



# **TUALATIN CITY COUNCIL**

**Monday, June 27, 2016**

**JUANITA POHL CENTER**

**8513 SW Tualatin Road**

**Tualatin, OR 97062**

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

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**Mayor Lou Ogden**

**Council President Monique Beikman**

**Councilor Wade Brooksby    Councilor Frank Bubenik**  
**Councilor Joelle Davis       Councilor Nancy Grimes**  
**Councilor Ed Truax**

**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 provided 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 27, 2016

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

**B. ANNOUNCEMENTS**

1. New Employee Introduction- Library Assistant Mariah Reeves

**C. CITIZEN COMMENTS**

*This section of the agenda allows anyone to address the Council regarding any issue not on the agenda, or to request to have an item removed from the consent agenda. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.*

**D. CONSENT AGENDA**

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

1. Consideration of Approval of the Minutes for the Work Session and Regular Meeting of June 13, 2016
2. Consideration of **Resolution No. 5279-16** Approving and Authorizing the Provision of Workers' Compensation Insurance Coverage to Volunteers of the City of Tualatin and Repealing Resolution No. 5244-15
3. Consideration of **Resolution No. 5283-16** Amending Water, Sewer and Surface Water Management Rates Inside the City of Tualatin and Rescinding Resolution 5241-15
4. Consideration of **Resolution No. 5282-16** Authorizing Changes to the Adopted 2015-2016 Budget
5. Consideration of **Resolution No. 5287-16** Authorizing an Intergovernmental Agreement Between the City of Durham and the City of Tualatin for the Performance of Police Services within the City of Durham's Boundaries
6. Consideration of **Resolution No. 5280-16** Authorizing Personnel Services Updates for Non-Represented Employees and for Tualatin for Fiscal Year 2016-17

**E. SPECIAL REPORTS**

1. Tualatin Valley Fire and Rescue State of the District Presentation by Fire Chief Mike Duyck

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

1. Consideration of **Resolution No. 5285-16** Adopting the City of Tualatin Budget for the Fiscal Year Commencing July 1, 2016, Making Appropriations, Levying Ad-Valorem Taxes, and Categorizing the Levies

**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.*

1. Consideration of **Ordinance No. 1395-16** Relating to the Road Utility and Amending Tualatin Municipal Code Chapter 3-4
2. Consideration of **Ordinance No. 1394-16** Establishing a Core Area Parking District (CAPD) Tax Rate of \$155.34 for Fiscal Year 2016-17

**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**



# 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:** 06/27/2016

**SUBJECT:** Consideration of Approval of the Minutes for the Work Session and Regular Meeting of June 13, 2016

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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 June 13, 2016.

### **RECOMMENDATION:**

Staff respectfully recommends that the Council adopt the attached minutes.

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**Attachments:** City Council Work Session Minutes of June 13, 2016  
City Council Regular Meeting Minutes of June 13, 2016



Present: Mayor Lou Ogden; Council President Monique Beikman; Councilor Frank Bubenik; Councilor Joelle Davis; Councilor Ed Truax

Absent: Councilor Wade Brooksby; Councilor Nancy Grimes

Staff City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Kent Barker;

Present: Community Services Director Paul Hennon; Finance Director Don Hudson; Planning Manager Aquilla Hurd-Ravich; Assistant to the City Manager Tanya Williams; Assistant City Manager Alice Cannon; Associate Planner Erin Engman; City Engineer Jeff Fuchs; Associate Planner Charles Benson; Senior Planner Karen Fox

## CALL TO ORDER

Mayor Ogden called the meeting to order at 5:10 p.m.

### 1. ***Mobile Food Carts.***

Associate Planner Charles Benson and Planning Manager Aquilla Hurd-Ravich presented a summary of framing for the mobile food cart project. The Pupu Shack could not operate per current TDC 34.013 regulations last year in the parking lot of Clark Lumber. Planner Benson discussed different types of food carts to be considered, which included: push carts, stationary carts, mobile food trucks and catering trucks. He discussed operational regulations to be considered such as: locations, hour limitations, design limitations and items of sale. Considerations of configuration of devices such as: stand alone structures, buildings, and multiple food carts operating in the same area. Options for permitting and review were discussed. Associate Planner Benson discussed public engagement proposing online surveys, questionnaires and outreach to local businesses. Citizens would be provided the opportunity to comment and provide testimony at City Council public hearings. The timeline is set to be completed by the end of the calendar year.

Mayor Ogden would like to know what ordinances are in place for surrounding cities. Manager Hurd-Ravich stated they are currently in the process of obtaining this information with the intention of presenting information at a work session in July.

Councilor Bubenik expressed his concerns of stationary food carts and the ascetic of what they may look like. He suggested researching all four options presented.

Councilor Truax believes catering trucks are a non issue. They currently operate around the city and serve industrial business parks. He stated complaints from business owners and their perception of potential loss of business needs to be considered. He stated he feels Tualatin does not have enough traffic to support stationary carts. Overall he wants to allow more opportunities for mobile food carts, not prevent them from having a business in Tualatin.

Councilor Davis would like to see what other cities are doing and then narrow down the options. She does not support being restrictive at this point.

Mayor Ogden likes the idea of having food carts in parking lots of businesses but does not want to see stationary food carts in Tualatin. He is in favor of food carts that are truly mobile and can be moved daily. He would like to ensure the standards of mobile food carts are in line with those which are in place for brick and mortar businesses.

Councilor Truax stated he supports the trial period this summer. Mayor Ogden concurred.

Manager Hurd-Ravich asked the Council for clarification regarding approval of their plan for public engagement.

Councilor Bubenik would like to see feedback from both citizens and local businesses. Councilor Davis agreed and would like to see a presence online as well.

## **2. *Basalt Creek Concept Plan Update.***

Senior Planner Karen Fox, Assistant City Manager Alice Cannon, and Planning Manager Aquilla Hurd-Ravich presented an update on the Basalt Creek Concept Plan. In December 2015, a joint Council meeting was held with Wilsonville. Two actions were achieved during this meeting including the jurisdictional boundary being agreed upon and ten considerations of success were discussed. The ten considerations included sewer, storm water, industrial lands, transportation funding, future regional transportation projects, trips, Basalt Creek parkway and I-5 Crossings, North-South collector, Basalt Creek Canyon, and public transportation.

