



## **TUALATIN CITY COUNCIL**

**Monday, JUNE 11, 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.

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**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](http://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](http://www.tvctv.org). Council meetings can also be viewed by live *streaming video* on the day of the meeting at [www.tualatinoregon.gov/meetings](http://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 JUNE 11, 2018

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**A. CALL TO ORDER**  
Pledge of Allegiance

**B. ANNOUNCEMENTS**

1. Recognition of the Tualatin Girls Softball Team on the Occasion of Their Perfect Season
2. Science & Technology Scholarship Winners
3. Update on the Tualatin Youth Advisory Council's activities for June 2018
4. Proclamation Declaring July 2018 as National Park and Recreation Month
5. New Employee Introduction- Anitra Ahmed
6. New Employee Introduction- Sean Cowley, Utility Technician I

**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 May 29, 2018
2. Consideration of Approval of a New Liquor License Application for MOD Pizza
3. Consideration of Approval of a New Liquor License Application for Choza PDX
4. Consideration of **Resolution No. 5371-18** Setting Road Utility Fees, Effective July 1, 2018

5. Consideration of **Resolution No. 5372-18** Certifying City of Tualatin Municipal Services
6. Consideration of **Resolution No. 5374-18** Amending Water, Sewer and Surface Water Management Rates Inside the City of Tualatin and Rescinding Resolution 5324-17
7. Consideration of **Resolution No. 5375-18** Authorizing an Interfund Loan for Property Acquisition

**E. SPECIAL REPORTS**

1. Update on Summer Programs and Activities Offered by the City of Tualatin and Partners

**F. PUBLIC HEARINGS – Legislative or Other**

1. Consideration of **Resolution No. 5373-18** Declaring the City's Election to Receive State Revenue Sharing Funds During Fiscal Year 2018-19

**G. 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.*

**H. 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.*

**I. COMMUNICATIONS FROM COUNCILORS**

**J. ADJOURNMENT**

**City Council Meeting**

**Meeting Date:** 06/11/2018

**ANNOUNCEMENTS:** Recognition of the Tualatin Girls Softball Team on the Occasion of Their Perfect Season

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**ANNOUNCEMENTS**

Recognition of the Tualatin Girls Softball Team on the Occasion of Their Perfect Season

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Article

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State track and field: photos, highlights, links

Softball

# Tualatin caps perfect season with walkoff win over Clackamas in 6A softball final

91

Gallery: Tualatin vs. Clackamas in 6A softball final

By Paul Valencia | For The Oregonian/OregonLive  
on June 02, 2018 4:42 PM, updated June 02, 2018 8:38 PM

CORVALLIS -- The Tualatin Timberwolves felt the pressure, the significance of what they were trying to achieve.

They embraced that pressure, in fact.

## Hot Topics



**BASEBALL, SOFTBALL**  
High school baseball, soft  
2018: Top players, outlo  
projected finish for every

“We’ve had a huge target on our backs,” senior Ella Hillier said. “Everyone wanted to be the first one to beat us. No one could.”

That is correct. No one.

Tualatin rallied from a two-run deficit to complete the perfect season, getting a walk-off victory Saturday in the Class 6A state championship game at Oregon State University.

Freshman Taylor Corcoran got the game-winning single, scoring Hillier from second base for a 4-3 victory over Clackamas.

Tualatin went 30-0 and became the first big-school program to go undefeated in Oregon since Churchill went 23-0 in 1992.

“That was an incredible moment for me,” Corcoran said. “So happy I could do that for my seniors and my amazing team.”

She described it as “relief” when she saw her line drive land in right field.

“I was so, so excited,” she said.

“This was the one game we were all leading up to,” Corcoran added. “We were all ready to go.”

Hillier had three hits in the game and all three were needed to maintain perfection. She had a run-scoring single in the third inning. She led off the fifth inning with a single and came home on Emily Johansen’s two-run homer to tie the score.

“I just knew I had to come out and do it and get it done for my team,” Hillier said. “I felt really prepared. I knew what to execute. I knew what I had to do, and I got it done.”

In the seventh, it was Hillier again leading off with a single. She moved to second base on a hit by Taylor Alton, setting up Corcoran to win the state championship with her bat.

“It was beautiful,” Tualatin pitcher Megan Woodward said through tears.

Clackamas scored a run in the first, second and fourth innings to take a 3-1 lead. Woodward said she knew she had to stop the Cavaliers from scoring again.

“I knew what they could hit. I threw it where I knew they couldn’t,” Woodward said. “I was just hitting my spots, and I knew I had my team behind me.”

Johansen, playing first base, made a diving catch to end the fifth inning with two Clackamas runners on base.

Moments later, the score was tied on Johansen’s blast to straight center field.

“When you know, you know,” she said of hitting the sweet spot on her shot.

It was a line drive but it sailed over the fence.

Apr 11 |  
JD Humburg | The Oregonian/Ore

#### BASEBALL

### Oregon high school baseball players to watch spring 2018

Mar 29 |  
Nick Daschel | The Oregonian/Ore

#### SOFTBALL

### Oregon high school softball players to watch spring 2018

Apr 2 |  
Nick Daschel | The Oregonian/Ore

#### BOYS BASKETBALL, GIRLS BASKETBALL

### Class 6A high school basketball final statistical leaders 2017-18

Apr 4 |  
JD Humburg | The Oregonian/Ore

#### BOYS BASKETBALL, GIRLS BASKETBALL

### Class 5A high school basketball final statistical leaders 2017-18

Apr 4 |  
JD Humburg | The Oregonian/Ore

#### BOYS BASKETBALL, GIRLS BASKETBALL

### All-state basketball 2018: Oregon's top 6A, 5A, 4A and 3A school stars

Apr 26 |  
JD Humburg | The Oregonian/Ore

#### FOOTBALL

### All-state football 2017: Oregon's top 6A, 5A, 4A and 3A stars

Dec 13 |  
JD Humburg | The Oregonian/Ore

#### GIRLS VOLLEYBALL

### All-state volleyball 2017: Oregon's top 6A, 5A, 4A and 3A stars

Dec 7 |  
JD Humburg | The Oregonian/Ore

#### BOYS SOCCER, GIRLS SOCCER

### All-state soccer 2017: Oregon's top 6A, 5A, 4A and 3A stars

Dec 11 |  
JD Humburg | The Oregonian/Ore

### PHOTOS: Oregon, S Washington athletes sign for colleges on National Signing Day 2018

Feb 7 |  
JD Humburg | The Oregonian/Ore



“It felt amazing to do that for my team. That was just awesome,” Johansen said.

Even while celebrating the program’s second state title in the past four years, the Timberwolves also credited Clackamas for pushing them to the limit.

Alyssa Daniell had an RBI triple in the top of the first inning. Trinity Loeb crushed a solo home run in the second inning. Madison Stateler had a run-scoring single for the Cavaliers in the fourth inning for the 3-1 lead.

“Clackamas is such a good team. We definitely felt threatened,” Johansen said. “We knew this was going to be a fight.”

Loeb, in fact, ended up 3 for 3, adding a double to her home run. She said she had been in a slump in the playoffs.

“I’m happy this is the game that I performed in for my team,” Loeb said.

She said their coaches told them they had the talent to play for a state championship this season.

“We kind of didn’t believe until later on (in the season),” Loeb said.

Then the Cavaliers finished one win away from a title.

“We are proud of our season,” Loeb said. “Just not the outcome we wanted, of course.”

It was exactly the ending that Tualatin believed could happen.

“We put in the work day in and day out,” Johansen said.

Then the Timberwolves went to the final inning of the final game to complete a perfect season with a state championship.

“Best way to end,” Woodward said. “Nothing will top this.”

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Promoted Links

## **See The Face Mask That Drew Barrymore Says Changed Her Life**

Elle for Hanacure

## **Oregon State baseball hammers LSU, advances to Corvallis Regional final: Live updates recap**

OregonLive.com

## **How To Fix Your Fatigue (Do This Every Day)**

GundryMD

## **New tax laws will make moving from Oregon to Washington a smart decision for some**



## **Commonly Misused Phrases That Will Make You Sound Unprofessional**

Work + Money



**City Council Meeting**

**Meeting Date:** 06/11/2018

**ANNOUNCEMENTS:** Science & Technology Scholarship Winners

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**ANNOUNCEMENTS**

Science & Technology Scholarship Winners

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SciTech

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**City Council Meeting**

**Meeting Date:** 06/11/2018

**ANNOUNCEMENTS:** Tualatin Youth Advisory Council Update, June 2018

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**ANNOUNCEMENTS**

Update on the Tualatin Youth Advisory Council's activities for June 2018

**SUMMARY**

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A. YAC Update

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June 11, 2018

# *Tualatin Youth Advisory Council*

*Youth Participating in Governance*

# Youth Summit 2018



- ⦿ Monday, May 21
- ⦿ Juanita Pohl Center
- ⦿ Round table discussions

# Blender Dash

- Saturday, June 2
- Tualatin Community Park
- Fun run for kids ages 6-15
- 800+ kids
- 120 volunteers



**July 7**

Despicable Me 3

**July 14**

Coco

**July 21**

Wonder Woman

**July 28**

Incredibles

**August 11**

Spider Man Homecoming

**August 18**

Guardians of the Galaxy 2

**August 25**

Black Panther



**City Council Meeting**

**Meeting Date:** 06/11/2018

**ANNOUNCEMENTS:** Proclamation Declaring July 2018 as National Park and Recreation Month

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**ANNOUNCEMENTS**

Proclamation Declaring July 2018 as National Park and Recreation Month

**SUMMARY**

National Park and Recreation Month Proclamation

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Proclamation

Poster

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# Proclamation

## *Proclamation Declaring the Month of July 2018 as "National Park and Recreation Month" in the City of Tualatin*

WHEREAS, parks and recreation programs are an integral part of communities throughout this country, including Tualatin; and

WHEREAS, our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

WHEREAS, parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and

WHEREAS parks, trails and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS parks and recreation areas are fundamental to the environmental well-being of our community by improving water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and

WHEREAS our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS Tualatin recognizes the benefits derived from parks and recreation resources and are dedicated and enthusiastic parks and recreation program users.

