. If a member of Council chooses to be reimbursed instead of an advance, the member of Council must submit the following:
 - 1. A receipt is provided; or
 - 2. The expense report states the amount spent, who was present, and the specific topic or project of discussion.
- d. Personal items and expenses of family members traveling with the member of Council are not authorized expenses.

F. Council Report for Certain Expenses. Any member of Council requesting reimbursement or advancement for a conference or event is required to give an oral or written report about the conference or event to the Council.



CITY OF TUALATIN COUNCIL RULES

Adopted

February 12, 2018

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RULE 1 General Governance

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A. Rules of Procedure.

1. Chapter IV of the Charter authorizes the Council to adopt rules of procedure for Council meetings.¹ Unless otherwise provided by the Charter, an ordinance, or these rules, the procedure for all Council meetings, and any subcommittee of the Council, will be guided by Robert's Rules of Order, 11th Edition.
2. To maintain orderly procedures, members of Council should be recognized by the chair before commenting and should maintain decorum with courteous interactions during debate. Members of Council are encouraged to avoid invoking the finer points of parliamentary procedure found in Robert's Rules of Order when such points could obscure the issues before Council and confuse the public.
3. Whenever these rules and Robert's Rules of Order conflict, these rules govern.

B. Council.

The members of Council are the Mayor and the Councilors.² There are six Councilor positions:³

1. Council Position 1 – the term ends December 31, 2018 and every four years thereafter.
2. Council Position 2 – the term ends December 31, 2020 and every four years thereafter.
3. Council Position 3 – the term ends December 31, 2018 and every four years thereafter.
4. Council Position 4 – the term ends December 31, 2020 and every four years thereafter.
5. Council Position 5 – the term ends December 31, 2018 and every four years thereafter.
6. Council Position 6 – the term ends December 31, 2020 and every four years thereafter.

C. Quorum.

1. A quorum is required to conduct official City business. A quorum consists of three (3) Councilors plus the Mayor or Mayor pro tem.⁴

¹ Charter Section 13 (Meetings) (“[the Council] shall adopt rules for the government of its members and proceedings”).

² Charter Sections 7 (Council); 8 (Councilors); 8a (Assignment of Council Positions); 9 (Mayor) (describing Council, Mayor, and powers).

³ Charter Section 8a (Assignment of Council positions).

⁴ Charter Section 14, (“Three Councilors and the Mayor or Mayor pro tem shall constitute a quorum for its business, but a small number may meet and compel the attendance of absent members in a manner provided by ordinance.”).

2. In the event a quorum is not present, the members of Council present may choose to hear comments from the public and receive reports, provided however no votes or official Council actions will be taken.

D. Presiding Officer.

1. The Mayor is the Presiding Officer and presides over all meetings.⁵
2. In the Mayor's absence the President of the Council, as Mayor Pro-Tem, serves as the Presiding Officer and presides over the meeting.⁶
3. If both the Mayor and the President of the Council are absent from the meeting, the following procedure ~~must~~may be utilized to determine the Presiding Officer for the meeting:
 - a. ~~The City Recorder, or designee, must~~Any member of Council present at a meeting may call the Council to order ~~and call the roll of the members of Council.~~
 - b. Those members of Council present must elect a temporary Presiding Officer, as Mayor Pro Tem, for the meeting. A Councilor must receive the majority vote of the incumbent members on the Council to become the Presiding Officer for the meeting.
4. Should either the Mayor or the President of the Council arrive at the meeting after it begins, the temporary Presiding Officer must relinquish control of the meeting immediately upon the conclusion of the item presently being discussed.

E. Other Officers.

1. **City Recorder, ~~or designee.~~** The City Recorder, or designee, must keep the official minutes of the Council in compliance with Oregon Public Meetings laws.
2. **City Manager.** The City Manager, or designee, is required to attend all meetings of the Council and ~~is permitted to~~ assist in answering questions. The City Manager may participate in any discussion, ~~however,~~ when recognized by the presiding officer. However,

⁵ Charter Section 17 (Mayor's Functions at Council Meetings) ("The Mayor shall be chair of the Council and preside over its deliberations.").

⁶ Charter Section 18 (President of the Council) ("In the Mayor's absence from a Council meeting, the president shall preside over it as Mayor pro tem.").

⁷ Charter Section 33 (Filling of Vacancies) (authorizes the Council to fill temporary vacancies by majority vote of the "incumbent members.") The term "incumbent members" in the Charter means the entire Council minus any permanently vacant seats (e.g., resignation, death, permanent incapacity). For instance, if the Mayor and Council President are absent, but 5 Councilors are present at the meeting, a Councilor must receive at least 4 votes to become the Presiding Officer because there are 7 "incumbent members" of the Council. However, if two seats on Council are permanently vacant seats, then in the same scenario above, the Councilor must receive 3 votes to be the Presiding Officer because there are 5 "incumbent members." The term "incumbent members" does not mean a majority of those Councilors actually attending the meeting.

the City Manager has no authority to ~~cast a vote in~~ on any decision rendered by the Council.⁸

3. **City Attorney.** The City Attorney serves as the parliamentarian of the Council and will advise the Council on any questions of order. The City Attorney may attend any meeting of the Council, and will, upon request, give an opinion, either written or oral, on legal questions.

F. Agendas.⁹

1. The City Manager must prepare an agenda for every meeting, including regular, special, and executive session meetings.
2. Agendas and informational material for meetings will generally be distributed to the Council at least seven (7) days preceding the meeting. However, in certain circumstances less time may be provided.
3. The agenda for a meeting does not require Council approval.
4. The City Manager may place routine items and items referred by staff on the agenda without Council approval or action.
5. The City Manager may remove any items on the consent agenda, any item of old business, any resolution, or any ordinance placed for first reading from the agenda at any time prior to the time the meeting is convened. The Presiding Officer must announce such removal under announcements.
6. A member of Council who wishes to have an item placed on the agenda must bring the matter before the Council for consideration of adding the matter to the agenda and to determine the meeting date on which the agenda item is to be placed, if at all. Adding a matter to the agenda requires a majority vote of the member of Council present at the meeting.
7. As a guiding matter, the Council will not add an item to the agenda on the same night as the item was first submitted by a member of Council for consideration by the full Council. The exception to this general rule is for emergency purposes and only with the unanimous consent of all members of Council present.

G. Order of Business.

1. The Mayor, or Mayor pro tem, as the presiding officer has the authority to determine the order of business at any meeting of the Council.

⁸ Charter Sections 20a (City Manager) (“attend all meetings of the Council, unless excused therefrom”); Section 22 (Recorder). The person appointed as City Manager is also the same person appointed as the Recorder.

⁹ An agenda is required by ORS 192.640 (Oregon Public Meetings Law) (public notice of a meeting must include “[a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of a governing body to consider additional subjects.]”)

4-2. The order of business for all regular meetings will generally be as follows, ~~however when it appears to be in the best interest of the public, the order of business may be changed for any single meeting by a majority vote.~~¹⁰

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- a. **Call to Order.** The Presiding Officer announces the opening of the meeting and designates the person to lead the pledge of allegiance;
- b. **Announcements.** Brief announcements relating to the community, including upcoming events and proclamations;
- c. **Citizen Comments.** Public comments received concerning matters not on the agenda for the meeting;
- d. **Consent Agenda.** Routine items to be adopted by one motion of the Council;
- e. **Special Reports.** Reports of City Boards and Commissions, proclamations, special presentations, or reports.
- f. **Public Hearings (Legislative and Other).** Public hearings on legislative land use matters;
- g. **Public Hearings (Quasi-Judicial).** Public hearings on quasi-judicial land use matters.
- h. **General Business.** Consideration of ordinances, resolutions, contracts, policy statements, and other items. General Business items may also include public hearings on those matters.
- i. **Items Removed from Consent Agenda.** Any item removed from the Consent Agenda will be discussed and voted on at this time;
- j. **Communications from Councilors.** Announcements and information provided by members of Council; and
- k. **Adjournment.** The conclusion of the meeting. Adjournment of the meeting is by majority vote of the members of Council present at the meeting.