Manager Hurd-Ravich explained the maps showing suitable land for development and the three different options for land use and development. Assistant City Manager Cannon added that feedback received in December regarding residential land use and the expressed desire for more employment land was addressed. Manager Hurd-Ravich explained the different land use options and trips associated with each type of land use. Assistant City Manager Cannon stated Wilsonville is using part of their land as high tech, which will up the trip limit and potentially cause an excess.

Councilor Bubenik asked if they are anticipating having people live and work in the same area. Assistant City Manager Cannon explained Wilsonville doesn't have a lot of residential land in this part of their city and they don't believe there would be a high demand for residences in that specific area.

Manager Hurd-Ravich stated they are currently working on a concept plan using recent activity and feedback from meetings. Next steps include having another agency review team review the draft concept plan.

Assistant City Manager Cannon asked for feedback from the Council on the ten considerations and what their vision entails.

Council President Beikman stated previously there was emphasis on not making

changes due to the trip count so she was surprised by the new numbers.

Councilor Bubenik asked for an estimate of the trip count with the proposed changes. Assistant City Manager Cannon stated they do not have the current trip count estimate but noted it is within the range of working something out. Finding a balance on the trip count will require compromise for both cities.

Mayor Ogden commented on the high tech zone and would like to know if it is the best use of the land. He stated high tech allows for higher paying wages and with the limited acres he would like the best use of the land. Manager Hurd-Ravich stated they could look at changing the employment mix of land use. She noted light industrial tech flex allows for a certain amount of open space which brings the trip count down.

Mayor Ogden stated he does not want the transportation system to fail. Noting both cities need to come to an agreement on how trips can be used proportionate to the acres allotted. Each city will then have a trip limit and it will be up to the city to use the trips as they see fit. Assistant City Manager Cannon clarified the suggestion is to have an equal number of trips per developable acre.

Councilor Bubenik asked which zone type has the highest capacity for generating trips. Assistant City Manager Cannon stated high tech zoning has the highest trip count and residential has the lowest.

Councilor Truax suggested residential areas will have to be added to bring the trip count down.

Councilor Bubenik wanted to make sure staff is responding to the email from Grace Lucini. He requested the Council be included on responses.

### **3. *Council Meeting Agenda Review, Communications & Roundtable.***

Councilor Bubenik stated parking on Hazelbrook Road is becoming an issue with cars on both sides, causing one lane for traffic to travel. He requested staff make sure the standards are being met. Assistant City Manager Cannon stated staff is looking into the issue by the direction of the City Manager.

## **ADJOURNMENT**

The work session adjourned at 6:38 p.m.

Sherilyn Lombos, City Manager

\_\_\_\_\_ / Merab Smith, Recording Secretary

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





## OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR JUNE 13, 2016

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Present: Mayor Lou Ogden; Council President Monique Beikman; Councilor Frank Bubenik; Councilor Joelle Davis; Councilor Nancy Grimes; Councilor Ed Truax

Absent: Councilor Wade Brooksby

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Kent Barker; Community Services Director Paul Hennon; Finance Director Don Hudson; Planning Manager Aquilla Hurd-Ravich; Teen Program Specialist Julie Ludemann; Assistant to the City Manager Tanya Williams; Assistant City Manager Alice Cannon; Library Manager Jerianne Thompson; Management Analyst II Kelsey Lewis; Parks and Recreation Manager Rich Mueller; Associate Planner Charles Benson; Human Resources Director Janet Newport; Senior Planner Karen Fox; Program Coordinator Lisa Thorpe; Economic Development Manager Melinda Anderson

### A. CALL TO ORDER

Pledge of Allegiance

Mayor Ogden called the meeting to order at 7:03 p.m.

Councilor Davis requested a moment of silence for the victims of the shooting in Orlando, Florida. She expressed her concerns about the horrific event and encouraged others not to condone violence and bigotry.

### B. ANNOUNCEMENTS

#### 1. Recognition of Service- Police Chief Kent Barker

Mayor Ogden announced Police Chief Kent Barker's retirement. He recognized him for his service and dedication to the department, city, and community. Mayor Ogden declared June 24, 2016 as Kent Barker Day in the City of Tualatin. The Council thanked Chief Barker for his years of service.

#### 2. Announcing the 2016 Tualatin Science and Technology Scholarship Winner

Council President Monique Beikman announced the 2016 Tualatin Science and Technology Scholarship Winner. This year Sabina Wahed was selected to receive the Tualatin Science and Technology Scholarship, in the amount of \$400. Ms. Wahed will attend the University of Portland to study biology and neuroscience this fall, with plans to attend medical school.

Mayor Ogden congratulated Ms. Wahed and thanked her for being an

ambassador of the community.

**3. Tualatin Youth Advisory Council Annual Report**

Members of the Tualatin Youth Advisory Council (YAC) presented a PowerPoint of their Annual Report. The YAC presents monthly updates to the City Council. Over the past year, the YAC participated in many community events including: Movies on the Commons, West Coast Giant Pumpkin Regatta, Starry Night and Holiday Lights and the new Tualatin Blender Dash. Five of the YAC senior members attended the National League of Cities Congressional City Conference in Washington DC. The YAC contributed 1,400 hours of service this year.

Mayor Ogden presented the members of YAC with certificates of appreciation.

**4. Proclamation Declaring July 2016 as National Park and Recreation Month**

Councilor Bubenik read the proclamation declaring July 2016 as National Park and Recreation Month.

**5. New Employee Introduction – Sara Shepherd, Program Specialist**

Community Services Director Paul Hennon introduced Program Specialist Sara Shepherd. The Council welcomed her.

**C. CITIZEN COMMENTS**

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Don Henson of Otak is working with the owners of a 10 acre plot that is directly affected by the Basalt Creek Concept Plan. He explained concerns regarding the project, which include topography, access, and the Basalt Creek Canyon. Mr. Henson recommended amendments to the proposed plan, which include: making Tonquin Loop a true loop with two access points, creating a walkable neighborhood, and property use changes to fit conditions of the land. He stated the benefits of his proposed amendments include: creating a walkable neighborhood, adaptable land uses to fit site conditions and quality of the neighborhood.