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

All citizens are urged to celebrate and use community parks and recreation facilities and programs to increase joy and happiness, health and fitness and social connections.

The City of Tualatin celebrates the sixteenth year of Park and Recreation Month and supports the enduring importance of parks and recreation by proclaiming the month of July as Parks and Recreation Month in Tualatin.

INTRODUCED AND ADOPTED this 11<sup>th</sup> day of June, 2018.

CITY OF TUALATIN, OREGON

BY \_\_\_\_\_  
Mayor

ATTEST:

BY \_\_\_\_\_  
City Recorder

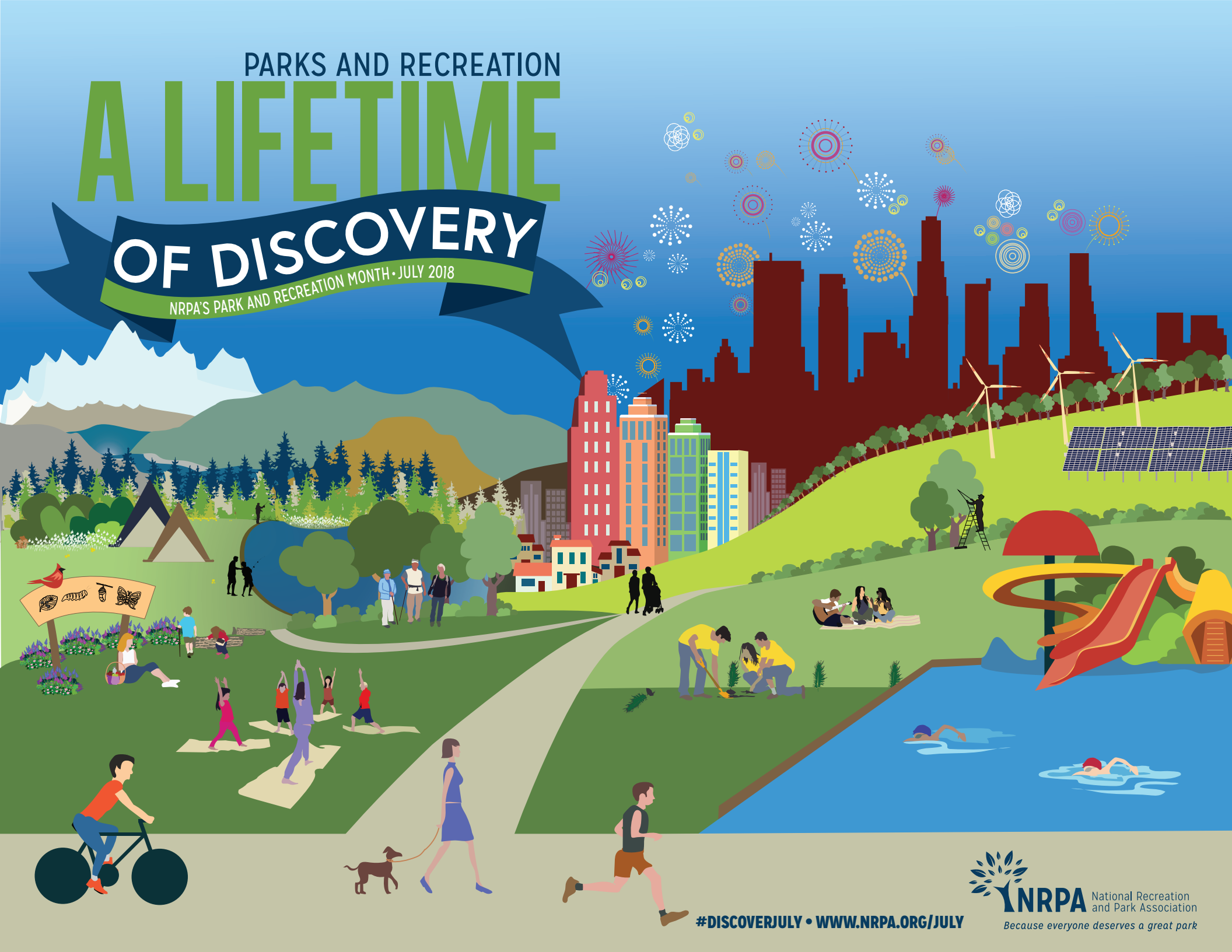


PARKS AND RECREATION

# A LIFETIME

# OF DISCOVERY

NRPA'S PARK AND RECREATION MONTH • JULY 2018





# 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:** 06/11/2018

**SUBJECT:** Consideration of Approval of the Minutes for the Work Session and Regular Meeting of May 29, 2018

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**ISSUE BEFORE THE COUNCIL:**

The issue before the Council is to approve the minutes for the Work Session and Regular Meeting of May 29, 2018.

**RECOMMENDATION:**

Staff respectfully recommends that the Council adopt the attached minutes.

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**Attachments:** [City Council Work Session Minutes of May 29, 2018](#)  
[City Council Regular Meeting Minutes of May 29, 2018](#)



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

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Bill Steele; Planning Manager Aquilla Hurd-Ravich; Deputy City Recorder Nicole Morris; City Engineer Jeff Fuchs; IS Director Bates Russell; Senior Planner Karen Fox; Contract Planner Matt Straite

## CALL TO ORDER

Mayor Ogden called the meeting to order at 6:04 p.m.

### 1. ***Tualatin Development Code Improvement Project Update.***

Community Development Director Aquilla Hurd-Ravich and Senior Planner Karen Fox presented an update on the Tualatin Development Code improvement project. Planner Fox spoke to the accomplishments to date including an audit, sample chapters, and presentations to the Council and Planning Commission. Staff is currently in the code clean-up phases and have completed three draft amendment iterations and completed production on a public draft. Through the drafts staff has organized and streamlined the code with the use of tables, improved language, and readability. New chapters for procedures and applications have been added to clarify and consolidated information making the ability to efficiently administer the code easier. Planner Fox stated overall phase one improved the code making it more user friendly for customers and easier for staff to administer. The upcoming schedule for the project includes agency coordination this Summer and preparations for a Fall workshop.

Councilor Kellogg asked if they are on scheduled for phase two. Planner Fox stated they are on schedule.

Councilor Grimes asked if there is continuity with this update on how other cities present their code. Planner Fox stated it is laid out similar to other cities, it reflects similar patterns based off research they have conducted.

Council President Davis asked if the document size has decreased. Planner Fox stated it has slightly decreased in size.

Mayor Ogden asked if any stakeholder feed has been conducted. Planner Fox stated nothing formal to this point.

Mayor Ogden asked if the final version would be searchable electronically. Planner Fox stated they will be working with a publishing company as this is a high priority

for the project.

Councilor DeHaan asked if there would be any potential litigation issues with the update. City Attorney Brady stated there has not been any policy changes made in phase one.

## **2. *Accessory Dwelling Units – Modification of the Code.***

Community Development Director Aquilla Hurd-Ravich and Contract Planner Matt Straite presented proposed modifications for criteria and standards for accessory dwelling units (ADU). Planner Straite presented draft code stating the proposed amendments are to address new state laws that have been put in place. Presented amendments included modifying the definition of an ADU, allowing detached ADUs, adding standards for detached units, and creating a formal process for ADUs. Planner Straite stated staff's goal was to make these changes as policy neutral as possible. He noted the Planning Commission felt differently and has recommended changes to the definitions and parking requirements.

Councilor Bubenik asked if prefabricated units would meet the cities architectural standards. Planner Straite stated it would depend on the design of the building.

Councilor DeHaan asked if the setbacks for the units would remain the same. Planner Straite stated they would remain the same.

Councilor Kellogg asked for clarification on how parking spots are counted for the units. Planner Straite explained how the units have to have their own separate spaces in addition to the existing home.

Councilor Kellogg asked if SDC's were considered in this review. Director Hurd-Ravich stated the municipal code defines how those are charged based on features in the unit.

Councilor DeHaan asked if there are any current ADUs in the city. Director Hurd-Ravich stated there are a few at this time.

Councilor Kellogg would like to make sure the Council addresses the short term rental section of the code when considering the ADU code. Councilor Grimes and Bubenik concurred.

Mayor Ogden would like to see the state mandated changes made first and then have further discussion on those sort of topics.

Councilor Bubenik asked if staff could find out how many properties would actually qualify for an ADU. Planner Straite stated they would only be able to report back on detached units and not the additional types.

Councilor Morrison asked what would happen if Council took no action. Planner Straite stated the city would then have no standards for detached ADUs.

Councilor Kellogg asked if the primary dwelling unit has to be owner occupied. Director Hurd-Ravich stated staff would have to research this.

Councilor Kellogg asked if HOA's would prevent people from having ADUs. Attorney Brady stated property restrictions from the HOA would prevail.

**3. Proclamation Request.**

Council President Davis presented a proclamation request recognizing the first Friday in June as National Gun Violence Awareness Day. She stated she was presented this proclamation from Mom's Demanding Action.

Council consensus was reached to add the proclamation to tonight's agenda. Councilor Kellogg request there be a motion to waive the Council rules regarding proclamations prior to the declaration.

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

None.

**ADJOURNMENT**

The work session adjourned at 7:02 p.m.