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H. Reports of Boards, Commissions, Committees, Elected Officials and City Employees.

1. When necessary, reports can be given to the Council by boards, commissions committees, elected officials and/or City employees.
2. When appropriate, reports to the Council should include written materials which are provided to the Council at least seven (7) days in advance of the meeting.
3. Oral reports to the Council should generally not exceed five (5) minutes in length.

¹⁰ Charter Section 17 (Mayor's Functions at Council Meetings) (the Mayor is to "determine the order of business under the rules of the Council.")

4. The Council may ask questions of the presenter upon conclusion of the report being given.

I. Public Comment.

1. One (1) period for public comment will be reserved for every regular meeting of the Council.
2. Persons wishing to speak during public comment ~~must~~should sign the "Speaker Request Form" and provide the person's name and place of residence, as well as the topic upon which the person wishes to speak. The Council may request that groups with like comments choose a spokesperson to present joint remarks.
3. If a member of the public wishes to speak on an item that is scheduled for a public hearing at that same meeting, the speaker must wait until that public hearing portion of the meeting. Public comment must not be used to testify about a quasi-judicial land use matter, to testify on an item that is not a public matter, to testify on a matter which has been or is scheduled to be heard by a hearings official, or to provide or gather additional testimony or information on any matter after the official record has been closed on any matter which has been the subject of a public hearing.
4. Speakers are limited to three (3) minutes. At the discretion of the Presiding Officer, spokespersons for a group of people may be given additional time beyond three (3) minutes to speak on the matter.
5. ~~Generally, speakers will be called upon in the order in which they have signed the "Speaker Request Form."~~ Before providing any public comment, speakers must announce the person's name and place of residence to the Council. ~~The Presiding Officer may allow additional persons to speak even if the speaker has not signed the "Speaker Request Form."~~
6. Members of Council may, after obtaining the floor, ask questions of speakers during public comment. In general, members of Council ~~will~~should not respond to comments made during the public comment agenda time, except to ask clarifying questions. Any public requests for Council action will be referred to staff for review before placing it on a future agenda. Any member of Council may intervene if the Mayor or a Councilor is violating the spirit of this guideline.
7. Speakers may play electronic audio or visual material during the time permitted for comment and may use available City-provided audio or visual equipment located in the Council chambers.

J. Consent Agenda.

1. In order to expedite the Council's business, the approval of minutes and other routine agenda items will be placed on the consent agenda.
2. All items on the consent agenda must be approved by a single motion, unless an item is removed for separate consideration.
3. Any item on the consent agenda may be removed for separate consideration by any member of Council by stating which item is to be removed ~~and the reason for removal.~~

~~4. For the purposes of this rule, separate consideration means any proposal to adopt a different course of action than that recommended in the staff report, a determination that debate on a proposed course of action is deemed desirable, any questions to staff on an item, and any item where a member of Council must declare a conflict of interest.~~

4. Appointments to committees must not be placed on the consent agenda.

K. Ordinances and Resolutions – See RULE 3

L. Public Hearings Generally.

1. ~~A public hearing may be held on any matter upon majority vote of the Council.~~ Public hearings may be held to consider legislative, quasi-judicial, or administrative matters.
2. Persons wishing to speak mustshould sign the “Speaker Request Form” with the person’s name and place of residence prior to the commencement of the public hearing at which the person wishes to speak.
3. The Presiding Officer will announce at the commencement of any public hearing the subject of the hearing as it is set forth on the agenda. The Presiding Officer will then declare the hearing open.
4. Prior to giving testimony, each person must state the person’s name and their place of residence. All remarks must be addressed to the Council as a body and not to any member thereof.
5. Speakers at hearings on legislative or administrative matters, other than legislative land use matters, will be limited to three (3) minutes.
6. Members of Council may, after recognition by the Presiding Officer, ask clarifying or follow up questions of individuals providing testimony after that individual has completed testifying. Questions posed by members of Council should be to provide clarification or additional information on testimony provided. Questions should not be used as an attempt to lengthen or expand the testimony of the individual. Members of Council mustshould use restraint and be considerate of the meeting time of the Council when exercising this option. Any member of Council may intervene if another member of Council is violating the spirit of this guideline.
7. Members of Council may, after the presentation of testimony of all interested persons, ask clarifying or follow-up questions of staff. Questions posed by a member of Council should be to provide clarification or additional information on testimony provided.
8. The Presiding Officer may exclude or limit cumulative, repetitious, or immaterial matters. The Presiding Officer may order the testimony, ~~alternating those speaking in favor and those in opposition, or have by having~~ all speaking in favor testify, followed by all those in opposition. The Presiding Officer, with the approval of the Council, may further limit the time and/or number of speakers at any public hearing; provided that the Presiding Officer mustshould announce any such restrictions prior to the commencement of the testimony.
9. At the end of public testimony and questions of staff, the Council must do one of the following:

- a. Initiate deliberations by introducing a motion on the matter;
 - b. Continue the hearing; or
 - c. Keep the record open for additional written testimony.
10. During deliberations, each member of Council must have the opportunity to comment on or discuss testimony given during the public hearing.
11. A copy of any written testimony or physical evidence, which a party desires to have introduced into the record of the hearing, must be submitted to the City Recorder, or designee, prior to the conclusion of the hearing, unless the record is held open.
12. Documents submitted to the City as evidence or written testimony during a public hearing are public records. If such a document contains the name, address, including email address, and telephone number of the person, then it will be included in the record of the proceeding. Because the name, address, including email address, and telephone number are part of a public record, this information will be generally disseminated to the public, and must be disclosed, unless exempt under Oregon law, if a public records request is submitted for the documents. A person who believes such disclosure would present a danger to his or her personal safety, and who wishes to exempt his or her address, including email address, and telephone number from disclosure must submit a written request for non-disclosure to the City Recorder, or designee, pursuant to ORS 192.455(1).

M. Conduct of Hearings on Land Use Matters – See RULE 4

RULE 2
Meeting Time, Location, and Frequency

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A. Regular ~~meetings~~Meetings. The Council will generally hold regular meetings at 7:00 p.m. on the second and fourth Monday of each and every month, excluding the fourth Monday in December. If a second or fourth Monday falls on a City-recognized holiday, the meeting will be held on the following business day.¹¹

B. Special ~~meetings~~Meetings. Special meetings may be called by the Mayor, three members of Council, or by the City Manager.¹²

1. The City Manager will provide notice of the special meeting to each member of Council, each local newspaper, radio, and television station, and any other person or entity which has on file a written request for notice of special meetings.
2. The notice of the special meeting must be given to each Councilor via personal notice, telephone, email, or other electronic means sufficient to provide actual notice.
3. Special meetings must be noticed in accordance with Oregon's public meetings law, and, at a minimum, must be noticed at least 48 hours prior to the meeting taking place.

C. Emergency ~~meetings~~Meetings. Emergency meetings may be called by the Mayor, three members of Council, or by the City Manager.¹³

1. The City Manager will provide notice of the emergency meeting to each member of Council, each local newspaper, radio, and television station, and any other person or entity which has on file a written request for notice of emergency meetings.
2. The notice of the emergency meeting must be given to each Councilor via personal notice, telephone, email, or other electronic means sufficient to provide actual notice.
3. Emergency meetings are those meetings called with less than 48 hours' notice and the Council must identify why the meeting could not be delayed 48 hours immediately after calling the meeting to order.

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¹¹ Charter Section 13 (Meetings) ("The Council shall hold a regular meeting at least once a month in the City at a time and a place which is designated."); Tualatin Municipal Code 1-04 (setting forth specific times of meetings); see also ORS 192.610 to 192.690 (Oregon Public Meetings Law).