Linda Molholt of the Tualatin Chamber of Commerce announced the grand opening for their new location. The grand opening is being held on June 21 from 4:00p.m. to 8:00p.m. She invited the Council and all of the community. The ribbon cutting will be at 5:30p.m. with Mayor Ogden.

**D. CONSENT AGENDA**

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

MOTION by Council President Monique Beikman, SECONDED by Councilor Nancy Grimes to adopt the consent agenda.

Aye: Mayor Lou Ogden, Council President Monique Beikman, Councilor Frank Bubenik, Councilor Joelle Davis, Councilor Nancy Grimes, Councilor Ed Truax

Other: Councilor Wade Brooksby (Absent)

MOTION CARRIED

1. Consideration of Approval of the Minutes for the Regular Meeting of May 23, 2016
2. Consideration of **Resolution No. 5277-16** Certifying City of Tualatin Municipal Services
3. Consideration of Approval of a New Liquor License Application for Pieology Pizzeria
4. Consideration of Approval of a New Liquor License Application for Vinorai, LLC
5. Consideration of Approval of a New Liquor License for Tualatin Liquor

**E. SPECIAL REPORTS**

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

Teen Program Specialist Julie Ludeman and Public Services Manager Sarah Jesudason presented the City of Tualatin 2016 Summer Programs. Programs included the Summer Reading Program, Youth Summer Camps, Concerts and Movies on the Commons, Art Programs, Tualatin Crawfish Festival, Volunteer Programs, Gang Resistance Education and Training (GREAT) Summer Program, and TEAM Tualatin. There will also be many ongoing activities at the Juanita Pohl Center and the Library.

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

1. Consideration of **Resolution No. 5278-16** Declaring the City's Election to Receive State Revenue Sharing Funds During Fiscal Year 2016-17

Finance Director Don Hudson presented a resolution declaring the city's election to receive state revenue sharing funds during fiscal year 2016-17. He explained the City receives money from the Oregon Liquor Commission for liquor tax revenues. In order to receive this funding the City must have levied property taxes in the prior fiscal year, passed a resolution approving participation in the program, and hold two public hearings on the use of state revenue sharing. The City is set to receive \$369,000 in funding. He noted the revenues are not restricted by the State and are used as a general fund revenue source.

#### PUBLIC COMMENT

None.

#### COUNCIL QUESTIONS/ DELIBERATIONS

None.

MOTION by Councilor Ed Truax, SECONDED by Council President Monique Beikman to adopt Resolution No. 5278-16 declaring the City's election to receive state revenue sharing funds during fiscal year 2016-17.

Aye: Mayor Lou Ogden, Council President Monique Beikman, Councilor Frank Bubenik, Councilor Joelle Davis, Councilor Nancy Grimes, Councilor Ed Truax

Other: Councilor Wade Brooksby (Absent)

MOTION CARRIED

#### 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.*

1. Consideration of **Ordinance No. 1392-16** Annexing Territory Located at 18600 SW Pacific Highway into the City of Tualatin and Withdrawing the Territory from the Washington County Enhanced Sheriff Patrol District and the County Urban Road Maintenance District (Tax Map 2S121A, Tax Lot 001100) (ANN-15-0002)

Mayor Ogden noted this is not legislative.

#### COUNCIL QUESTIONS

None.

MOTION by Mayor Lou Ogden, SECONDED by Councilor Ed Truax for first read by title only.

Aye: Mayor Lou Ogden, Council President Monique Beikman, Councilor Frank Bubenik, Councilor Joelle Davis, Councilor Nancy Grimes, Councilor Ed Truax

Other: Councilor Wade Brooksby (Absent)

MOTION CARRIED

MOTION by Councilor Ed Truax, SECONDED by Council President Monique Beikman for second read by title only.

Aye: Mayor Lou Ogden, Council President Monique Beikman, Councilor Frank Bubenik, Councilor Joelle Davis, Councilor Nancy Grimes, Councilor Ed Truax

Other: Councilor Wade Brooksby (Absent)

MOTION CARRIED

MOTION by Councilor Ed Truax, SECONDED by Council President Monique Beikman to adopt Ordinance No. 1392-16 Annexing Territory Located at 18600 SW Pacific Highway into the City of Tualatin and Withdrawing the Territory from the Washington County Enhanced Sheriff Patrol District and the County Urban Road Maintenance District (ANN-15-0002).

Aye: Mayor Lou Ogden, Council President Monique Beikman, Councilor Frank Bubenik, Councilor Joelle Davis, Councilor Nancy Grimes, Councilor Ed Truax

Other: Councilor Wade Brooksby (Absent)

MOTION CARRIED

2. Consideration of **Ordinance No. 1393-16** Temporarily Allowing Mobile Food Units to Operate in the City of Tualatin

Planning Manager Aquilla Hurd-Ravich presented an ordinance to temporarily allow mobile food units to operate in the City of Tualatin. The Council originally discussed allowing mobile food units at the May 23, 2016 City Council meeting.

COUNCIL QUESTIONS

Mayor Ogden expressed interest in having mobile food vendors on a trial basis. He questioned whether the expiration date of December 31, 2016 allowed enough time.

Councilor Davis added that Council would be able to extend or repeal the temporary ordinance at any time if needed.

MOTION by Councilor Ed Truax, SECONDED by Council President Monique Beikman for first read by title only.

Aye: Mayor Lou Ogden, Council President Monique Beikman, Councilor Frank Bubenik, Councilor Joelle Davis, Councilor Nancy Grimes, Councilor Ed Truax

Other: Councilor Wade Brooksby (Absent)

MOTION CARRIED

MOTION by Councilor Ed Truax, SECONDED by Council President Monique Beikman for second read by title only.

Aye: Mayor Lou Ogden, Council President Monique Beikman, Councilor Frank Bubenik, Councilor Joelle Davis, Councilor Nancy Grimes, Councilor Ed Truax

Other: Councilor Wade Brooksby (Absent)

MOTION CARRIED

MOTION by Councilor Ed Truax, SECONDED by Council President Monique Beikman to adopt Ordinance No. 1393-16 temporarily allowing mobile food units to operate in the City of Tualatin.