Sherilyn Lombos, City Manager

\_\_\_\_\_ / Nicole Morris, Recording Secretary

\_\_\_\_\_ / Lou Ogden, Mayor



## OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR MAY 29, 2018

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

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Bill Steele; Community Services Director Paul Hennon; Planning Manager Aquilla Hurd-Ravich; Deputy City Recorder Nicole Morris; Maintenance Services Division Manager Clayton Reynolds; City Engineer Jeff Fuchs; IS Director Bates Russell; Senior Planner Karen Fox

### A. CALL TO ORDER

Pledge of Allegiance

Mayor Ogden called the meeting to order at 7:02 p.m.

### B. ANNOUNCEMENTS

1. Proclamation Declaring the Week of May 20-26, 2018 as Emergency Medical Services Week in the City of Tualatin

Councilor Grimes read the proclamation declaring the week of May 20-26, 2018 as Emergency Medical Services Week in the City of Tualatin.

2. Proclamation Declaring the First Friday in June to be National Gun Violence Awareness Day

MOTION by Council President Joelle Davis, SECONDED by Councilor Robert Kellogg to suspend the current council rules regarding the addition of a new proclamation.

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

Councilor Davis read the proclamation declaring the first Friday in June to be National Gun Violence Awareness Day.

3. Recognition of Paul Hennon on the Occasion of His Retirement

City Manager Lombos and the Council thanked Paul Hennon for his service and dedication to the City of Tualatin.

Mayor Ogden read the proclamation recognizing Paul Hennon on the occasion of his retirement.

**C. CITIZEN COMMENTS**

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None.

**D. CONSENT AGENDA**

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MOTION by Council President Joelle Davis, SECONDED by Councilor Robert Kellogg 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 Regular Meeting of May 14, 2018
2. Consideration of Approval of 2018 Liquor License Renewals-Late Submittals
3. Consideration of Approval of a New Liquor License Application for Lakeside Bistro
4. Consideration of **Resolution No. 5366-18** Authorizing the City Manager to Accept Major Streets Transportation Improvement Program (MSTIP) Funds to Complete Project Design and Construction for the Sagert Street Pedestrian Connectivity and Enhancement Project
5. Consideration of **Resolution No. 5370-18** Authorizing the City Manager to Acquire Property for Parkland Purposes

**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. 1409-18** establishing a Core Area Parking District (CAPD) Tax Rate of \$170.88 for Fiscal Year 2018/19

Maintenance Services Manager Clay Reynolds stated the Core Area Parking District Board and staff are recommending the tax rate increases by 10% with the new rate being \$170.88 for the upcoming Fiscal Year 2018/19. The increased tax rate is needed to cover the costs of the ADA upgrades.

Mayor Ogden asked how a business's rate is determined. Manager Reynolds explained how the rate is computed.

Mayor Ogden asked if there is capacity for new growth. Manager Reynolds stated it would depend on the type of business.

Council President Davis asked what the time frame is for completing the ADA upgrades. Manager Reynolds stated it will take a number of years to get enough funds to complete the project.

#### PUBLIC COMMENT

None.

MOTION by Councilor Nancy Grimes, SECONDED by Councilor Robert Kellogg for first reading 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 Councilor Nancy Grimes, SECONDED by Councilor Robert Kellogg 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 Councilor Nancy Grimes, SECONDED by Councilor Robert Kellogg to adopt Ordinance No. 1409-18 establishing a Core Area Parking District (CAPD) tax rate of \$170.88 for fiscal year 2018/19.

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

MOTION CARRIED

2. Consideration of **Resolution No. 5367-18** Granting a Minor Architectural Review to Tualatin Professional Center (TPC) Parking Lot Improvement Located at 6464 Sw Borland Road (MAR17-0041)



City Attorney Brady stated this resolution is to execute the decision from the previous public hearing and vote.

MOTION by Council President Joelle Davis, SECONDED by Councilor Paul Morrison to adopt Resolution No. 5367-18 granting a Minor Architectural Review to Tualatin Professional Center (TPC) parking lot improvement located at 6464 Sw Borland Road (MAR17-0041).

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

**3. Consideration of Resolution No. 5369-18 Granting a Variance to the Separation Requirements of Wireless Communication Facilities (VAR17-00001)**

MOTION by Council President Joelle Davis, SECONDED by Councilor Paul Morrison to adopt Resolution No. 5369-18 granting a variance to the separation requirements of Wireless Communication Facilities (VAR17-00001).

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

Nay: Councilor Frank Bubenik, Councilor Robert Kellogg

MOTION CARRIED

**F. COMMUNICATIONS FROM COUNCILORS**

Councilor Kellogg thanked voters for approving the bond measure.

Councilor Bubenik thanked the VFW Auxiliary for hosting the Memorial Day services at the Winona Cemetery.

Councilor Morrison asked for a timeline on the rollout of the bond measure and what the next steps are. City Manager Lombos stated staff will be bringing information to the Council at the second meeting in June. They plan to have a prioritization process and public input plan.

Council President Davis thanked city staff for putting together the bond package and thanked the Council members for their excellent public communications on it.

**G. ADJOURNMENT**

Mayor Ogden adjourned the meeting at 7:54 p.m.

Sherilyn Lombos, City Manager

\_\_\_\_\_ / Nicole Morris, Recording Secretary

\_\_\_\_\_ / Lou Ogden, Mayor



# STAFF REPORT

## CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos

**FROM:** Nicole Morris, Deputy City Recorder

**DATE:** 06/11/2018

**SUBJECT:** Consideration of Approval of a New Liquor License Application for MOD Pizza

---

### **ISSUE BEFORE THE COUNCIL:**

The issue before the Council is to approve a new liquor license application for MOD Pizza.

### **RECOMMENDATION:**

Staff respectfully recommends that the Council approve endorsement of the liquor license application for MOD Pizza.

### **EXECUTIVE SUMMARY:**

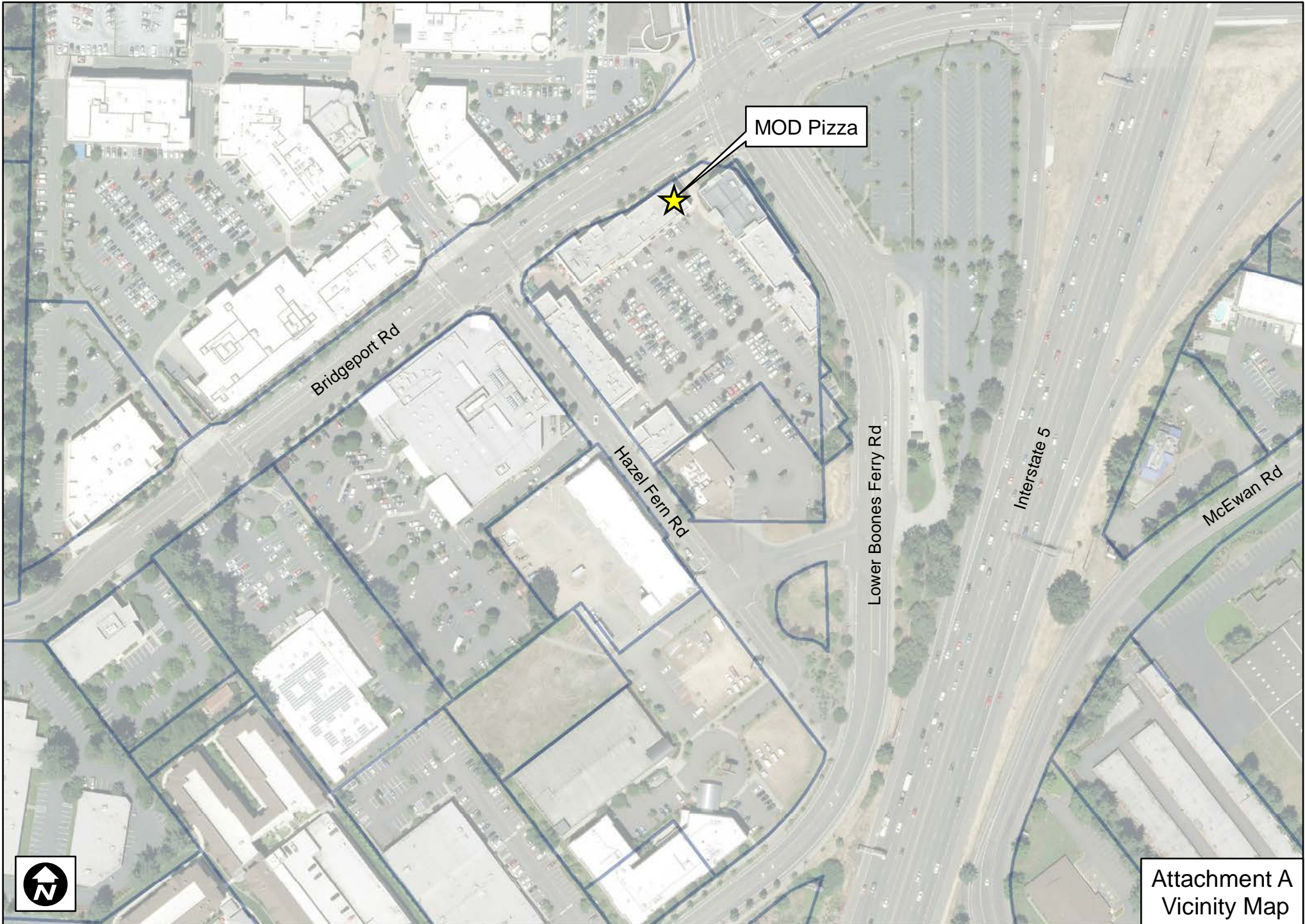
MOD Pizza has submitted a new liquor license application under the category of limited on-premises sales. Under the category of limited on-premise sales, they would be permitted to sell factory-sealed containers of malt beverages, wine, and cider for on-site consumption. The business is located at 7152 SW Hazel Fern Road. The application is in accordance with provisions of Ordinance No.680-85 which establishes procedures for liquor license applicants. Applicants are required to fill out a City application form, from which a review by the Police Department is conducted, according to standards and criteria established in Section 6 of the ordinance. The Police Department has reviewed the new liquor license application and recommended approval. According to the provisions of Section 5 of Ordinance No. 680-85 a member of the Council or the public may request a public hearing on any of the liquor license requests. If such a public hearing request is made, a hearing will be scheduled and held on the license. It is important that any request for such a hearing include reasons for said hearing.