¹² Charter Section 13 (Meetings) ("The Mayor upon his or her own motion may, or at the request of three members of the Council shall, by giving notice thereof to all members of the Council then in the City, call a special meeting of the Council in accordance with procedures prescribed by the state law and general ordinance. Special meetings of the Council may also be held by the common consent of all the members of the Council in accordance with procedures prescribed by state law and general ordinance."); Tualatin Municipal Code 1-04 (48 hours' notice requirement for Special Meetings); see also ORS 192.610 to 192.690 (Oregon Public Meetings Law).

¹³ Charter Section 13 (Meetings); see also ORS 192.610 to 192.690 (Oregon Public Meetings Law).

4. The minutes for any emergency meeting must specifically identify why the meeting constituted an emergency and was necessary.

D. Executive Sessions. Executive sessions may be called by the Presiding Officer, by the request of three members of Council, by the City Manager, or by the City Attorney.¹⁴

1. Executive Sessions may be called for any purpose authorized by ORS 192.660, including but not limited to the following reasons:
 - a. Consider employment of a public officer, employee, or agent pursuant to regularized procedures for hiring adopted by the public body in meetings open to the public in which there has been opportunity for public comment. (ORS 192.660(2)(a)).
 - b. Consider discipline of a public officer, employee, or agent. (ORS 192.660(2)(b)).
 - c. Conduct deliberations with persons designated by the governing body to carry on labor negotiations. (ORS 192.660(2)(d)). Conduct deliberations with persons designated to negotiate real estate transactions (ORS 192.660(2)(e)).
 - d. Consider information or records exempt by law from public inspection. (ORS 192.660(2)(f)).
 - e. Consult with legal counsel concerning litigation or litigation likely to be filed. (ORS 192.660(2)(h)).
 - f. Review and evaluate the employment-related performance of the chief executive officer pursuant to standards, criteria, and policy directives adopted by the governing body. (ORS 192.660(2)(i)).
2. Only members of Council, the City Manager, and persons specifically invited by the City Manager or the Council are allowed to attend executive sessions.
3. Representatives of recognized news media may attend executive sessions, other than those sessions during which the Council conducts deliberations with persons designated to carry on labor negotiations, or where the matter involves litigation and the news media is a party to the litigation. Members of the media are not to report on the issues discussed in executive session.
4. No final decision can be made in executive session. All final decisions must be made in open session at a regular meeting.

E. Work Sessions. Work sessions are permitted to present information to the Council so that the Council is prepared for regular or special meetings.¹⁵

¹⁴ Charter Section 13 (Meetings); see also ORS 192.610 to 192.690 (Oregon Public Meetings Law).

¹⁵ Charter Section 13 (Meetings); TMC 1-4-020 ("A work session of the City Council will be held from 5:00 p.m. to 7:00 p.m., as needed, before each regular meeting."); see also ORS 192.610 to 192.690 (Oregon Public Meetings Law).

1. Work sessions are generally scheduled, as needed, between 5:00 and 7:00 p.m., immediately preceding each regular meeting.
2. All work sessions are subject to Oregon's public meetings law and must be noticed accordingly.
3. Work sessions are intended to allow for preliminary discussions, and the Council is not permitted to take formal or final action on any matter at a work session.
4. Work sessions are to be scheduled by the City Manager.
5. The City Manager may invite any relevant staff to work sessions so that the sessions are as productive as possible.

6. At any work session or regular meeting, a member of Council may request an item be placed on a work session agenda. A majority vote of the Council members present is required to place the item on a future work session agenda.

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F. Location of Meetings.¹⁶

1. Council meetings must be held at City Hall.
2. In the event City hall is not available for a meeting, the Council must meet at a venue open to the public and which is located within the jurisdictional limits of the City.
3. Training sessions may be held outside of the City's jurisdictional limits, provided no deliberations toward a decision are made.
4. Interjurisdictional meetings may be held outside of the City's jurisdictional limits, but should be held as close as practical to the City, and such meetings must be located within the jurisdictional boundaries of the other government entity.
5. No Council meeting must be held at any place where discrimination on the basis of an individuals' race, religion, color, sex, national origin, ethnicity, marital status, familial status, age, gender, sexual orientation, source of income, or disability is practiced.

G. Notice of Meetings. The City Recorder, or designee, must provide notice of all meetings in accordance with Oregon's public meeting law and City codes.¹⁷

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¹⁶ This section sets forth the requirements for public meetings locations as contained in ORS 192.610 to 192.690 (Oregon Public Meetings Law).

¹⁷ Tualatin Municipal Code Chapter 1-04 (48 hours' notice for meetings); ORS 192.610 to 192.690 (Oregon Public Meetings Law).

H. Attendance at Meetings.

1. Under the charter, a Council position becomes vacant if the member of Council is absent from the City for more than 30 days without Council permission or absent from all meetings of the Council within a 60-day period.¹⁸
2. ~~Members~~ It is the responsibility of the each members of Council ~~must~~ to advise the City Manager if the member of Council will be unable to attend any regular, special, emergency, or work session meetings, or any assigned committees. - The member of Council should communicate the absence to the City Manager as soon as reasonably practicable under the circumstances.
3. Attendance at meetings must be in person, by telephone, or other electronic means where the person's voice may be heard.¹⁹ The preference of the Council is for all members of Council to attend in person.
4. A member of Council ~~may~~ should not attend by telephone, or other electronic means where the person's voice may be heard, more than two consecutive meetings. A member of Council appearing by telephone, or other electronic means where the person's voice may be heard, ~~must~~ should remain present for the entire meeting, unless it is the result of a malfunction or technical issue out of the control of the Councilor.
5. ~~The City Manager must track each member of Council's attendance at regular, special, emergency, and work session meetings, and assigned committee meetings. The City Manager must present to the Council a quarterly report of each member of Council's attendance.~~

¹⁸ Charter Section 32 (What Creates Vacancy) (vacancy created "upon absence from the City for 30 days without the consent of the Council or upon absence from meetings of the Council for 60 days without like consent, and upon a declaration by the Council of the vacancy.")

¹⁹ ORS 192.610 to 192.690 (Oregon Public Meetings Law) requires the public to have the opportunity to hear the proceedings of a meeting.

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RULE 3

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Ordinances and Resolutions

A. Ordinances. An ordinance is a law passed by the Council in its legislative capacity. ~~All ordinances considered by and voted upon by the Council must adhere to the rules outlined herein.~~

~~1. **Numbering.** The City Recorder, or designee, must number all ordinances with a consecutive identification number during each calendar year, in the order of their introduction. Each number must be followed by the last two digits of the year in which the ordinance was introduced.~~

~~2. **Preparation.**~~

- ~~a. The enacting clause of each ordinance must be "The City of Tualatin ordains as follows."²⁰~~
- ~~b. All ordinances must, before presentation to the Council, have been approved by the City Attorney, or the City Attorney's designee.~~
- ~~c. No ordinance can relate to more than one subject, which must be clearly expressed in its title, and no ordinance, or section thereof, can be amended or repealed unless the new ordinance contains the title of the ordinance or section amended or repealed.~~

~~3.1. **Introduction.**~~

- a. An ordinance is introduced for consideration by the Presiding Officer for presentation for first reading.
- b. After introduction, the Council may direct by majority vote of the members present any of the following:²¹
 - 1. A public hearing on the ordinance be held;
 - 2. Refer the ordinance to committee for review and recommendation;
 - 3. Refer the ordinance to the City Manager for further revision;
 - 4. Pass the ordinance to a second reading; or
 - 5. Reject the ordinance in whole or in part.