Aye: Mayor Lou Ogden, Council President Monique Beikman, Councilor Frank Bubenik, Councilor Joelle Davis, Councilor Nancy Grimes, Councilor Ed Truax

Other: Councilor Wade Brooksby (Absent)

MOTION CARRIED

**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**

Councilor Bubenik announced the City of Hillsboro is pulling out of the Washington County City Consortium. He explained it means the funding for the Consortium will go down and the City of Tualatin will have to compete with other agencies.

**J. ADJOURNMENT**

Mayor Ogden adjourned the meeting at 8:10 p.m.

Sherilyn Lombos, City Manager

\_\_\_\_\_ / Merab Smith, 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:** Janet Newport, Human Resources Manager

**DATE:** 06/27/2016

**SUBJECT:** Consideration of **Resolution No. 5279-16** Approving and Authorizing the Provision of Workers' Compensation Insurance Coverage to Volunteers of the City of Tualatin and Repealing Resolution No. 5244-15

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

The City of Tualatin will provide for worker's compensation insurance coverage to classes of volunteer workers for policy year 2016-2017.

### **RECOMMENDATION:**

Staff respectfully requests the City Council adopt the attached resolution approving and authorizing the provision of workers' compensation insurance coverage to volunteers of the City of Tualatin and repeal Resolution No. 5244-15.

### **EXECUTIVE SUMMARY:**

The City Council wishes to protect its volunteers from injuries arising out of, or in the scope of, their service to the City. The City elects, pursuant to ORS 656.031, to provide workers' compensation insurance coverage to volunteers listed on the electronically submitted CIS Volunteer Election Form.

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**Attachments:** Resolution

RESOLUTION NO. 5279-16

A RESOLUTION APPROVING AND AUTHORIZING THE PROVISION  
OF WORKERS' COMPENSATION INSURANCE COVERAGE TO  
VOLUNTEERS OF THE CITY OF TUALATIN AND REPEALING  
RESOLUTION NO. 5244-15

WHEREAS, an assumed monthly wage of \$800 will be used for public safety volunteers; and

WHEREAS, an aggregate assumed annual wage of \$2,500 will be used per volunteer board, commission and/or council for the performance of administrative duties; and

WHEREAS, an assumed monthly wage of \$800 per month will be used for public officials for the performance of volunteer non-administrative, manual labor duties other than those covered under the administrative duties above; and

WHEREAS, non-public safety volunteers will track their hours and the Oregon minimum wage will serve as the assumed wage for both premium and worker's compensation benefit calculations. CIS will assign the appropriate classification code according to the type of volunteer work being performed; and

WHEREAS, Volunteer exposures not addressed here will have workers' compensation coverage if, prior to the onset of the work provided that the City of Tualatin a) Provides at least two weeks' advance written notice to CIS underwriting requesting the coverage, b) CIS approves the coverage and date of coverage, and c) CIS provides written confirmation of coverage; and

WHEREAS, the City of Tualatin agrees to maintain verifiable rosters for all volunteers including volunteer name, date of service and hours of service and make them available at the time of a claim or audit to verify coverage.

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

**Section 1.** Pursuant to ORS 656.031, the City of Tualatin will provide workers' compensation coverage for Policy Year 2016-2017 to the classes of volunteer workers listed in this resolution and in Addendum A listing volunteer assignments, noted on Citycounty Insurance Services (CIS) payroll schedule and verified at audit, which is attached and incorporated herein.



**Section 2.** This resolution is effective upon adoption and repeals Resolution No. 5244-15, dated June 22, 2015.

INTRODUCED AND ADOPTED this 27th day of June, 2016.

CITY OF TUALATIN, OREGON

BY \_\_\_\_\_

Mayor

ATTEST:

APPROVED AS TO FORM

BY \_\_\_\_\_

City Attorney

BY \_\_\_\_\_

City Recorder

## Addendum A

### Volunteer Assignments by Class

#### A. Public Safety Volunteers

- ☐ Police Reserve Officers

#### B. Volunteer boards, commissions and councils

- ☐ Tualatin City Council
- ☐ Tualatin Planning Commission
- ☐ Tualatin Budget Advisory Committee
- ☐ Tualatin Urban Renewal Advisory Committee
- ☐ Tualatin Architectural Review Board
- ☐ Tualatin Library Advisory Committee
- ☐ Tualatin Parks Advisory Committee
- ☐ Tualatin Arts Advisory Committee
- ☐ Tualatin Core Area Parking District Board
- ☐ Tualatin Tomorrow Advisory Committee
- ☐ Juanita Pohl Center Advisory Committee

#### C. Non-public safety volunteers

- ☐ Parks and Recreation
- ☐ Juanita Pohl Center
- ☐ Operations
- ☐ Library
- ☐ Police
- ☐ Community Development
- ☐ Finance
- ☐ Administration
- ☐ Legal
- ☐ Information Services



# 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:** 06/27/2016

**SUBJECT:** Consideration of **Resolution No. 5283-16** Amending Water, Sewer and Surface Water Management Rates Inside the City of Tualatin and Rescinding Resolution 5241-15

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### ISSUE BEFORE THE COUNCIL:

The City Council will consider setting water, sewer and surface water management rates for service performed after June 30, 2016. The FY 16/17 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 recently adopted Water Master Plan, with the consumption rate increasing from \$2.60 per 100 cubic ft. (CCF) to \$2.71 per CCF, the service charge increasing from \$3.69 per month to \$3.85 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 \$22.25 per Dwelling Unit (DU) to \$22.94/DU and the monthly regional use charge would increase from \$1.48 per Hundred Cubic Feet (CCF) to \$1.52/CCF. The local base rate and use charge would increase from \$5.19/DU to \$5.35/DU and from \$0.3530/CCF to \$0.3640/CCF, respectively. The Sewer System Development Charge would increase from \$4,900 per Dwelling Unit (DU) or Equivalent Dwelling Unit (EDU) to \$5,300/DU or EDU.