### **FINANCIAL IMPLICATIONS:**

A fee has been paid by the applicant.

---

**Attachments:** [Attachment A - Vicinity Map](#)  
[Attachment B- License Types](#)  
[Attachment C- Application](#)



MOD Pizza

Bridgeport Rd

Hazel Fern Rd

Lower Boones Ferry Rd

Interstate 5

McEwan Rd



Attachment A  
Vicinity Map

## OREGON LIQUOR CONTROL COMMISSION LICENSE TYPES

### FULL ON-PREMISES SALES

- **Commercial Establishment**  
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location (*this is the license that most “full-service” restaurants obtain*). Sell malt beverages for off-site consumption in securely covered containers provided by the customer. Food service required. Must purchase distilled liquor **only** from an Oregon liquor store, or from another Full On- Premises Sales licensee who has purchased the distilled liquor from an Oregon liquor store.
- **Caterer**  
Allows the sale of distilled spirits, malt beverages, wine, and cider by the drink to individuals at off-site catered events. Food service required.
- **Passenger Carrier**  
An airline, railroad, or tour boat may sell and serve distilled spirits, malt beverages, wine, and cider for consumption on the licensed premises. Food service required.
- **Other Public Location**  
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location, where the predominant activity is not eating or drinking (for example an auditorium; music, dance, or performing arts facility; banquet or special event facility; lodging fairground; sports stadium; art gallery; or a convention, exhibition, or community center). Food service required.
- **Private Club**  
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location, but only for members and guests. Food service required.

### LIMITED ON-PREMISES SALES

Sell and serve malt beverages, wine, and cider for onsite consumption. Allows the sale of malt beverages in containers (kegs) for off-site consumption. Sell malt beverages for off-site consumption in securely covered containers provided by the customer.

### OFF-PREMISES SALES

Sell factory-sealed containers of malt beverages, wine, and cider at retail to individuals in Oregon for consumption off the licensed premises. Eligible to provide sample tastings of malt beverages, wine, and cider for consumption on the premises. Eligible to ship manufacturer-sealed containers of malt beverages, wine, or cider directly to an Oregon resident.

### BREWERY PUBLIC HOUSE

Make and sell malt beverages. Import malt beverages into and export from Oregon. Distribute malt beverages directly to retail and wholesale licensees in Oregon. Sell malt beverages made at the business to individuals for consumption on or off-site.

### WINERY

Must principally produce wine or cider in Oregon. Manufacture, store, and export wine and cider. Import wine or cider *If bottled, the brand of wine or cider must be owned by the licensee*. Sell wine and cider to wholesale and retail licensees in Oregon. Sell malt beverages, wine, and cider to individuals in Oregon for consumption on or off-site.



CITY OF TUALATIN
LIQUOR LICENSE APPLICATION

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

Date 05/18/2018

IMPORTANT: This is a three-page form. You are required to complete all sections of the form.
If a question does not apply, please indicate N/A. Please include full names (last, first middle) and full
dates of birth (month/day/year). Incomplete forms shall receive an unfavorable recommendation.
Thank you for your assistance and cooperation.

CITY OF TUALATIN
MAY 24 2018

SECTION 1: TYPE OF APPLICATION

- Original (New) Application - \$100.00 Application Fee.
Change in Previous Application - \$75.00 Application Fee.
Renewal of Previous License - \$35.00 Application Fee. Applicant must possess current business
license. License #
Temporary License - \$35.00 Application Fee.

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

SECTION 2: DESCRIPTION OF BUSINESS

Name of business (dba): MOD Pizza
Business address 7152 SW Hazel Fern Road City Tigard State OR Zip Code 97224
Mailing address PO Box 6939 City Bellevue State WA Zip Code 98008
Telephone # 971-223-2065 Fax #
Email licensing@modpizza.com
Name(s) of business manager(s) First Matthew Middle Charles Last Kasey

(attach additional pages if necessary)

Type of business Fast casual pizza restaurant
Type of food served Pizza, salad, soft drinks, beer and wine
Type of entertainment (dancing, live music, exotic dancers, etc.) No
Days and hours of operation Sunday-Thursday 10:30am-10:00pm; Friday and Saturday 10:30am-11:00pm
Food service hours: Breakfast Lunch Dinner
Restaurant seating capacity 88 Outside or patio seating capacity 16
How late will you have outside seating? Until 10:00pm How late will you sell alcohol? 10:00pm

How many full-time employees do you have? \_\_\_\_\_ Part-time employees? \_\_\_\_\_

**SECTION 3: DESCRIPTION OF LIQUOR LICENSE**

Name of Individual, Partnership, Corporation, LLC, or Other applicants MOD Super Fast Pizza, LLC

Type of liquor license (refer to OLCC form) Limited On-Premises

Form of entity holding license (check one and answer all related applicable questions):

**INDIVIDUAL:** If this box is checked, provide full name, date of birth, and residence address.

Full name \_\_\_\_\_ Date of birth \_\_\_\_\_

Residence address \_\_\_\_\_

**PARTNERSHIP:** If this box is checked, provide full name, date of birth and residence address for each partner. If more than two partners exist, use additional pages. If partners are not individuals, also provide for each partner a description of the partner's legal form and the information required by the section corresponding to the partner's form.

Full name \_\_\_\_\_ Date of birth \_\_\_\_\_

Residence address \_\_\_\_\_

Full name \_\_\_\_\_ Date of birth \_\_\_\_\_

Residence address \_\_\_\_\_

**CORPORATION:** If this box is checked, complete (a) through (c).

(a) Name and business address of registered agent.

Full name \_\_\_\_\_

Business address \_\_\_\_\_

(b) Does any shareholder own more than 50% of the outstanding shares of the corporation? If yes, provide the shareholder's full name, date of birth, and residence address.

Full name \_\_\_\_\_ Date of birth \_\_\_\_\_

Residence address \_\_\_\_\_

(c) Are there more than 35 shareholders of this corporation? Yes \_\_\_\_\_ No \_\_\_\_\_. If 35 or fewer shareholders, identify the corporation's president, treasurer, and secretary by full name, date of birth, and residence address.

Full name of president: \_\_\_\_\_ Date of birth: \_\_\_\_\_

Residence address: \_\_\_\_\_

Full name of treasurer: \_\_\_\_\_ Date of birth: \_\_\_\_\_

Residence address: \_\_\_\_\_

Full name of secretary: \_\_\_\_\_ Date of birth: \_\_\_\_\_

Residence address: \_\_\_\_\_

**LIMITED LIABILITY COMPANY:** If this box is checked, provide full name, date of birth, and residence address of each member. If there are more than two members, use additional pages to complete this question. If members are not individuals, also provide for each member a description of the member's legal form and the information required by the section corresponding to the member's form.

Full name: MOD Super Fast Pizza Intermediate Holdings II, LLC Date of birth: \_\_\_\_\_

Residence address: \_\_\_\_\_

Full name: Scott Trimble Svenson Date of birth: [REDACTED]  
Residence address: [REDACTED]

**OTHER:** If this box is checked, use a separate page to describe the entity, and identify with reasonable particularity every entity with an interest in the liquor license.

**SECTION 4: APPLICANT SIGNATURE**

A false answer or omission of any requested information on any page of this form shall result in an unfavorable recommendation.

[REDACTED] Date 5/10/18  
Sig \_\_\_\_\_ Date \_\_\_\_\_

For City Use Only

Sources Checked:

DMV by jm       LEADS by jm       TuPD Records by jm  
 Public Records by jm

Number of alcohol-related incidents during past year for location.

Number of Tualatin arrest/suspect contacts for Matthew Casey

It is recommended that this application be:

**Granted**

**Denied**

Cause of unfavorable recommendation: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

[REDACTED] Date 5-25-18  
Signature \_\_\_\_\_ Date \_\_\_\_\_

Bill Steele  
Chief of Police  
Tualatin Police Department





# STAFF REPORT

## CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Nicole Morris, Deputy City Recorder

**DATE:** 06/11/2018

**SUBJECT:** Consideration of Approval of a New Liquor License Application for Choza PDX

---

### **ISSUE BEFORE THE COUNCIL:**

The issue before the Council is to approve a new liquor license application for Choza PDX.

### **RECOMMENDATION:**

Staff respectfully recommends that the Council approve endorsement of the liquor license application for Choza PDX.