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~~4.2. **Readings and Final Action.**~~

- a. Every ordinance of the Council must, before final passage, be read fully and

²⁰ ~~Charter Section 34 (Enacting Clause).~~

²¹ Charter Section 19 (Vote Required) Charter Section 35 (Mode of Enactment).

distinctly in an open Council meeting on two different days.²²

b. However, an ordinance may be enacted at a single meeting, if the Council approves the ordinance by the unanimous vote of all Council members present. In such cases, the ordinance must be read first in full and then by title.²³

c. Any of the readings may be by title only, instead of a full reading, if:²⁴

1. No Council member present at the meeting requests to have the ordinance read in full; or

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2. A copy of the ordinance is provided for each Council member, and a copy is available for public inspection in the office of the City Recorder, or designee, not later than five days before the first reading of the ordinance and notice of its availability is given forthwith upon the filing, by: (i) written notice posted at the City Center; or (ii) advertisement in a newspaper of general circulation in the City.

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d. An ordinance enacted after being read by title alone has no legal effect if it differs substantially from its original terms, unless, prior to being approved by the Council, each substantial difference is read fully and distinctly at the meeting as finally amended.²⁵

e. The City Recorder, or designee, must take a "roll call" vote of each Councilor upon the final vote on an ordinance and the ayes and nays and abstentions of the members of Council must be recorded in the meeting minutes.²⁶

~~f. Upon the enactment of an ordinance, the City Recorder, or designee, must sign it with the date of its passage, the City Recorder, or designee's name and title of office, and within three days thereafter the Mayor must sign with the Mayor's name.~~

²² Charter Section 35 (Mode of Enactment).

²³ Charter Section 35 (Mode of Enactment).

²⁴ Charter Section 35 (Mode of Enactment).

²⁵ Charter Section 35 (Mode of Enactment).

²⁶ Charter Section 35 (Mode of Enactment) ("Upon the final vote of an ordinance, the ayes and nays of the member shall be taken and recorded in the journal); Charter Section 15 (Journal); ORS 192.650(1)(c)(Oregon Public Meetings Law) (require the meeting minutes to include "[t]he results of all votes and, except for public bodies consisting of more than 25 members unless requested by a member of that body, the vote of each member by name").

~~and the title of office.~~²⁷

B. Resolutions. A resolution is an action by the Council to adopt a policy, order, rule, or expression of opinion. All resolutions considered and voted upon by the Council must adhere to the rules outlined herein.

~~1. **Numbering.** The City Recorder, or designee, must number all resolutions with a consecutive identification number during each calendar year, in the order of their introduction. Each number must be followed by the last two digits of the year in which the resolution was introduced.~~

~~2. **Preparation.**~~

~~a. The resolving clause of each resolution must be "Be it resolved by the City Council of the City of Tualatin that:"~~

~~b. All resolutions must, before presentation to the Council, have been approved by the City Attorney, or the City Attorney's designee.~~

~~3.1. **Introduction.**~~

a. Resolutions ~~must~~should be introduced by the Presiding Officer.

b. After introduction of the resolution, the Council may direct that:

1. A public hearing be held on the resolution;
2. Pass the resolution; or
3. Reject the resolution in whole or in part.

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~~4.2. **Readings and Final Action.**~~

a. Resolutions do not need to be read in full or by title at a Council meeting prior to adoption.

b. An affirmative vote of a majority of the Council members present is necessary to pass a resolution.²⁸

c. Resolutions may be placed on the Consent Agenda and may be considered as a group under the Consent Agenda.

d. Resolutions may also be placed on the agenda as a General Business item.

e. For resolutions placed on General Business, the City Recorder, or designee, must

²⁷ ~~Charter Section 35 (Mode of Enactment).~~

²⁸ Charter Section 19 (Vote Required) (" Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.")

take a “roll call” vote of each Councilor upon the final vote on the resolution and the ayes and nays and abstentions of the members must recorded in the meeting minutes.²⁹

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²⁹ Charter Section 15 (Journal) (“Upon request of any of its members, the ayes and nays upon any question before it shall be taken and a record of the vote entered in the journal.”); ORS 192.650(1)(c)(Oregon Public Meetings Law) (require the meeting minutes to include “[t]he results of all votes and, except for public bodies consisting of more than 25 members unless requested by a member of that body, the vote of each member by name”).

RULE 4
Land Use Hearings

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A. General Conduct of Hearings.³⁰

1. Any party may speak in person, through an attorney, or elect to have a representative from an officially recognized Citizen Involvement Organization (CIO) present the party's case.
2. A copy of any written testimony or physical evidence which a party desires to have introduced into the record at the time of hearing must be submitted to the City Recorder, or designee, at the time the party makes his or her presentation. If the testimony or evidence is not submitted to the City Recorder, or designee, it must not be included in the record for the proceeding.
3. Except as otherwise provided by these rules, no person may speak more than once without obtaining permission from the Presiding Officer.
4. Upon being recognized by the Presiding Officer, any member of Council, may question any person who testifies.
5. Testimony must be directed towards the applicable standards and criteria which apply to the proposal before the Council.
6. The Presiding Officer may exclude or limit cumulative, repetitious, or immaterial testimony. To expedite hearings, the Presiding Officer may call for those in favor and those in opposition to rise, and the City Recorder, or designee, must note the numbers of such persons for the record in the minutes.

B. Quasi-Judicial Land Use Matters.

1. **Scope of Review.** All appeals and Council-initiated review in quasi-judicial land use proceedings are new (de novo) and must be held on the record.
2. **Conflicts of Interest.**
 - a. A member of Council must not participate in a discussion or vote in a quasi-judicial land use proceeding if:

~~1.~~ 1. The member of Council has an actual conflict of interest as defined by the Oregon Revised Statutes or the City charter; or

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~~2.~~ 2. The member was not present during the public hearing; provided, however, the member may participate if they have reviewed the evidence, including recordings of the hearing, and declared such fact for the record.

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³⁰ State law governs this process. ORS Chapter 197 (Comprehensive Land Use Planning; ORS Chapter 227 (City Planning and Zoning).

3. **Ex Parte Contact.**—

- a. Ex parte contacts are any contacts with any party outside of the hearing process. Specific questions about whether a contact is considered ex parte should be discussed with the City Attorney before the meeting begins.
- b. Members of the Council must reveal any ex parte contacts with regard to the proceeding at the commencement of any quasi-judicial land use proceeding. See, ORS 227.180. If such contact impairs the member's impartiality, the member must state this fact and abstain from participation on the matter.

4. **Burden of Proof.**

- a. The proponent has the burden of proof on all elements of the proposal, and the proposal must be supported by proof that it conforms to all applicable standards and criteria.
- b. The decision of the Council must be based on the applicable standards and criteria set forth in the Tualatin Development Code, the City's comprehensive plan, and, if applicable, any other land use standards imposed by state law or administrative rule.
- c. The proponent, any opponents, and/or City staff may submit to the Council a set of written findings or statements of factual information which are intended to demonstrate the proposal complies or fails to comply with any or all applicable standards and criteria.

5. **Hearing Procedures.** The order of hearings in quasi-judicial land use matters is:

- a. **Land Use Hearing Disclosure Statement.** The Presiding Officer must read the land use hearing disclose statement, which must include:

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- 1. A list of the applicable criteria;
- 2. A statement that testimony, arguments and evidence must be directed toward the applicable criteria or other criteria in the plan or land use regulation which the person believes to apply to the decision;
- 3. A statement that failure to raise an issue accompanied by statements or evidence sufficient to afford the Council and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue; and
- 4. If applicable, a statement that a failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.

- b. **Call for ~~ex parte contacts.~~ Ex Parte Contacts.** The Presiding Officer must inquire whether any member of Council had ex parte contacts. Any member of Council announcing an ex parte contact must state for the record the nature and content of the contact.

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c. **Call for ~~abstentions~~Abstentions.** The Presiding Officer must inquire whether any member of Council must abstain from participating in the hearing due to a conflict of interest or bias. Any member of Council announcing a conflict of interest must or bias must state the nature of the conflict or bias, and must not participate in the proceeding, unless the person's vote is necessary to meet a requirement of a minimum number of votes necessary to take official action; provided, however, that the member must not participate in any discussion or debate on the issue of which the conflict arises.