The monthly regional surface water management rate would increase from \$1.81 per Equivalent Service Unit (ESU) to \$1.94/ESU and the local rate would increase from \$5.84/ESU to \$6.21/ESU, which includes a \$0.40 local surcharge. The Surface Water Management System Development Charge would increase from \$500 per Equivalent Service Unit (ESU) to \$510/ESU.

**OUTCOMES OF DECISION:**

Adoption of the attached resolution sets new rates effective July 1, 2016

**FINANCIAL IMPLICATIONS:**

With the new rates, the average monthly Tualatin residential water, sewer and surface water management bill will increase from \$77.89 to \$80.89, an increase of \$3.00/month.

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**Attachments:**    Resolution No. 5283-16

RESOLUTION NO. 5283-16

A RESOLUTION AMENDING WATER, SEWER AND SURFACE WATER  
MANAGEMENT RATES INSIDE THE CITY OF TUALATIN AND  
RESCINDING RESOLUTION 5241-15

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  
February 1, 2016 is as follows:

Meter Size	Meter Unit Equivalent	System Development Charge*
5/8" x 3/4"	1	\$ 3,754
1"	2.5	\$ 9,384
1 1/2"	5	\$ 18,765
2"	8	\$ 29,849
3"	15	\$ 60,046
4"	25	\$ 93,823
6"	50	\$ 187,640
8"	80	\$ 300,227
* 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, 2016 is as follows:

	System Development Charge
Regional Rate	\$ 5,088.91
Local Rate	\$ 211.09

(d) The Surface Water Management System Development Charge will be increased to \$510 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) Deposits for installation of new water service lines are as follows:

Meter Size	Installation on Near Side of Water Main	Installation on Far Side of Water Main
5/8" x 3/4"	\$2,500	\$4,000
1"	\$2,500	\$4,000
1½"	\$5,000	\$7,000
2"	\$5,000	\$7,000

(b) The City does not install any lines larger than 2" in diameter. The customer shall obtain a Public Works Permit from the City and have a private contractor install the service line to City standards for any service lines greater than 2" diameter.

(c) After the service line is installed and the actual cost of the labor and materials is known, the customer will be billed for any additional charges over the deposit amount, or the customer will be issued a refund for any amount over the actual costs.

#### **Section 4. Meter Installation Charges.**

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

METER METHOD	
Meter Size (in inches)	Installation Charge
$\frac{5}{8}$ x $\frac{3}{4}$ , Drop-in meter	\$140
$\frac{5}{8}$ x $\frac{3}{4}$ , Service line & drop-in meter	Cost plus 15%
1, Drop-in meter	\$300
1, Service line & drop-in meter	Cost plus 15%
1½, Drop-in meter	\$540
1½, Service line & drop-in meter	Cost plus 15%
2, Drop-in meter	\$790
2, Service line & drop-in meter	Cost plus 15%
3, Service line & drop-in meter	Cost plus 15%
4, Service line & drop-in meter	Cost plus 15%
6, Service line & drop-in meter	Cost plus 15%
8, Service line & drop-in meter	Cost plus 15%
10, Service line & drop-in meter	Cost plus 15%
12, Service line & drop-in meter	Cost plus 15%

- (b) Prior to the Operations Department installing the requested meter, the customer will make a deposit to the City based on an estimate of the actual cost. When the job is completed the customer will pay the balance, or be given a refund of the amount of deposit not used.

#### **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		
$\frac{5}{8}$ " x $\frac{3}{4}$ "	\$ 3.80	\$ 3.80	\$ 3.85	\$2.71
1"	\$ 9.55	\$ 9.55	\$ 3.85	\$2.71
1½"	\$ 19.05	\$ 19.05	\$ 3.85	\$2.71
2"	\$ 30.45	\$ 30.45	\$ 3.85	\$2.71
3"	---	\$ 41.70	\$ 3.85	\$2.71
4"	---	\$ 71.40	\$ 3.85	\$2.71
6"	---	\$154.70	\$ 3.85	\$2.71
8"	---	\$297.55	\$ 3.85	\$2.71

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 (per Dwelling Unit, or EDU)	USE CHARGE Per CCF (hundred cubic feet), winter average
Regional Rate	\$ 22.94	\$ 1.5200
Local Rate	\$ 5.35	\$ 0.3640

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

	BASE CHARGE
Regional Rate	\$ 1.94
Local Rate	\$ 5.81
Local Surcharge	\$ 0.40

**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:

Service Size	Rate
4"	\$13.50
6"	\$29.25
8"	\$56.25
10"	\$90.00

**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	\$700.00
¾" hydrant meter, wrench and valve deposit	\$250.00
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 5241-15 is rescinded effective July 1, 2016.

**Section 11. Effective Date.** The effective date of this resolution is July 1, 2016, for service after June 30, 2016.

INTRODUCED AND ADOPTED this 27th day of June 2016.

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:** 06/27/2016

**SUBJECT:** Consideration of Resolution No. 5282-16 Authorizing Changes to the Adopted 2015-2016 Budget

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### ISSUE BEFORE THE COUNCIL:

Whether or not to approve changes to the adopted 2015–2016 budget.

### RECOMMENDATION:

Staff recommends adopting the attached Resolution.

### EXECUTIVE SUMMARY:

Occasionally, it becomes necessary after the budget is adopted to make changes for occurrences unforeseen when the budget was adopted. Oregon Revised Statutes (ORS) 294.471 dictates the process for a supplemental budget when an occurrence or condition which had not been ascertained at the time of the preparation of the current budget requires a change in financial planning.

During FY 2015-2016, there were instances that were not anticipated when the budget was adopted in June 2015. The first requires an appropriation transfer, allowed under ORS 294.463, for the Operations Street Division's share of the replacement of a hook truck shared by multiple divisions in the Operations Department and the licensing fees for the Department's NexGen software solution. It was anticipated that the licensing fees would be paid prior to the beginning of the fiscal year, but due to delays in kicking off the project, they were not due until the current fiscal year. There are sufficient contingency dollars available in the Operations Fund to allow for the appropriation transfer.