### **EXECUTIVE SUMMARY:**

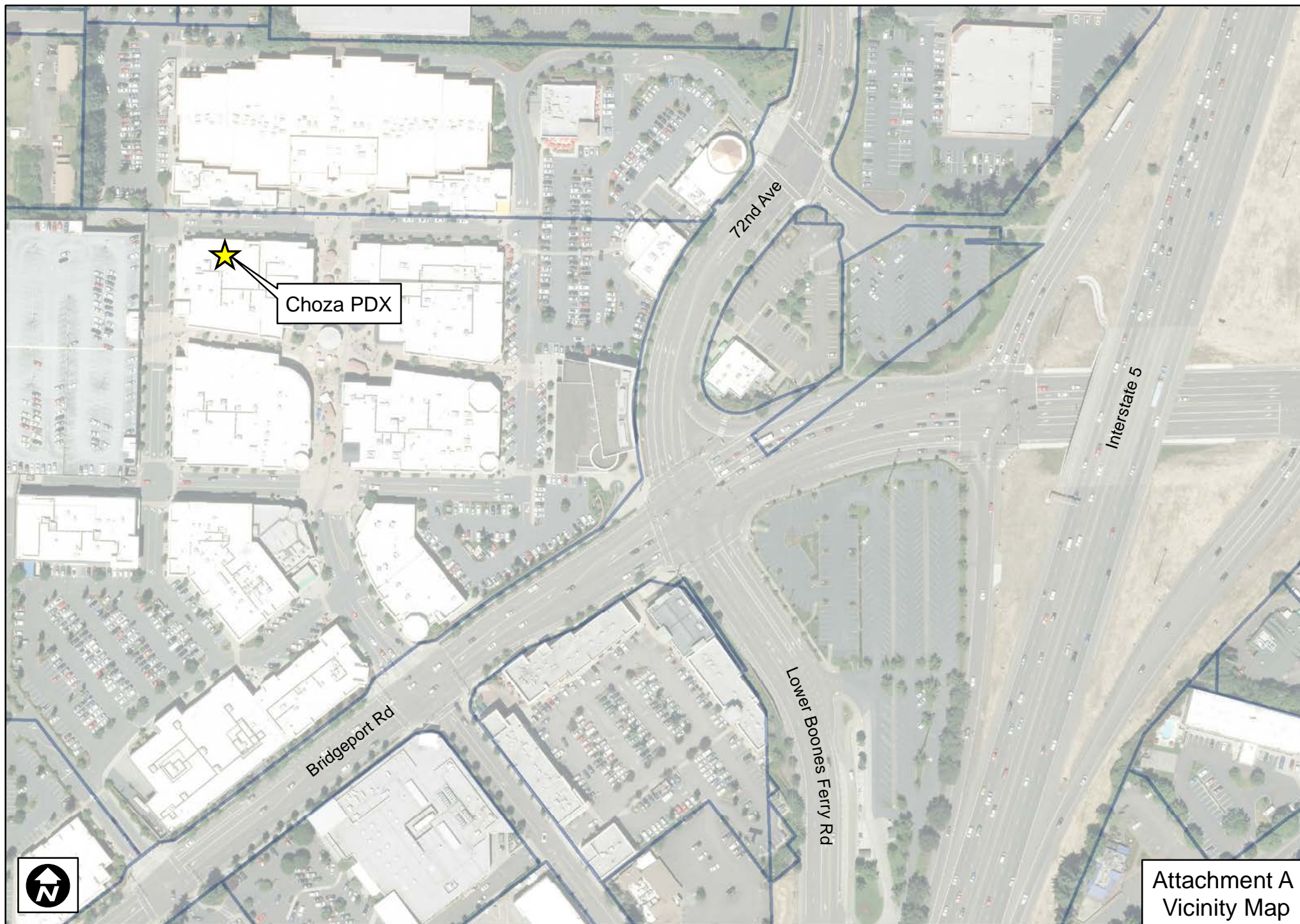
Choza PDX has submitted a new liquor license application under the category of full on-premises. This would permit them to sell and serve distilled spirits, malt beverages, wine, and cider for consumption at their location. They would also be permitted to sell malt beverages for off-site consumption in securely covered containers provided by the customer. The business is located at 7361 SW Bridgeport Road. The application is in accordance with provisions of Ordinance No.680-85 which establishes procedures for liquor license applicants. Applicants are required to fill out a City application form, from which a review by the Police Department is conducted, according to standards and criteria established in Section 6 of the ordinance. The Police Department has reviewed the new liquor license application and recommended approval. According to the provisions of Section 5 of Ordinance No. 680-85 a member of the Council or the public may request a public hearing on any of the liquor license requests. If such a public hearing request is made, a hearing will be scheduled and held on the license. It is important that any request for such a hearing include reasons for said hearing.

### **FINANCIAL IMPLICATIONS:**

A fee has been paid by the applicant.

---

**Attachments:** [Attachment A - Vicinity Map](#)  
[Attachment B- License Types](#)  
[Attachment C-Application](#)



## OREGON LIQUOR CONTROL COMMISSION LICENSE TYPES

### FULL ON-PREMISES SALES

- **Commercial Establishment**  
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location (*this is the license that most “full-service” restaurants obtain*). Sell malt beverages for off-site consumption in securely covered containers provided by the customer. Food service required. Must purchase distilled liquor **only** from an Oregon liquor store, or from another Full On- Premises Sales licensee who has purchased the distilled liquor from an Oregon liquor store.
- **Caterer**  
Allows the sale of distilled spirits, malt beverages, wine, and cider by the drink to individuals at off-site catered events. Food service required.
- **Passenger Carrier**  
An airline, railroad, or tour boat may sell and serve distilled spirits, malt beverages, wine, and cider for consumption on the licensed premises. Food service required.
- **Other Public Location**  
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location, where the predominant activity is not eating or drinking (for example an auditorium; music, dance, or performing arts facility; banquet or special event facility; lodging fairground; sports stadium; art gallery; or a convention, exhibition, or community center). Food service required.
- **Private Club**  
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location, but only for members and guests. Food service required.

### LIMITED ON-PREMISES SALES

Sell and serve malt beverages, wine, and cider for onsite consumption. Allows the sale of malt beverages in containers (kegs) for off-site consumption. Sell malt beverages for off-site consumption in securely covered containers provided by the customer.

### OFF-PREMISES SALES

Sell factory-sealed containers of malt beverages, wine, and cider at retail to individuals in Oregon for consumption off the licensed premises. Eligible to provide sample tastings of malt beverages, wine, and cider for consumption on the premises. Eligible to ship manufacturer-sealed containers of malt beverages, wine, or cider directly to an Oregon resident.

### BREWERY PUBLIC HOUSE

Make and sell malt beverages. Import malt beverages into and export from Oregon. Distribute malt beverages directly to retail and wholesale licensees in Oregon. Sell malt beverages made at the business to individuals for consumption on or off-site.

### WINERY

Must principally produce wine or cider in Oregon. Manufacture, store, and export wine and cider. Import wine or cider *If bottled, the brand of wine or cider must be owned by the licensee*. Sell wine and cider to wholesale and retail licensees in Oregon. Sell malt beverages, wine, and cider to individuals in Oregon for consumption on or off-site.



# CITY OF TUALATIN

## LIQUOR LICENSE APPLICATION

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

Date 5/8/18

**IMPORTANT:** This is a three-page form. **You are required to complete all sections of the form.**  
If a question does not apply, please indicate N/A. Please include full names (last, first middle) and full dates of birth (month/day/year). Incomplete forms shall receive an unfavorable recommendation.  
Thank you for your assistance and cooperation.

REC'D  
CITY OF TUALATIN  
MAY 22 2018

### SECTION 1: TYPE OF APPLICATION

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

- Original (New) Application - \$100.00 Application Fee.
- Change in Previous Application - \$75.00 Application Fee.
- Renewal of Previous License - \$35.00 Application Fee. Applicant must possess current business license. License # \_\_\_\_\_
- Temporary License - \$35.00 Application Fee.

### SECTION 2: DESCRIPTION OF BUSINESS

Name of business (dba): Choza PDX

Business address 7361 SW BRIDGEPORT City Tigard State OR Zip Code 97224

Mailing address 4620 SW Beaverton Hillsdale City Beav State OR Zip Code 97221

Telephone # 503-673-2300 Fax # \_\_\_\_\_

Email Cindi@chozapdx.com

Name(s) of business manager(s) First Joseph Middle Marie Last Rapport

Date of birth \_\_\_\_\_ Social Security # \_\_\_\_\_ ODL# \_\_\_\_\_

Home address \_\_\_\_\_  
(attach additional pages if necessary)

Type of business Full Service Restaurant

Type of food served Mexican

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

Days and hours of operation 11-10

Food service hours: Breakfast N/A Lunch 11-10 Dinner 11-10

Restaurant seating capacity 100 Outside or patio seating capacity 15

How late will you have outside seating? 12:00 am How late will you sell alcohol? 12:00 am

How many full-time employees do you have? 8 Part-time employees? 10

**SECTION 3: DESCRIPTION OF LIQUOR LICENSE**

Name of Individual, Partnership, Corporation, LLC, or Other applicants \_\_\_\_\_

Chorupdy LLC  
Type of liquor license (refer to OLCC form) Full on Premises, Commercial

Form of entity holding license (check one and answer all related applicable questions):

**INDIVIDUAL:** If this box is checked, provide full name, date of birth, and residence address.  
Full name \_\_\_\_\_ Date of birth \_\_\_\_\_  
Residence address \_\_\_\_\_

**PARTNERSHIP:** If this box is checked, provide full name, date of birth and residence address for each partner. If more than two partners exist, use additional pages. If partners are not individuals, also provide for each partner a description of the partner's legal form and the information required by the section corresponding to the partner's form.  
Full name \_\_\_\_\_ Date of birth \_\_\_\_\_  
Residence address \_\_\_\_\_  
Full name \_\_\_\_\_ Date of birth \_\_\_\_\_  
Residence address \_\_\_\_\_

**CORPORATION:** If this box is checked, complete (a) through (c).  
(a) Name and business address of registered agent.  
Full name \_\_\_\_\_  
Business address \_\_\_\_\_

(b) Does any shareholder own more than 50% of the outstanding shares of the corporation? If yes, provide the shareholder's full name, date of birth, and residence address.  
Full name \_\_\_\_\_ Date of birth \_\_\_\_\_  
Residence address \_\_\_\_\_

(c) Are there more than 35 shareholders of this corporation? Yes \_\_\_ No \_\_\_ If 35 or fewer shareholders, identify the corporation's president, treasurer, and secretary by full name, date of birth, and residence address.  
Full name of president: \_\_\_\_\_ Date of birth: \_\_\_\_\_  
Residence address: \_\_\_\_\_  
Full name of treasurer: \_\_\_\_\_ Date of birth: \_\_\_\_\_  
Residence address: \_\_\_\_\_  
Full name of secretary: \_\_\_\_\_ Date of birth: \_\_\_\_\_  
Residence address: \_\_\_\_\_

**LIMITED LIABILITY COMPANY:** If this box is checked, provide full name, date of birth, and residence address of each member. If there are more than two members, use additional pages to complete this question. If members are not individuals, also provide for each member a description of the member's legal form and the information required by the section corresponding to the member's form.