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d. **Staff ~~summary~~Summary.** Planning staff will present a summary and recommendation concerning the proposal.

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e. **Presentation of the Case.** The presentation of the case will be as follows:

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1. Proponent's case.
2. Persons in favor.
3. Persons opposed.
4. Other interested persons.
5. Rebuttal. Rebuttal may be presented by the proponent. The scope of rebuttal is limited to matters which were introduced during the hearing.

f. **Close of ~~hearing~~Hearing.** Unless the Council leaves the record open for a specified period of time, no further information will be received after the close of the hearing, provided however Council may ask specific questions of staff. If the response by staff to any such questions requires the introduction of additional factual evidence, all parties must be afforded an opportunity for rebuttal.

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g. **Deliberations.** Deliberations will immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.

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6. **Findings and Order.** The Council may approve or reject the proposal. The Council must adopt a resolution or order containing findings to support its decision. The Council may incorporate findings proposed by the proponent, the opponent, or staff in its decision.

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7. **Continuances.** Only one continuance is available by right. However, nothing in this section restricts the Council, in its discretion, from granting additional continuances. Any continuance must result in a corresponding extension of the 120-day time limitations imposed by the Oregon Revised Statutes.

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C. **Legislative Land Use Matters.**

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1. **Hearings Procedures.** The order of procedures for hearings on legislative land use matters must be:

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a. **Call for ~~abstentions~~Abstentions.** Inquire whether any member of Council wishes

to abstain from participation in the hearing. Any member announcing an abstention must identify the reason therefore and must not participate in the proceedings.

b. **Staff ~~summary~~Summary.** Staff must present a statement of the applicable criteria, and a summary and recommendation concerning the proposal.

c. **Presentation of the Case.** The presentation of the case will be as follows:

1. Proponent's case.
2. Persons in favor.
3. Persons opposed.
4. Other interested persons.

d. **Close of ~~hearing~~Hearing.** Unless the Council leaves the record open for a specified period of time, no further information will be received after the close of the hearing, provided however, Council may ask questions of staff.

e. **Deliberations.** Deliberations will immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.

f. **Reopening ~~hearing~~Hearing.** Prior to second reading of an ordinance relating to a legislative land use matter, and upon majority vote of the Council, a hearing may be reopened to receive additional testimony, evidence or argument. The same notice requirements must be met for the reopened hearing as were required for the original hearing.

RULE 5

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Motions, Debate, Public Comment, and Voting

A. Motions. The following rules apply to motions:

1. All motions must be distinctly worded.
2. The Presiding Officer must repeat the motion prior to a vote.
3. The Council will discuss a motion only after the motion has been moved and seconded. Nothing in this section prevents general discussion or expression of opinions before a motion is made.
4. If a motion does not receive a second, it dies.
5. A motion that receives a tie vote fails.³¹
6. A motion to amend can be made to a motion that is on the floor and has been seconded.
7. Amendments are voted on first, then the main motion is voted on, as amended.
8. A member of Council may have a motion which contains several elements divided, but the mover has the right to designate which element will be voted on first.
9. A motion may be withdrawn by the mover at any time without the consent of the Council.
10. No motion will be received when a question is under debate except for the following:
 - a. To lay the matter on the table;
 - b. To call for the previous question;
 - c. To postpone;
 - d. To refer; or
 - e. To amend.
11. A call for the question is intended to close the debate on the main motion; does not require a second and is not debatable.
12. A call for the question fails without a majority vote.
13. Debate on the main subject resumes if the motion to call for the question fails.
14. A motion to adjourn cannot be amended.

³¹ Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

B. Motion to Reconsider.

1. A motion to reconsider may only be made by a member of the prevailing side. Any member may second the motion.
2. A motion to reconsider can be made only once and must be made before the final adjournment of the meeting when the item goes out of possession of the Council.

C. Debate. The following rules govern the debate of any item being discussed by the Council:

1. Every member of Council wishing to speak on the matter must address the Presiding Officer, and, upon recognition by the Presiding Officer, confine remarks to the question under debate, at all times acting and speaking in a respectful manner.
2. Once the member of Council is recognized by the Presiding Officer, the other members of Council must not interrupt, unless it is a call to order.
3. The member of Council moving the adoption of any ordinance or resolution will have the privilege of closing the debate.

D. Public Comment.

1. The public is entitled to comment on all matters before the Council that require a vote.
2. Public comment will occur after the matter up for vote has been presented by City staff and before the Council takes any formal action on the matter.
3. Each member of the public is entitled to comment on the matter before the Council for three (3) minutes.
4. Public comment is a time for comment; it is not a time for debate. Any questions from members of the public to Council or City staff will be referred to City staff for a response to be provided a later time.
5. Prior to giving comment, each person must state the person's name and their place of residence. This information will be used to insure the minutes of the meeting properly reflect those persons who provided public comment.
6. All remarks must be addressed to the Council as a whole. Any person making personal, impertinent, or slanderous remarks, or who becomes boisterous, threatening, or personally abusive while addressing the Council, may be requested to leave the meeting. Applause, boos or other public demonstrations by those attending the Council meeting are considered inappropriate behavior.

E. Voting. The following rules apply to voting on matters before the Council, unless amended in the manner outlined in Rule 3 of these Rules.

1. **Reports.** A majority of a quorum is required to approve or accept a report. However, no vote is required if the report is only for informational purposes.³²

³² Charter Section 19 (Vote Required) ("Except as this Charter otherwise provides, the concurrence of
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2. **Consent Agenda.** The unanimous vote of all members of Council present is required to approve the matters on a consent agenda.
3. **Ordinances.** An ordinance requires a majority of a quorum to pass.³³
4. **Emergency Clause in Ordinances.** An emergency ordinance requires the unanimous vote of all Council members present.³⁴
5. **Resolutions.** A majority of a quorum is required to pass a resolution.³⁵
6. **Budget.** The budget requires a majority of a quorum to pass.³⁶
7. **Franchise Agreements.** A majority of a quorum is required to pass an ordinance granting a franchise.³⁷
8. **Suspension of Rules.** A ~~unanimous~~majority vote of all members of Council present is required to suspend or rescind a rule contained in these rules of procedure, however, rules which also appear in the Charter may not be suspended or rescinded.³⁸

a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

³³ Charter Section 35 (Mode of Enactment); Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

³⁴ Charter Section 35 (Mode of Enactment) (“an ordinance may be enacted at a single meeting of the Council by unanimous vote of all Council member present...”); Charter Section 36 (When Ordinances Shall Take Effect) (“An ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. When the Council deems it advisable, however, an ordinance may provide a later time for it to take effect, and in case of an emergency, it may take effect immediately.”)

³⁵ Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

³⁶ Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

³⁷ Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

³⁸ Charter Section 6 (Where Powers Vested) (“Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.”); Charter Section 13 (Meetings) (“[the Council] shall adopt rules for the government of its members and proceedings.”); Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

9. F. Votes. All votes must be recorded in the minutes. ³⁹

10. G. Tie Votes. Tie votes indicate a denial of the motion or proposal. ⁴⁰

HF. Effective Date.

1. Ordinances take effect 30 days from the date of passage, unless a later date is indicated in the ordinance, in which case it takes effect on that date. However, the following ordinances take effect immediately upon passage: ⁴¹
 - a. Ordinances making appropriations and the annual tax levy;
 - b. Ordinances relative to local improvements and assessments; and
 - c. Emergency ordinances.
2. A resolution becomes effective upon adoption unless otherwise stated in the resolution.
3. The filing of a referendum petition suspends the effective date of an ordinance.

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³⁹ Charter Section 15 (Journal); Charter Section 35 (Mode of Enactment) ("Upon the final vote of an ordinance, the ayes and nays of the member shall be taken and recorded in the journal); ORS 192.650(1)(c)(Oregon Public Meetings Law) (require the meeting minutes to include "[t]he results of all votes and, except for public bodies consisting of more than 25 members unless requested by a member of that body, the vote of each member by name").