Second, the water revenues, and subsequent payment to the City of Portland for water purchase, as well as the sewer revenues and expenditures due to Clean Water Services (CWS) were under estimated during the budget process. We have sold more water than anticipated, which required a higher amount of water purchased from Portland and collected more sewer revenues for the CWS share of the sewer bill. The proposed adjustment increases budgeted revenues in both the Water and Sewer Funds, and with this additional revenue received, increases the expenditure line item used to pay the City of Portland and CWS. Additionally, we received higher than projected Sewer System Development Charges (SDC) revenue during the

fiscal year, which requires 96% of the SDC revenue be passed through to Clean Water Services. This requires an increase in our revenue budget, as well as an expenditure increase in the line item used to pay CWS. Another pass through to CWS is related to Erosion Control permits, which also saw higher than projected revenues and subsequent pass-through expenditure in the Building Fund. Appropriation of pass-through revenues is authorized under ORS 294.466 and allows for increases to the budget by Council Resolution.

The last adjustment found in Exhibit A is for additional donations and recreation user fees that were received during the fiscal year and the additional expenditures related to these additional revenues. The continued success of our recreation programming has led to increased offerings and purchases, which are proposed to be added to the FY 2015-2016 budget. The increased expenditures are offset by the additional revenues received.

All proposed changes to the adopted budget are included in Exhibit A, attached to the Resolution that follows.

#### **FINANCIAL IMPLICATIONS:**

The net effect in each fund is zero, as the resolution transfers existing appropriations from one account to another or are self-funded with off-setting increases in revenue.

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**Attachments:**     Resolution No. 5282-16

RESOLUTION NO. 5282-16

RESOLUTION AUTHORIZING CHANGES TO THE ADOPTED 2015 - 2016  
BUDGET

WHEREAS after the budget process for the 2015-2016 fiscal year was completed, an occurrence or condition arose which had not been ascertained at the time of the budget preparation; and

WHEREAS in order to lawfully comply with the requirements of Local Budget Law, increases in budgeted resources and requirements are necessary; and

WHEREAS Oregon Revised Statutes (ORS) 294.471 allows for the preparation and adoption of a supplemental budget.

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

Section 1. The City Council wishes to comply with Local Budget Law, and authorize spending of additional resources; and

Section 2. Increased resources and requirements should be made as detailed in Exhibit A to this Resolution.

INTRODUCED AND ADOPTED this 27th day of June, 2016.

CITY OF TUALATIN, OREGON

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

APPROVED AS TO FORM:

ATTEST:

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

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

# Exhibit A-Resolution Jun 2016

## City of Tualatin Fiscal Year 2015 - 2016 Budget Changes, June 2016

### Existing Appropriation Transfer:

To	Amount	From	Amount	Notes
Operations Fund				
Equipment and Furnishings - Streets	604-50-55-57001 \$ 36,500	Contingency	604-50-00-61000 \$ 136,500	Share of Hook Truck Replacement
Equipment and Furnishings - Non-Dept'l	604-50-00-57001 \$ 100,000			NexGen License Fees

### Appropriation of Increased Revenues:

Increase - Revenue	Amount	Increase - Expenditure	Amount	Notes
Water Operating Fund				
Usage Charge Revenue	512-00-00-44403 \$ 530,000	Water Purchases - For Tualatin	512-50-53-53304 \$ 530,000	Sold/Purchased more water than budgeted
Sewer Operating Fund				
User Charge - CWS Base	513-00-00-44440 \$ 260,000	User Charges - CWS	513-50-54-54504 \$ 395,000	Under budgeted Sewer Revenue and Pass-Through to CWS for new development
User Charge - CWS Usage	513-00-00-44441 \$ 135,000			
Sewer Development Fund				
System Development Charges	533-00-00-44430 \$ 965,000	System Development Charges - CWS	533-50-54-54502 \$ 965,000	Pass Through Portion to CWS
Building Fund				
Permits - Erosion Control	203-00-00-42233 \$ 12,750	Erosion Fees to CWS	203-20-22-54508 \$ 12,750	More permits issued and inspections performed by CWS
General Fund				
Juanita Pohl Center Use Fees	100-00-00-44111 \$ 16,000	Special Programs	100-40-40-54652 \$ 17,190	Increased revenue from user fees and donations, with increased program costs and capital items
Recreation User Fees	100-00-00-44116 \$ 13,390	Equipment and Furnishings	100-40-40-57001 \$ 37,900	
Donations - Community Services	100-00-00-46403 \$ 20,000			
Donations - Donations Assorted	100-00-00-46406 \$ 5,700			



# STAFF REPORT

## CITY OF TUALATIN

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

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Merab Smith, Office Coordinator

**DATE:** 06/27/2016

**SUBJECT:** Consideration of **Resolution No. 5287-16** Authorizing an Intergovernmental Agreement Between the City of Durham and the City of Tualatin for the Performance of Police Services within the City of Durham's Boundaries

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### ISSUE BEFORE THE COUNCIL:

Adopting the Intergovernmental Agreement between the City of Durham and the City of Tualatin for police services.

### RECOMMENDATION:

Staff recommends the approval of the resolution.

### EXECUTIVE SUMMARY:

The City of Durham wishes to contract with the City of Tualatin for police services within Durham's boundaries. The purpose of this Agreement is for Tualatin to furnish law enforcement services to Durham in exchange for a fee for services, as specifically set forth in Attachment B. The term of this agreement will begin upon acceptance and approval by resolution by both City of Durham and City of Tualatin City Councils and will expire on June 30, 2021, unless terminated sooner as provided under the terms of this IGA.

### FINANCIAL IMPLICATIONS:

In exchange for the City of Tualatin providing police services, City of Durham will pay the following amounts for the term of the agreement:

Year 1 FY 16/17 \$127,500  
Year 2 FY 17/18 \$131,340  
Year 3 FY 18/19 \$135,280  
Year 4 FY 19/20 \$139,338  
Year 5 FY 20/21 \$143,518

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**Attachments:** Resolution 5287-16  
Intergovernmental Agreement





RESOLUTION NO. 5287-16

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT TO PROVIDE POLICE SERVICES TO THE CITY OF DURHAM.