(1) Full name: Joseph Rappart Date of birth: [REDACTED]  
Residence address: [REDACTED]

② Full name - Daniel Ramon DOB [redacted]

③ Full name: Fernando Aguayo Date of birth [redacted]  
Residence address: [redacted]

OTHER: If this box is checked, use a separate page to describe the entity, and identify with reasonable particularity every entity with an interest in the liquor license.

**SECTION 4: APPLICANT SIGNATURE**

A false answer or omission of any requested information on any page of this form shall result in an unfavorable recommendation.

Sig [redacted] Date 5/8/18

**For City Use Only**

Sources Checked:

- DMV by [signature]
- LEDS by [signature]
- TuPD Records by [signature]
- Public Records by \_\_\_\_\_

Number of alcohol-related incidents during past year for location.

Number of Tualatin arrest/suspect contacts for JOSEPH RAPPOET

**It is recommended that this application be:**

Granted

Denied

Cause of unfavorable recommendation: \_\_\_\_\_

Signature [signature]

Date 5-23-18

Bill Steele  
Chief of Police  
Tualatin Police Department



# STAFF REPORT

## CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Don Hudson, Finance Director

**DATE:** 06/11/2018

**SUBJECT:** Consideration of **Resolution No. 5371-18** Setting Road Utility Fees, Effective July 1, 2018

---

### **ISSUE BEFORE THE COUNCIL:**

Whether or not to approve Resolution No. 5371-18, Setting Road Utility Fees, Effective July 1, 2018.

### **RECOMMENDATION:**

Staff recommends adoption of the attached resolution setting Road Utility Fees to be effective on and after July 1, 2018.

### **EXECUTIVE SUMMARY:**

The Road Utility Fee was created for the purpose of maintenance of City streets, which includes repairing sidewalks under a sidewalk maintenance program, landscape enhancements along the rights-of-way, street tree replacement, and for paying the operating cost of street lights. The pavement maintenance and street light portion of the fee was created in April 1990, with the sidewalk/street tree portion added in July 1991. New rates were established in July 2017, and an indexing of the rate was updated using a formula utilized by Washington County for the Transportation Development Tax each year. The three-pronged index was recently approved by the Washington County Board of Commissioners at 2.939%. The attached resolution increases the Road Utility and Sidewalk/Street Tree Fees by this index.

### **OUTCOMES OF DECISION:**

Approval of this resolution will increase the rates in accordance with TMC 3-4-110(2) .

### **FINANCIAL IMPLICATIONS:**

---

**Attachments:** Reso Road Utility 18-19 Rate

RESOLUTION NO. 5371-18

A RESOLUTION SETTING ROAD UTILITY FEE RATES INSIDE THE CITY OF TUALATIN AND RESCINDING RESOLUTION NO. 5330-17

WHEREAS, under TMC 3-4, the Council established a Road Utility Fee; and

WHEREAS, under TMC 3-4-100, Council is to establish the rates for the Road Utility Fee by resolution; and

WHEREAS, the Council wishes to establish the Road Utility Fee rates as set forth in this resolution;

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

**Section 1. Monthly Rates.**

(a) The schedule of monthly Road Utility Fees rates for Residential Customer Groups are as follows:

| Customer Group            | Per Unit |
|---------------------------|----------|
| Single Family Residential | \$ 5.40  |
| Multi-Family Residential  | \$ 4.90  |

(b) The schedule of monthly Road Utility Fee rates for Non-Residential Customer Groups are as follows:

| Customer Group          | Per Thousand Square Feet | Flat Fee |
|-------------------------|--------------------------|----------|
| Non-Residential Group 1 | \$ 1.34                  | \$ 3.35  |
| Non-Residential Group 2 | \$ 2.32                  | \$ 3.35  |
| Non-Residential Group 3 | \$ 5.76                  | \$ 3.35  |
| Non-Residential Group 4 | \$ 12.97                 | \$ 3.35  |
| Non-Residential Group 5 | \$ 37.06                 | \$ 3.35  |
| Non-Residential Group 6 | \$ 88.53                 | \$ 3.35  |
| Non-Residential Group 7 | \$ 10.29                 | \$ 3.35  |

**Section 2.** Resolution No. 5330-17 is rescinded.



**Section 3. Effective Date.** This resolution is effective July 1, 2018.

INTRODUCED AND ADOPTED this 11th day of June 2018.

CITY OF TUALATIN, OREGON

BY \_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

ATTEST:

BY \_\_\_\_\_  
City Attorney

BY \_\_\_\_\_  
City Recorder



# STAFF REPORT

## CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Don Hudson, Finance Director

**DATE:** 06/11/2018

**SUBJECT:** Consideration of Resolution No. 5372-18 Certifying City of Tualatin Municipal Services

---

### **ISSUE BEFORE THE COUNCIL:**

To be eligible to receive state shared revenues (cigarette, liquor and highway taxes), the City must certify it provides four or more of certain municipal services.

### **RECOMMENDATION:**

Staff recommends that the Council adopt the attached Resolution certifying City of Tualatin municipal services.

### **EXECUTIVE SUMMARY:**

The State of Oregon requires that cities located in a county having more than 100,000 inhabitants according to the most recent decennial census, must provide four or more of certain municipal services in order to receive state shared revenues. Those services are: Police Protection; Fire Protection; Street Construction, Maintenance and Lighting; Sanitary Sewers; Storm Sewers; Planning, Zoning and Subdivision Control; and Water Utility Services. The City provides six of the seven listed municipal services (Fire Protection is provided by Tualatin Valley Fire & Rescue).

### **OUTCOMES OF DECISION:**

If the Council approves the Resolution, the City will be eligible to receive state shared revenues. If the Council does not approve the Resolution, the City will not receive state shared revenues and we will need to reduce expenditures or contingencies.

### **FINANCIAL IMPLICATIONS:**

It is estimated, and budgeted, that the City will receive \$32,620 in Cigarette Taxes and \$495,250 in Liquor Taxes in the General Fund and \$1,954,060 in State Gas Taxes in the Road Operating Fund.

---

**Attachments:** Resolution No. 5372-18



RESOLUTION NO. 5372-18

A RESOLUTION CERTIFYING CITY OF TUALATIN MUNICIPAL SERVICES

WHEREAS, ORS 221.760 provides that the officer responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.820 and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants, disburse such funds only if the city provides four or more of the following services:

1. Police Protection
2. Fire Protection
3. Street Construction, Maintenance, and Lighting
4. Sanitary Sewers
5. Storm Sewers
6. Planning, Zoning, and Subdivision Control
7. Water Utility Services; and

WHEREAS, the Council desires to comply with ORS 221.760 by certifying the provision of municipal services.

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

**Section 1.** The City of Tualatin certifies that it provides the following four or more municipal services, as provided in ORS 221.760:

1. Police Protection
2. Street Construction, Maintenance, and Lighting
3. Sanitary Sewers
4. Storm Sewers
5. Planning, Zoning, and Subdivision Control
6. Water Utility Services

**Section 2.** This resolution is effective upon adoption.

Adopted by the City Council this 11<sup>th</sup> day of June, 2018.

CITY OF TUALATIN, OREGON

BY \_\_\_\_\_  
Mayor

APPROVED AS TO FORM

ATTEST:

BY \_\_\_\_\_  
City Attorney

BY \_\_\_\_\_  
City Recorder



# STAFF REPORT

## CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Don Hudson, Finance Director

**DATE:** 06/11/2018

**SUBJECT:** Consideration of **Resolution No. 5374-18** Amending Water, Sewer and Surface Water Management Rates Inside the City of Tualatin and Rescinding Resolution 5324-17

---

### **ISSUE BEFORE THE COUNCIL:**

The City Council will consider setting water, sewer and surface water management rates for service performed after June 30, 2018. The FY 18/19 Budget was prepared assuming the rates for service would be set as proposed, including the split between a Regional Rate, set by Clean Water Services (CWS), and a Local Rate, set by the City of Tualatin for sewer and surface water rates.

### **RECOMMENDATION:**

Staff recommends adopting the attached Resolution.

### **EXECUTIVE SUMMARY:**

Water rates are increasing as determined in the adopted Water Master Plan, with the consumption rate increasing from \$2.83 per 100 cubic ft. (CCF) to \$2.95 per CCF, the service charge increasing from \$4.01 per month to \$4.18 per month, and the facilities charge increasing per the schedule in Section 5 of the attached resolution.

The monthly regional base sewer rate would increase from \$23.67 per Dwelling Unit (DU) to \$24.38/DU and the monthly regional use charge would increase from \$1.56 per Hundred Cubic Feet (CCF) to \$1.61/CCF. The local base rate and use charge would increase from \$5.51/DU to \$5.68/DU and from \$0.3750/CCF to \$0.3860/CCF, respectively. The Sewer System Development Charge would increase from \$5,500 per Dwelling Unit (DU) or Equivalent Dwelling Unit (EDU) to \$5,650/DU or EDU.

The monthly regional surface water management rate would increase from \$2.06 per Equivalent Service Unit (ESU) to \$2.19/ESU and the local rate would increase from \$6.59/ESU to \$6.96/ESU. The Surface Water Management System Development Charge would increase from \$530 per Equivalent Service Unit (ESU) to \$545/ESU.

**OUTCOMES OF DECISION:**

Adoption of the attached resolution sets new rates effective July 1, 2018.

**FINANCIAL IMPLICATIONS:**

With the new rates, the average monthly Tualatin residential water, sewer and surface water management bill will increase from \$83.92 to \$87.07, an increase of \$3.15/month.