⁴⁰ Charter Section 19 (Vote Required) ("Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.")

⁴¹ Charter Section 36 (When Ordinances Shall Take Effect) ("An ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. When the Council deems it advisable, however, an ordinance may provide a later time for it to take effect, and in case of an emergency, it may take effect immediately.")

RULE 6
Minutes

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A. Generally.⁴²

1. All minutes must be in written form, with an electronic copy of the meeting maintained by the City Recorder, or designee, in accordance with the appropriate record retention schedule.
2. The minutes must contain the following information:
 - a. The date, time and place of the meeting;
 - b. The members of the Council present;
 - c. The motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition;
 - d. The results of all votes and the vote of each member by name;
 - e. The substance of any discussion on any matter; and
 - f. A reference to any document discussed at the meeting.

B. Approval. The Council must approve all minutes of any meeting.

1. All minutes must be approved within ninety days of the meeting having occurred.
2. The draft minutes must be submitted to the Council as part of the Council's packet prior to the meeting where they will be discussed.
3. Any member of Council may request an amendment or correction of the minutes prior to a final vote being taken on the minutes.

⁴² Charter Section 15 (Journal) ("The Council shall cause a journal of its proceedings to be kept. Upon request of any of its members, the ayes and nays upon any question before it shall be taken and a record of the vote entered in the journal."); Charter Section 13 (Meetings); Charter Section 22 (Recorder); see also, ORS 192.610 to 192.690 (Oregon Public Meetings Law).

RULE 7 Appointments

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A. Appointments of City Staff. The Council appoints and can remove those positions identified in the City's charter. All appointments require a majority vote of the ~~entire~~members of Council present at a meeting.^{43 44}

B. City Manager/Recorder. The City Manager (who also serves the role of Recorder under the Charter) is appointed by the Council.⁴⁵

1. **Reviews.** The City Manager is subject to a review by the Council to be generally conducted during the first quarter of the year, in even numbered years ~~before the last Council meeting in December~~.

2. **Removals.** The City Manager may be removed by a majority vote of the entire Council.⁴⁶

C. Municipal Judge. ~~The Council appoints and may remove the Municipal Judge, including pro-tem judges.~~⁴⁷

⁴³ Charter Section 20a (City Manager); Charter Section 21 (Municipal Judge); Charter Section 22 (Recorder); Charter Section 10 (Other Officers) ("Additional officers of the City shall be a Municipal Judge, a Recorder, and such other officer as the Council deems necessary. Each of these officers shall be appointed and may be removed by the Mayor with the consent of the Council. The Council may combine any two or more appointive City offices. The Council may designate any appointive officer to supervise any other appointive officer, except the Municipal Judge in the exercise of judicial functions.")

⁴⁴ The City Manager has the power to appoint and remove all other City officers under Charter Section 20a (City Manager) (City Manager's power to "appoint and may remove appointive City officers and employees except as this Charter otherwise provides, and shall have general supervision and control over them....")

⁴⁵ Charter Section 20a (City Manager) ("The Manager shall be chosen by the Council..."); Charter Section 22 (Recorder); Charter Section 10 (Other Officers) ("Additional officers of the City shall be a Municipal Judge, a Recorder, and such other officer as the Council deems necessary. Each of these officers shall be appointed and may be removed by the Mayor with the consent of the Council. The Council may combine any two or more appointive City offices. The Council may designate any appointive officer to supervise any other appointive officer, except the Municipal Judge in the exercise of judicial functions.")

⁴⁶ Charter Section 20a (City Manager) ("The Manager shall be appointed for an indefinite term and may be removed at the pleasure of the Council."); Charter Section 22 (Recorder); Charter Section 10 (Other Officers) ("Additional officers of the City shall be a Municipal Judge, a Recorder, and such other officer as the Council deems necessary. Each of these officers shall be appointed and may be removed by the Mayor with the consent of the Council. The Council may combine any two or more appointive City offices. The Council may designate any appointive officer to supervise any other appointive officer, except the Municipal Judge in the exercise of judicial functions.")

⁴⁷ ~~Charter Section 21 (Municipal Judge) ("The Council may, in addition to appointing the Municipal Judge, appoint such pro-tem judges as it considers necessary, to hold office at the pleasure of the Council."); Charter Section 10 (Other Officers) ("Additional officers of the City shall be a Municipal~~

~~1. **Reviews.** Any judge appointed by **Appointment and Removal. The Mayor, with** the Council is subject to an annual review by the consent of the Council.~~

~~2.1. **Removals.** All appointed, appoints and may remove the Municipal Judge, including pro tem judges may be removed by a majority vote of the entire Council.~~⁴⁸

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~~3.2. **Interference.** If the Council appoints a municipal judge, the Council may meet with the judge, but in no instance may the Council interfere with the judge's exercise of judicial authority or discretion.~~⁴⁹

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D. Council Subcommittees. Council subcommittees may be created, and dissolved, by a majority vote of the members of Council present at a meeting.⁵⁰

1. Under Section 20 of the Charter, the Mayor appoints Councilors to all Council subcommittees.⁵¹
2. Council subcommittees may be standing committees or other committees created under the rules of the Council.
3. The following are current Council subcommittees that have been previously created or are created by these rules. These may be dissolved by majority vote of the members of Council present at a meeting:

- a. *Council Committee on Advisory Appointments.* The purpose of the CCAA is to screen and recommend citizens to be appointed City Boards, Commissions, and

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~~Judge, a Recorder, and such other officer as the Council deems necessary. Each of these officers shall be appointed and may be removed by the Mayor with the consent of the Council. The Council may combine any two or more appointive City offices. The Council may designate any appointive officer to supervise any other appointive officer, except the Municipal Judge in the exercise of judicial functions.").~~

⁴⁸ Charter Section 21 (Municipal Judge) ("The Council may, in addition to appointing the Municipal Judge, appoint such pro tem judges as it considers necessary, to hold office at the pleasure of the Council."); Charter Section 10 (Other Officers) ("Additional officers of the City shall be a Municipal Judge, a Recorder, and such other officer as the Council deems necessary. Each of these officers shall be appointed and may be removed by the Mayor with the consent of the Council. The Council may combine any two or more appointive City offices. The Council may designate any appointive officer to supervise any other appointive officer, except the Municipal Judge in the exercise of judicial functions.").

⁴⁹ Charter Section 21(Municipal Judge); Charter Section 10 (Other Officers).

⁵⁰ Charter Section 6 (Where Powers Vested) ("Except as this Charter provides otherwise, all powers of the City shall be vested in the Council."); Charter Section 19 (Vote Required) ("Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.").

⁵¹ Charter Section 20 (Mayor) ("The Mayor shall appoint the committees provided by the rules of the Council and sign all approved records of proceedings of the Council.")

Committees.

~~b. Governance Committee. The purpose of the Governance Subcommittee is review the Council Rules and recommend amendments and changes to the full Council.~~

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E. Appointments of Citizen Members to Boards, Commissions and/or Committees.

1. **Council Committee on Advisory Appointments.** The Council Committee on Advisory Appointments (CCAA) is a standing subcommittee of the Council. The purpose of the CCAA is to screen and recommend citizens to be appointed City Boards, Commissions, and Committees through the following general process:
 - a. The CCAA will conduct interviews of all candidates for appointment, including candidates wishing to renew their appointments.
 - b. After reviewing the candidates, the CCAA will vote on all recommendations and forward those recommendations to the full Council for consideration.
 - c. Upon receiving the recommendation from the CCAA, the Council will place the names for consideration on the regular meeting agenda as a General Business item.
 - d. The Council may consider the candidates submitted as a group or may consider each candidate individually.
 - e. The Council may accept, reject, or appoint any candidate, including those not considered by the CCAA.
 - f. All appointments must be by majority vote of the members of Council present.