WHEREAS, the City of Tualatin is a public body engaged in providing municipal services, including public safety, to its citizens; and

WHEREAS, the City of Durham is a public body engaged in providing municipal services to its citizens; and

WHEREAS, ORS 190.010 et. seq. authorizes the City of Tualatin and City of Durham to enter into an intergovernmental agreement; and

WHEREAS, the City of Tualatin and City of Durham mutually agree that the City of Tualatin will provide Police Services to the City of Durham;

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

**Section 1.** The City Manager is authorized to execute the Intergovernmental Agreement to provide police services to the City of Durham, which is set forth in Exhibit A and is incorporated by reference.

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

INTRODUCED AND ADOPTED this 27<sup>th</sup> day of June, 2016.

CITY OF TUALATIN OREGON

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

APPROVED AS TO LEGAL FORM

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

ATTEST

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

## INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF TUALATIN AND CITY OF DURHAM FOR POLICE SERVICES

### RECITALS:

WHEREAS, the City of Tualatin is a public body engaged in providing municipal services, including public safety, to its citizens; and

WHEREAS, the City of Durham is a public body engaged in providing municipal services to its citizens; and

WHEREAS, ORS 190.010 et. seq. authorizes the City of Tualatin and City of Durham to enter into an intergovernmental agreement; and

WHEREAS, the City of Tualatin and City of Durham mutually agree this Agreement for Police Services;

### NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:

**Section 1. Term.** The term of this agreement will begin upon acceptance and approval by resolution by both City of Durham and City of Tualatin City Councils and will expire on June 30, 2021, unless terminated sooner as provided under the terms of this IGA.

**Section 2. Purpose.** The purpose of this Agreement is for Tualatin to furnish law enforcement services to Durham in exchange for a fee for services, as specifically set forth in this Agreement.

### **Section 3. City Of Tualatin Obligations.**

- A.** City of Tualatin will provide law enforcement services to Durham 24 hours a day, 7 days per week, 365 days per year and consider Durham as part of Tualatin's service area. These law enforcement services could include, but are not limited to:
  - a.** Patrol services, both proactive and reactive, within the service area as times permits at the discretion of the Tualatin Police Department on-duty supervisor.
  - b.** Respond to calls for police services originating in or directed to Durham. Response to calls will be made according to priorities established by Interagency Agreement and the Washington County Consolidated Communications Agency.
  - c.** Traffic enforcement.

- d. Necessary court time as a result of citations or complaints issued by the Tualatin Police Department officers in Durham.
  - e. Follow-up investigations, detective work, court time, report writing, mandated training for certified officers, supervision, vehicles, equipment and materials, records management, property/evidence storage, and administration as needed.
- B.** All services include report writing, training, supervision, use of equipment and materials, and administrative needs connected to those services.
- C.** Tualatin, through the chain of command of its police department, will exercise sole discretion and responsibility for decisions as to the nature and extent of response to specific requests for emergency service, given the need to apportion response capability among both Tualatin and Durham, as well as honor mutual aid agreements. Durham recognizes at any given time conflicting demands for service may require the exercise of discretion by Tualatin in setting emergency priorities for the deployment of equipment and personnel.
- D.** Tualatin will provide Durham with a summary of police activities in Durham on a monthly basis and give an annual report / summary to the Durham City Council.

#### **Section 4. City Of Durham Obligations.**

In exchange for the City of Tualatin providing police services, City of Durham will pay the following amounts for the term of the agreement:

Year 1	FY 16/17	\$127,500
Year 2	FY 17/18	\$131,340
Year 3	FY 18/19	\$135,280
Year 4	FY 19/20	\$139,338
Year 5	FY 20/21	\$143,518

Payments will be paid on a quarterly basis. In addition, Durham shall pay any additional costs from other agencies that Tualatin incurs in providing these services. Should City of Durham be in arrears in payment of its fees hereunder, such default will not be deemed a material breach unless City of Durham's entire uncontested balance is still unpaid more than 45 days after written notice by City of Tualatin of intent to terminate.

#### **Section 5. Independent Contract And Administrative Responsibility.**

- A. Employees of City of Tualatin.** City of Tualatin will have full authority and responsibility over hiring, training, discipline, scheduling, and assignment of personnel assigned to perform and to supervise services provided under this Agreement. City of Tualatin will have full discretion and authority to assign

priority service among conflicting service demands at any given time. City of Tualatin will indemnify, defend, and hold City of Durham harmless from any liability for the direct payment of any salaries, wages, or other compensation to any City of Tualatin personnel performing services for the City of Durham under this agreement. Except as otherwise provided herein, the City of Tualatin, its officers, agents and employees have not assumed any liability for acts of City of Durham, or of any City of Durham officer, employee, or agent.

**B. Services to Other Agencies.** City of Tualatin may contract to provide police services to other agencies in its discretion. City of Tualatin will provide 30 days' prior notice to City of Durham before providing police services to other agencies.

**C. Independent Contract Relationship.** City of Tualatin through its officers, employees, and agents, will provide the services described in this Agreement as an independent contractor, and nothing herein will be interpreted or construed as creating or establishing the relationship of employer/employee, principal/agent, partnership, joint venture, association, or any other type of legal or business relationship between City of Tualatin and City of Durham. No party or its employees is entitled to participate in a pension plan, insurance, bonus, or similar benefits provided by any other party.

**D.** The City of Durham has no right to direct or control the manner or method by which City of Tualatin provides the services that Tualatin agrees to provide through this Agreement.

## **Section 6. Other Terms and Conditions.**

### **A. Indemnification.**

- a.** Tualatin will indemnify, hold and save Durham, its officers, employees, and agents harmless from any and all claims that arise against Durham, its officers, employees, or agents in the performance of the duties required by the terms of this agreement, unless such claims arise as a result of some act or omission by Durham, its officers, employee, or agents.
- b.** Durham will indemnify, hold and save Tualatin, its officers, employees, and agents harmless from any and all claims that arise against Tualatin, its officers, employees, or agents in the performance of the duties required by the terms of this agreement, unless such claims arise as a result of some act or omission by Tualatin, its officers, employee, or agents.