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**Attachments:**    Resolution No. 5374-18

RESOLUTION NO. 5374-18

A RESOLUTION AMENDING WATER, SEWER AND SURFACE WATER MANAGEMENT RATES INSIDE THE CITY OF TUALATIN AND RESCINDING RESOLUTION 5324-17

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

**Section 1. System Development Charges.**

(a) The schedule for the Water System Development Charges as of July 1, 2018 is as follows:

| Meter Size   | Meter Unit Equivalent | System Development Charge* |
|--|-----------------------|----------------------------|
| 5/8"   | 1                     | \$ 4,428                   |
| 3/4"   | 1.5                   | \$ 6,641                   |
| 1"   | 2.5                   | \$ 11,069                  |
| 1 1/2"   | 5                     | \$ 22,138                  |
| 2"   | 8                     | \$ 35,421                  |
| 3"   | 15                    | \$ 70,841                  |
| 4"   | 25                    | \$ 110,690                 |
| 6"   | 50                    | \$ 221,379                 |
| 8"   | 80                    | \$ 354,207                 |
| 10"  | 115                   | \$ 509,173                 |
| * The SDC payment for a single-family residence will be based on the meter size required for domestic water service and irrigation service. If a larger meter is required only for residential fire sprinkler service, the higher fee will not be charged. |                       |                            |

(b) On February 1st of each year, the Water SDC fees shall automatically increase. The amount of increase shall be the change in Engineering News Record (ENR) Construction Cost Index (CCI) for Seattle, WA. This increase will not require further action by the City Council.

(c) The schedule for the Sewer System Development Charges, per Equivalent Dwelling Unit (EDU), as of July 1, 2018 is as follows:

|               | System Development Charge |
|---------------|---------------------------|
| Regional Rate | \$ 5,424.97               |
| Local Rate    | \$ 225.03                 |

(d) The Surface Water Management System Development Charge will be increased to \$545 per Equivalent Service Unit (ESU).

**Section 2. In Lieu Tax Payments.** Where the City provides water service to properties outside of the City, which are not subject to bond taxes levied by the City for water system improvements, properties served by the City shall pay in lieu tax payment to the City as follows:

Annually within ninety (90) days after the true cash values are fixed by the tax assessing authority for those properties located outside of the City that are served by City water, the City will compute the "In Lieu Tax Payment" applying the City's tax rate for water system improvements for that year to the taxable value furnished to the City. Payment of the obligation of the "In Lieu Tax Payment" will be made to the City within thirty (30) days of the bill being presented from the City to the property receiving City water service.

**Section 3. Service Line Installation Charges.**

- (a) Prior to installation of the requested service line, the customer will make a deposit to the City based on an estimate of the actual costs plus 15%.
- (b) When the installation is completed, the customer will pay the balance or be refunded the amount of the deposit not used.

**Section 4. Meter Installation Charges.**

- (a) Deposits for installation of new water meters are as follows:

| METER METHOD             |                     |
|--------------------------|---------------------|
| Meter Size (in inches)   | Installation Charge |
| 5/8 x 3/4, Drop-in meter | \$140               |
| 1, Drop-in meter         | \$300               |
| 1 1/2, Drop-in meter     | \$540               |
| 2, Drop-in meter         | \$790               |
| 3, drop-in meter         | Cost plus 15%       |
| 4, drop-in meter         | Cost plus 15%       |
| 6, drop-in meter         | Cost plus 15%       |
| 8, drop-in meter         | Cost plus 15%       |
| 10, drop-in meter        | Cost plus 15%       |
| 12, drop-in meter        | Cost plus 15%       |



- (b) Prior to the installation of the requested meter, the customer will make a deposit to the City based on an estimate of the actual cost. When the installation is completed the customer will pay the balance, or be given a refund of the amount of deposit not used.
- (c) For Meters requiring a new or larger service line, please reference Section 3. (Service Line Installation) above.

**Section 5. Monthly Rates.**

- (a) The schedule of monthly water rates is amended as follows:

| METER SIZE  | FACILITIES CHARGE |           | SERVICE CHARGE | WATER CHARGE PER 100 CUBIC FT |
|-------------|-------------------|-----------|----------------|-------------------------------|
|             | CLASS 1           | CLASS 2   |                |                               |
| 5/8" x 3/4" | \$ 4.13           | \$ 4.13   | \$ 4.18        | \$2.95                        |
| 1"          | \$ 10.38          | \$ 10.38  | \$ 4.18        | \$2.95                        |
| 1½"         | \$ 20.70          | \$ 20.70  | \$ 4.18        | \$2.95                        |
| 2"          | \$ 33.09          | \$ 33.09  | \$ 4.18        | \$2.95                        |
| 3"          | ---               | \$ 45.32  | \$ 4.18        | \$2.95                        |
| 4"          | ---               | \$ 77.59  | \$ 4.18        | \$2.95                        |
| 6"          | ---               | \$ 168.12 | \$ 4.18        | \$2.95                        |
| 8"          | ---               | \$ 323.38 | \$ 4.18        | \$2.95                        |

The customer classes are:

- Class 1: All single-residential dwellings, duplexes and triplexes; and
- Class 2: All other services not included in Class 1.

- (b) The schedule of monthly sewer rates is amended as follows:

|               | BASE CHARGE<br>(per Dwelling Unit,<br>or EDU) | USE CHARGE<br>Per CCF (hundred cubic<br>feet), winter average |
|---------------|---|---|
| Regional Rate | \$ 24.38                                      | \$ 1.6100   |
| Local Rate    | \$ 5.68                                       | \$ 0.3860   |

- (c) The schedule of monthly surface water management rates is amended as follows, per ESU:

|               | BASE CHARGE |
|---------------|-------------|
| Regional Rate | \$ 2.19     |
| Local Rate    | \$ 6.96     |

**Section 6. Water Wheeling Agreements.** The Council may enter into water wheeling agreements with other jurisdictions. These agreements will contain specific water rates and charges for each individual agreement.

**Section 7. Charges for Fire Protection Service.** The monthly charges for standby fire protection service are as follows:

| <b>Service Size</b> | <b>Rate</b> |
|---------------------|-------------|
| 4"                  | \$14.70     |
| 6"                  | \$31.80     |
| 8"                  | \$61.55     |
| 10"                 | \$97.85     |

**Section 8. Miscellaneous Charges.** The following charges are imposed for service restoration, service termination and for account delinquencies:

(1) Restoration Charge.

(a) Where service has been terminated for delinquent bills or other violations, the charge for restoration of service shall be \$30.00.

(b) Water shall only be restored between 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays.

(2) Emergency Shut-Off or Turn-On. When requested by a customer, the City will perform emergency shut-off or turn-on service for the following fee:

(a) Between 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays - \$5.00.

(b) At any other time (subject to the availability of personnel) - \$10.00.

(3) Delinquency Notification Charge:

Whenever a utility account remains delinquent ten (10) days after the date of the mailed delinquent notice, a charge of \$10.00 may be assessed to the account to cover the costs of handling the delinquent account.

(4) Charge for restoring a meter that was removed by the City due to a violation of TMC 3-3-200:

When the City finds that one or more provisions of TMC 3-3-200 have been violated, the City may remove the meter and assess to the account a restoration charge of \$50.

**Section 9. Hydrant and Bulk Water Usage Charges.**

(a) The charge for the temporary use of hydrant meters, hydrant wrenches and valves, and temporary or bulk water is as follows:

| ITEM   | CHARGE                |
|--|-----------------------|
| 3" hydrant meter, wrench and valve deposit   | \$1,400.00            |
| ¾" hydrant meter, wrench and valve deposit   | \$1,000.00            |
| Hydrant wrench and valve deposit permit fee  | \$45.00               |
| Bulk water permit fee                        | \$50.00 + water usage |
| Daily usage fee 3" hydrant meter             | \$5.00                |
| Daily usage fee ¾" hydrant meter             | \$2.00                |
| Water used (water charge per 100 cubic feet) | Current rate          |

(b) Water use from hydrant meters shall be for use within the city limits of Tualatin only.

(c) The bulk water permit will expire at the end of six months and the permit holder will be billed for the water used at the current rate per 100 cubic feet.

**Section 10.** Resolution 5324-17 is rescinded effective July 1, 2018.

**Section 11. Effective Date.** The effective date of this resolution is July 1, 2018, for service after June 30, 2018.

INTRODUCED AND ADOPTED this 11th day of June 2018.

CITY OF TUALATIN, OREGON

BY \_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

ATTEST:

BY \_\_\_\_\_  
City Attorney

BY \_\_\_\_\_  
City Recorder



# STAFF REPORT

## CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Don Hudson, Finance Director

**DATE:** 06/11/2018

**SUBJECT:** Consideration of Resolution No. 5375-18 Authorizing an Interfund Loan for Property Acquisition

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### **ISSUE BEFORE THE COUNCIL:**

Whether or not to approve Resolution No. 5375-18, Authorizing an Interfund Loan for Property Acquisition.

### **RECOMMENDATION:**

Staff recommends adoption of the attached resolution authorizing an interfund loan for property acquisition.

### **EXECUTIVE SUMMARY:**

On May 29, 2018, the City Council approved property acquisition of parkland in the amount of \$290,000. The funding plan called for an interfund loan, for the purchase price plus additional closing and other related costs, that would be repaid from future Parks System Development Charges (SDC). Oregon Revised Statutes (ORS) 294.468 allows for a loan from one fund to another. The loan must be authorized by a Resolution of the Council and state the fund from which the loan is to be made, the fund to which the loan is to be made, the purpose for which the loan is to be made and the principal amount of the loan. Since the purpose of the loan is for a capital purchase, the repayment of the loan cannot exceed a period of ten years and must bear interest at an annual rate equivalent to the current rate of return on moneys invested in the Local Government Investment Pool (LGIP), or any such other rate that the Council may determine. Staff is recommending a loan from the Water Operating Fund to the Parks Development Fund, for a period not to exceed five years. The loan shall be repaid as SDC revenues are received, until the loan is fully paid. The Parks Development will pay interest at the rate earned through the LGIP, while the loan is outstanding. The current rate of the LGIP is 2.1%, and changes occasionally. The interest rate on the loan will adjust as the LGIP interest rate changes.