RULE 8

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Ethics, Decorum, Outside Statements, and Social Media

A. Ethics.⁵²

1. All members of Council must review and observe the requirements of state ethics laws.
2. In addition to complying with state ethics law, all members of Council must refrain from:
 - a. Disclosing confidential information.
 - b. Taking action which benefits special interest groups or persons at the expense of the City as a whole.
 - c. Expressing an opinion contrary to the official position of the Council without so saying.
 - d. Conducting themselves in a manner so as to bring discredit upon the government of the City.
 - e. Not profiting from their position on Council in violation of state law.
3. All ethics complaints received about a Councilor will be forwarded to the Oregon Government Ethics Commission (OGEC).

B. Decorum.

1. The Presiding Officer will preserve decorum during meetings and decide all points of order, subject to appeal of the Council.
2. Members of the Council will preserve decorum during meetings, and must not, by conversation or action, delay or interrupt the proceedings or refuse to obey the orders of the Presiding Officer or these rules.
3. City staff and all other persons attending meetings must observe the Council's rules of proceedings and adhere to the same standards of decorum as members of Council.
4. All audience members must abide by the rules of decorum contained in these Rules. No audience member may disrupt the conduct of the meeting, clap, cheer, hoot, holler, gesture, whistle, guffaw, jeer, boo, hiss, make remarks out of turn, use profanity, or the like. Any audience member who does so will be deemed out of order and the Presiding Officer may have the person removed from the Council chambers immediately, and the person will not be permitted to attend the remainder of that Council meeting.

⁵² ORS Chapter 244 (Government Ethics).

C. Statements to the Media and Other Organizations

1. Representing City. If a member of Council, to include the Mayor, appears as a representative of the City before another governmental agency, the media or an organization to give a statement on an issue, the member of Council may only state the official position of the City, as approved by a majority of the Council.
2. Personal Opinions. If a member of Council, to include the Mayor, appears in their personal capacity before another governmental agency, the media or an organization to give a statement on an issue, the member of Council must state they are expressing their own opinion and not that of the City or of any other Councilor, unless they receive the express permission of that Councilor, before giving their statement.

D. Use of Social Media.

1. Members of Council are encouraged to exercise caution when commenting on municipal affairs on social media platforms. While using social media, members of Council are subject to applicable Oregon Laws as they pertain to public meetings and public records retention schedules.
2. Under ORS 192.610, a public meeting occurs when a quorum is required in order to make a decision or to deliberate toward a decision on a matter. Under Oregon Law, certain telephone and electronic communications may be considered a public meeting. Certain uses of social media may constitute a public meeting, and accordingly, Councilors should use appropriate caution to avoid public meeting violations.⁵³
3. A public record created through a member of Council's social media footprint must be retained by the elected official in accordance with any state laws and local retention schedules. A "public record" encompasses any information that is prepared, owned, used or retained by the city; relates to an activity, transaction or function of the city; and is necessary to satisfy the fiscal, legal, administrative or historical policies, requirements or needs of the city. Councilors should forward social media posts to the City Manager or seek other assistance from the City for retention if the member of Council does not wish to be individually responsible for retaining the public record.⁵⁴
4. The digital decorum of elected and appointed officials will be governed by Council Rules. Consistent with these Rules, members of Council must conduct themselves so as to bring credit upon the City government. Councilors must abide by Rule 8 (C)(Statements to the Media and Other Organizations) above in all social medial activities.
5. City Council members will refrain from posting comments that:
 - a. Express a Council or Committee position prior to a Council or Committee determination of a position or on a matter that would otherwise require Council or Committee authorization prior to the conveyance of a position; or
 - ~~b.~~ Express an opinion in a manner contrary to Rule 8 (C) (Statements to the Media and Other Organizations) above.

⁵³ ORS 192.610 to 192.690 (Oregon Public Meetings Law).

⁵⁴ ORS 192.410 to 192.505 (Oregon Public Records Law).

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RULE 9
Interactions with City Staff

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A. City Staff. All members of Council must respect the separation between the Council's role and the City's Manager's responsibility by:

1. Not interfering with the day-to-day administration of City business, which is the responsibility of the City Manager.⁵⁵
2. Refraining from actions that would undermine the authority of the City Manager or a Department Head.
3. Limiting individual inquiries and requests for information from staff to those questions that may be answered readily as part of staff's day-to-day responsibilities. Questions of a more complex nature must be directed to the City Manager. Questions sent to staff must be copied to the City Manager. Councilors may not directly interfere with staff or the City Manager's management of staff.
4. Members of the Council must normally share any information obtained from staff with the entire Council- when it involves an action item on a Council agenda. This section is not intended to apply to questions by members of Council acting in their individual capacities rather than as members of Council, nor to questions regarding conflict of interest or similar issues particular to a member of Council.

B. City Attorney. Members of the Council may contact the City Attorney directly without contacting the City Manager in the following circumstances:

1. When the issue involves allegations of misconduct by the City Manager; or
2. To discuss parliamentary procedures of these Rules; ~~or,~~
- ~~3. To discuss substantive legal issues involving pending City business if the legal issue does not require more than two (2) hours of the City Attorney's time.~~

⁵⁵ Charter Section 20a (City Manager) (“(c) Powers and Duties. The Manager shall: (1) Devote his or her entire time to the discharge of official duties, attend all meetings of the Council unless excused therefrom by the Council or the Mayor, keep Council advised at all times of the affairs and needs of the City, and make reports annually, or more frequently if requested by the Council, of all the affairs and departments of the City. (2) See that all ordinances are enforced and that the provisions of all franchises, leases, contracts, permits, and privileges granted by the City are observed. (3) Appoint and may remove appointive City officers and employees except as this Charter otherwise provides, and shall have general supervision and control over them and their work with power to transfer an employee from one department to another. The Manager shall supervise the departments to the end of obtaining the utmost efficiency in each of them but shall have no control over the judicial activities of the Municipal Judge. (4) Be responsible for preparing and submitting to the Budget Committee the annual budget estimates and such reports as the body requests. (5) Supervise the operation of all public utilities owned and operated by the City and shall have general supervision over all City property.”).

RULE 10 Enforcement and Consequences

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A. Enforcement. The Council may ~~enforce these rules and~~ ensure compliance with City ordinances, charter, and state laws applicable to governing bodies.⁵⁶ If a member of Council violates these rules, City ordinances, the City charter, or state laws applicable to governing bodies, the Council may take action to protect the integrity of the Council and discipline the member with a public reprimand or removal as provided for in the City charter.⁵⁷ A majority of the entire Council is required to issue a reprimand.

B. Investigations and Hearings.

1. A majority of the Council may investigate the actions of any member of Council and meet in executive session under ORS 192.660(2)(b) to discuss any finding that reasonable grounds exist that a violation of these rules, local ordinance, the City charter, or state laws applicable to governing bodies has occurred.⁵⁸
2. Before the Council may publicly reprimand or remove a member of Council, the Council must provide the member of Council notice of the alleged violations and an opportunity to be heard on, and rebut, the allegations. Sufficient notice must be given to the affected member of Council to afford them the opportunity to request an open hearing under ORS 192.660(2)(b).⁵⁹
3. No final action or decision can be made in executive session, as provided by ORS 192.660(6).⁶⁰

⁵⁶ Charter Section 6 (Where Powers Vested) (“Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.”); Charter Section 19 (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”).

⁵⁷ Other than for the reasons stated in Charter Section 32 (What Creates Vacancy), an elected official cannot be removed from office absent a recall vote by the electorate in accordance with the Oregon Constitution Article II, section 18, and ORS 249.865.

⁵⁸ Charter Section 6 (Where Powers Vested) (“Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.”); Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”).

⁵⁹ ORS 192.610 to 192.690 (Oregon Public Meetings Law) (process for executive session).