### **OUTCOMES OF DECISION:**

Adoption of the attached resolution authorizes an interfund loan from the Water Operating Fund to the Parks Development Fund for parkland property acquisition.

**FINANCIAL IMPLICATIONS:**

The Water Operating Fund has appropriate levels of funds in reserve and it is not anticipated that the full amount will be needed over the next five years. Also, it is anticipated that sufficient Parks System Development Charges will be received within the next year or so to repay the loan. These reserves are currently investment in the State of Oregon LGIP, so the Water Operating Fund will continue to earn interest while the loan is outstanding.

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**Attachments:**    Resolution No. 5375-18

RESOLUTION NO. 5375-18

A RESOLUTION AUTHORIZING AN INTERFUND LOAN FROM THE WATER OPERATING FUND TO THE PARKS DEVELOPMENT FUND FOR PARK PROPERTY ACQUISITION

WHEREAS, the City Council approved a property acquisition of parkland on May 29, 2018;

WHEREAS, the financing plan is to utilize Parks System Development Charge (SDC) revenues;

WHEREAS, there is a time delay between anticipated SDC revenues and the closing of the property acquisition;

WHEREAS, ORS 294.468 allows for loans from one fund to another; and

WHEREAS, the Water Operating Fund has sufficient revenue to make an interfund loan as provided in this resolution;

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

**Section 1.** The Water Operating Fund shall make a capital loan in the amount of \$335,000 to the Parks Development Fund for a period, not to exceed five years, which loan shall be repaid until the loan is fully repaid. The Parks Development Fund will pay interest at the rate earned through the Local Government Investment Pool.

**Section 2.** The Interfund Loan may be prepaid in whole or in part before the maturity date of the Loan, without penalty. In addition, the repayment schedule may be revised to reflect any prepayments, provided that in all such cases such revised schedule shall provide for repayment of the Loan over a maximum term of five years.

**Section 3.** This resolution is effective upon adoption.

INTRODUCED AND ADOPTED this 11<sup>th</sup> day of June, 2018.

CITY OF TUALATIN OREGON

BY \_\_\_\_\_  
Mayor

APPROVED AS TO LEGAL FORM

ATTEST

BY \_\_\_\_\_  
City Attorney

BY \_\_\_\_\_  
City Recorder

**City Council Meeting**

**Meeting Date:** 06/11/2018

**SPECIAL REPORTS:** Summer Programs Preview

**Submitted For:** Sherilyn Lombos, City Manager

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**SPECIAL REPORTS**

Update on Summer Programs and Activities Offered by the City of Tualatin and Partners

**SUMMARY**

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A. Summer Programs Preview

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*City of Tualatin*

Summer Programs 2018



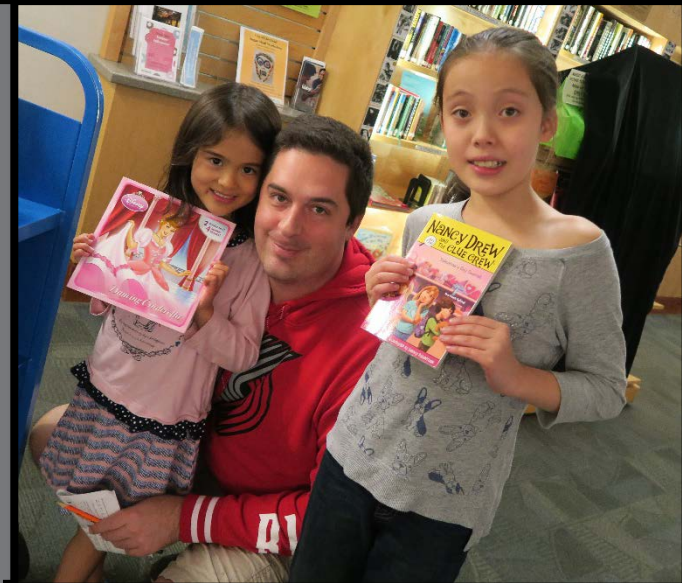
# Tualatin Public Library



Online options and an app to track your reading!

Free books for kids and teens

Summer lunch site for July and August



Weekly outreach visits to Atfalati Park including hands-on science fun



# Summer Reading at the Commons

Summer Reading fosters human development through promoting literacy & education, increases cultural unity, and creates a sense of place.



Tuesdays, June - August



Washington County  
Cooperative Library Services



# Summer Camp 2018



Six 1-week sessions  
265 kids registered  
Ages 4 yrs-5<sup>th</sup> grade



# Teen Adventure Camp

9 weeks  
18 sessions  
24 teens per day, 648 total  
100% of spots filled, with waitlists





# CONCERTS ON THE COMMONS

Every Friday night in July and August  
6:30-8:30pm





# MOVIES ON THE COMMONS



Free family-friendly movies  
Saturdays in July & August





# ART splash

3 days, 58 artists  
Live music  
Kids' art tent  
Chalk it Up



# Teen Volunteers



**TEAM Tualatin** 70 youth, 8 weeks

**Library** 40 summer Teen volunteers

**Tualatin Youth Advisory Council** 20 youth, meet weekly, help out with summer events





# Police

## National Night Out

Tuesday, August 7th

## GREAT Camp

Gang Resistance  
Education and Training

6<sup>th</sup>-8<sup>th</sup> grade students, four  
sessions

## Child Passenger Seat Safety Checks

Two more dates this  
summer



# Juanita Pohl Center

## Summer Programs for Active Older Adults

Hikes, day trips, and regional excursions

Enrichment classes

Health and fitness programs



# Recreation Partners

## **Tualatin Crawfish Festival August 3-4**

Music, food, contests, and activities

## **Tualatin Heritage Center**

Ongoing programs and events

## **Browns Ferry Park**

Kayak & canoe rentals

## **Willowbrook Arts Camp**

37<sup>th</sup> summer

## **Tigard-Tualatin Summer Lunch Program**

Community Park, Atfalati Park, Tualatin Public Library

## **YMCA, Skyhawks, Code to the Future Camps**





# STAFF REPORT

## CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Don Hudson, Finance Director

**DATE:** 06/11/2018

**SUBJECT:** Consideration of **Resolution No. 5373-18** Declaring the City's Election to Receive State Revenue Sharing Funds During Fiscal Year 2018-19

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### **ISSUE BEFORE THE COUNCIL:**

The Council will consider whether or not to receive State Revenue Sharing Funds.

### **RECOMMENDATION:**

Staff recommends adopting the attached Resolution after conducting the required public hearing.

### **EXECUTIVE SUMMARY:**

In order for the City to receive state shared revenues, the City must have levied property taxes in the prior fiscal year, pass a resolution approving participation in the program and hold two public hearings on the use of state revenue sharing funds. The first public hearing, before the budget committee, is to discuss possible uses of the funds. That public hearing was held on May 30, 2018. The second public hearing, before the City Council this evening, is to discuss the proposed uses of the funds.

The City is set to receive \$374,400 in State Revenue Sharing Funds in 2018-19. This amount is a portion of the Liquor Tax and is apportioned to cities based upon a calculation defined in Oregon Revised Statutes (ORS) 221.770 using factors such as adjusted population and state per capita income.

The City also receives allocations for another portion of Liquor Tax funds, as well as Cigarette and Gas Taxes, based upon a per capita distribution. These funds are governed under ORS 221.760. The law provides that cities located within a county having more than 100,000 inhabitants, must provide four or more municipal services (out of a list of seven types of services) to be eligible to receive these revenues. Council must pass a resolution stating that these services are provided (on this evening's Council Agenda), and are therefore not part of tonight's public hearing.

These revenues are not restricted by the State and are therefore used as a General Fund revenue source.

**OUTCOMES OF DECISION:**

If the Council approves the Resolution, the City will be eligible to receive state shared revenues. If the Council does not approve the Resolution, the City will not receive state shared revenues and will need to reduce its expenditures or contingencies.

**FINANCIAL IMPLICATIONS:**

The City has budgeted \$374,400 of state shared revenues in the General Fund for general city operations in Fiscal Year 2018-2019.

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**Attachments:**    Resolution No. 5373-18

RESOLUTION NO. 5373-18

A RESOLUTION ELECTING TO RECEIVE STATE REVENUE SHARING FUNDS FOR THE 2018-19 FISCAL YEAR

WHEREAS, ORS 221.770 requires the City Council adopt a resolution declaring the City's election to receive State Revenue Sharing Funds; and

WHEREAS, the 2018-19 budget for the City of Tualatin contains State Revenue Sharing Funds as a resource in the budget year beginning July 1, 2018; and

WHEREAS, the Budget Advisory Committee held a public hearing to discuss the possible uses of State Revenue Sharing Funds on May 30, 2018 and the City Council held a public hearing on June 11, 2018 to discuss the proposed use of the funds for Fiscal Year 2018-19, giving citizens an opportunity to comment on use of State Revenue Sharing, and

WHEREAS, the City levied a property tax for the preceding fiscal year, beginning July 1, 2017.

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

**Section 1.** Pursuant to ORS 221.770, the City of Tualatin elects to receive State Revenue Sharing Funds for Fiscal Year 2018-19.

**Section 2.** This resolution is effective upon adoption.

Adopted by the City Council this 11<sup>th</sup> day of June, 2018.

CITY OF TUALATIN, OREGON

BY \_\_\_\_\_  
Mayor

APPROVED AS TO FORM

ATTEST:

BY \_\_\_\_\_  
City Attorney

BY \_\_\_\_\_  
City Recorder