⁶⁰ ORS 192.610 to 192.690 (Oregon Public Meetings Law) (process for executive session).

RULE 11
Amendment and Repeal of Council Rules

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A. Amendment. These Rules are subject to amendment by the Council.⁶¹

1. Any proposed amendment to these rules must be noted listed on an agenda for a regular meeting and the agenda posted prior to the meeting, wherein the same will be discussed, and open for comment by the public, except in cases of an emergency.
2. All amendments to these rules require approval by a majority of a quorum of Council.
3. Amended rules do not go into effect until the meeting after the rule was approved.

B. Repeal. These Rules are subject to repeal and replacement by the Council. ⁶²

1. Any proposed repeal of these rules must be accompanied by a proposed replacement rule.
2. Any proposed repeal and replacement of these rules must be noted on an agenda for a regular meeting and the agenda posted prior to the meeting, wherein the same will be discussed, and open for comment by the public.
3. Any repeal and replacement of these rules requires approval by a majority of a quorum of Council.
4. Any repeal and replacement of these rules does not go into effect until 30 days after the replacement rule was approved.

⁶¹ Charter Section 6 (Where Powers Vested) (“Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.”); Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”); Charter Section 13 (Meetings) (“[the Council] shall adopt rules for the government of its members and proceedings.”).

⁶² Charter Section 6 (Where Powers Vested) (“Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.”); Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”); Charter Section 13 (Meetings) (“[the Council] shall adopt rules for the government of its members and proceedings.”).

RULE 12
Finances and Travel Policy

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A. Financial Statements. Pursuant to ORS 244.050, members of Councilor are required to file annual Statements of Economic Interest (SEI) by April 15 of each year. For more information, see the Oregon Government Ethics Commission (OGEC) website on how to file.⁶³

B. Health Insurance. Pursuant to Resolution No. 3837-01, members of Council are entitled to receive the following health insurance benefits:

1. The Mayor may receive City health insurance benefits at the family level ~~or a stipend equal to the cost of those benefits, not to exceed the level offered to City department managers.~~
2. Councilors may each receive City health insurance benefits at the single employee level ~~or a stipend equal to the cost of those benefits,~~ not to exceed the level offered to City department managers. In lieu of health insurance benefits, Councilors may receive a stipend in an amount determined by the City's health insurance provider (currently CIS), consistent with all plans and requirements of the health insurance provider. Councilors may obtain family level coverage by paying the difference in the cost of the family policy and the single employee policy.
3. The health insurance benefits provided are subject to the rules for enrollment and contractual conditions of the health insurance provider.

C. Technology Stipend. Pursuant to Resolution No. 5128-13, each member of Council is entitled to a technology stipend of \$750.00 to be received at the beginning of their terms of office.-

D. Water Bill. Pursuant to Resolution No. 3216-96, each member of Council receives a \$20.00 monthly credit on their water bill.-

E. Travel Policy.

~~1. **Adoption of Reimbursement Rates.** The recent rates established by the U.S. General Services Administration (GSA) are the maximum allowed by destination for reimbursement of per diem rates for meals and lodging, and the maximum allowed for privately owned vehicles for mileage reimbursement. The website to obtain the current per diem rates is www.gsa.gov/perdiem.~~

1. **Adoption of Reimbursement Rates.** Members of Council may be reimbursed, or may seek an advancement of funds, for normal expenses incurred while carrying out their official duties at the usual and customary rates. Councilors are required to submit receipts and appropriate documentation to the City Manager. Councilors should use prudence in the expenditure of City funds.

2. **Registration Fees for Conferences and Trainings.** Members of Council are encouraged to take advantage of early registration to obtain discounted rates.

3. **Transportation.**

⁶³ ORS Chapter 244 (Government Ethics).

- a. **Airfare.** -The City will pay for roundtrip, coach airfare. Members of Council are expected to look for the least expensive fare available within the appropriate arrival/ departure times. If the member of Council makes first-class or business- class travel reservations, the member of Council must pay the difference between those rates and the coach rate.-
- b. **Vehicle Rental.**- Vehicle rental is a reimbursable expense at the ~~compact~~midsize rate.
- c. **Ground Transportation.** Ground transportation (e.g., taxis, buses, mass transit, and shuttles) is a reimbursable expense.-
- d. **Individual Vehicles.** Members of Council will be reimbursed for City-related travel in their individual vehicles for the actual miles traveled at the GSA rate.

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4. Parking.

- a. Parking fees are reimbursable for business purposes or attending training.
- b. Long-term economy parking at airports is expected to be used for airport travel of more than one day in duration.-

5. Lodging.

- a. Reimbursement for lodging is authorized when the member of Council's travel requires an overnight accommodation.-
- b. Reimbursement will be at the reasonable and customary cost of a single standard room ~~at the per diem rate established by the GSA~~, or at the conference/training rate.
- c. The final itemized lodging bill is required when submitting for reimbursement of the expenditure.
- d. Any additional room charges room service, movies, personal phone calls, laundry service, etc. are the responsibility of the member of Council. If cell phone coverage is unavailable, business calls and reasonable personal calls will be reimbursed. ~~If in-room internet is necessary to conduct City business, the expense~~ is reimbursable.

6. Meals.

- a. The City will pay ~~the GSA per diem rate for meals.~~reasonable and customary meal expenses.
- b. Members of Council have the choice of an advance or a reimbursement for the total authorized per diem amount.
- c. When meals are provided as part of the conference or training, ~~no~~ reimbursement will generally not be given for that meal without proper cause. Conference

“continental” is not considered a meal.

~~d. Alcoholic beverages are not authorized for reimbursement.~~

~~e. For a single day trip:~~

~~1. Breakfast— Reimbursed when travel begins before 7:00 a.m. and the one-way trip is at least 75 miles.~~

~~2. Lunch— Reimbursed when travel begins before 9:00 a.m., lunch is not provided in the training/ conference cost, and the one-way trip is at least 75 miles.~~

~~3. Dinner— Reimbursed when travel ends after 7:00 pm and the one-way trip is at least 75 miles.~~

~~f. For trips involving an overnight stay, meals will be reimbursed based on the time of departure and return:~~

~~1. Breakfast— Reimbursed when departure time is before 7:00 a.m. and return time is after 9:00 a.m.~~

~~2. Lunch— Reimbursed when departure time is before 9:00 a.m. and return time is after 3:00 p.m.~~

~~3. Dinner— Reimbursed when departure time is before 4:00 p.m. and return time is after 7:00 p.m.~~

~~g-d.~~ A member of Council may meet with and purchase a meal for others, including persons of other government jurisdictions and professional institutions from which an exchange of information is obtained that may aid the City in improving its efficiency, service, or governance.-

7. Travel Advances and Reimbursements.-

- a. Members of Council may choose to be reimbursed for expenses or receive an advance.-
- b. For travel and training cash/check advances, members of Council should submit a check request to the City Manager ~~at least two weeks~~ one week in advance of the expected travel or training date, when possible.
- c. If a member of Council chooses to be reimbursed instead of an advance, the member of Council must submit the following:
 1. A receipt is provided; or
 2. The expense report states the amount spent, who was present, and the specific topic or project of discussion.
- d. Personal items and expenses of family members traveling with the member of

Council are not authorized expenses.-

F. Council Report ~~Required for Certain Expenses over \$250.00-~~

~~1. Any member of Council requesting reimbursement or advancement for an amount, or series of connected amounts, that exceeds \$250.00, but less than \$1,500.00, a conference or event is required to give an oral or written documentation for report about the expenditure conference or event to the Council. The written documentation may be placed on the consent agenda for consideration by the Council.~~

~~2. Any member of Council requesting reimbursement for an amount, or series of connected amounts, that exceeds \$1,500.00 must provide an oral or written report to the Council. The report cannot be placed on the consent agenda, but must be placed separately on the agenda for consideration by the Council.~~

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