**B. Insurance:** Each party agrees to maintain insurance levels or self-insurance in accordance with the Oregon Tort Claims Act for the duration of this Agreement at levels necessary to protect the public body from liability.

- C. Compliance with Applicable Law.** Both parties agree to comply with all federal, state, county and local laws, ordinances, and regulations applicable to the work to be done under this contract. Failure or neglect on the part of the other party to comply with any or all such laws, ordinances, rules, and regulations shall not relieve the other party of its obligations or requirements under this contract.
- D. Force Majeure.** Neither Party shall be held responsible for delay or default caused by fire, riot, acts of God and war which are beyond its reasonable control. The affected party shall, however, make all reasonable efforts to remove or eliminate such a cause of delay or default and shall, upon cessation of the cause, diligently pursue performance of its obligation under the contract.
- E. Governing Law.** This Agreement shall be governed construed in accordance with the laws of the State of Oregon, without resort to any jurisdiction's conflicts of law rules and doctrines. Any litigation between the City of Tualatin and the City of Durham that arises out of or relates to performance of this Agreement shall occur, if in the state courts, in the Washington County Circuit Court.
- F. Severability.** If any term or provision of this contract is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the contract did not contain the particular term or provision held to be invalid.
- G. Waiver.** The failure of a party to enforce any provision of this contract against the other party shall not constitute a waiver of that provision or any other provision.
- H. Notices.** All notices regarding this Agreement should be sent to the parties at the following addresses:

To : City of Tualatin  
Chief of Police  
8650 SW Tualatin Road  
Tualatin, OR 97062  
503.691.4820

To: City of Durham  
Linda Tate, City Administrator  
17160 SW Upper Boones Ferry Road  
Durham, OR 97224  
503.639.6851  
cityofdurham@comcast.net

**Section 7. Merger.** This agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this agreement.

**Section 8. Modifications Of Agreement.** Modifications to this Agreement are valid only if made in writing and signed by all parties. No amendment, consent, or waiver of terms of this agreement shall bind either party unless in writing and signed by both parties. Any such amendment, consent, or waiver shall be effective only in the specific instance and for the specific purpose given.

**Section 9. Termination.** Either party may terminate the agreement upon the giving of no fewer than 120 days' prior written notice to the other party of the intent to terminate.

**Section 10. Breach; Default; Disputes.** If a Party breaches a covenant in this IGA, the non-breaching Party may seek all remedies available at law or equity or may revoke this IGA upon giving thirty (30) days' written notice of the alleged breach. If the breach is not cured within that time, the non-breaching party may send a second notice terminating this IGA immediately, and the IGA will be terminated unless the disputing parties request dispute resolution in writing. Upon notice of a desire for dispute resolution the following process will apply:

- A.** City Manager of Tualatin and Administrator of Durham will meet in an effort to resolve the matter within 30 days of the notice.
- B.** If resolution is unsuccessful, then within ten (10) days any party may request mediation. If the parties cannot agree on a mediator, they will use a mediator selected by the Presiding Judge of the Circuit Court of the State of Oregon for Washington County. Mediation will be concluded within sixty (60) days unless the disputing party agrees to a different schedule. If resolved, a written agreement shall be executed and approved by the appropriate decision maker.
- C.** If mediation is unsuccessful, within fifteen (15) days, any party may seek any legal or equitable remedy in the Circuit Court of the State of Oregon for Washington County.
- D.** If any suit, action, arbitration, mediation or other proceeding is instituted to enforce rights or otherwise pursue, defend, or litigate issues related to this IGA, or any other controversy arises from this IGA and regardless of any statute to the contrary, each party will bear its own attorneys fees and costs. The award of costs and expenses on appeal from a judgment entered after trial will be to the prevailing party designated as such by the appeals court.

**Section 11. Signatures.** The parties, by their signatures below, acknowledge having read this agreement, understand it, have authority to bind their respective governments, and agree to be bound by its terms and conditions. As evidence of their intent to make their contract, the parties' duly authorized representatives have signed this Agreement on the dates noted by their signature below.

CITY OF TUALATIN

BY \_\_\_\_\_  
SHERILYN LOMBOS                      Date  
City Manager

CITY OF DURHAM

BY \_\_\_\_\_  
GERY SHIRADO                                      Date  
Mayor

APPROVED AS TO FORM

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



# STAFF REPORT

## CITY OF TUALATIN

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

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Janet Newport, Human Resources Manager

**DATE:** 06/27/2016

**SUBJECT:** Consideration of **Resolution No. 5280-16** Authorizing Personnel Services Updates for Non-Represented Employees and for Tualatin for Fiscal Year 2016-17

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### ISSUE BEFORE THE COUNCIL:

The City Council is to consider adjustments for the non-represented employees for fiscal year 2016-17.

### RECOMMENDATION:

Staff recommends the City Council adopt the attached resolution authorizing non-represented employee personnel services updates for fiscal year 2016-17.

### EXECUTIVE SUMMARY:

Section 1 of the Resolution proposes that the Salary Schedules for Exempt Management, Non Exempt Management, and Exempt and Non Exempt Police Management employees shall be updated and increased by a 2% cost of living allowance effective July 1, 2016, as shown in attached Exhibits A, B, and C. Selected Police Management positions will be eligible to also participate in various programs contained in the Tualatin Police Officers Association Collective Bargaining Agreement. Section 2 of the Resolution proposes an update to the Salary Schedules for Temporary employees as shown in attached Exhibits D and E.

### FINANCIAL IMPLICATIONS:

Provisions of the non-represented employee salary schedules adjustment are incorporated in the FY 2016-17 budget.

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**Attachments:** Resolution  
Exhibit A  
Exhibit B  
Exhibit C  
Exhibit D



## Exhibit E

RESOLUTION NO. 5280-16

A RESOLUTION AUTHORIZING PERSONNEL SERVICES UPDATES FOR NON-REPRESENTED EMPLOYEES FOR FISCAL YEAR 2016-17.

WHEREAS, the Council of the City of Tualatin is the authority in setting the compensation and benefits for City employees; and

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

**Section 1.** Effective July 1, 2016, the Salary Schedules for Exempt Management, Non-exempt Management, and Exempt and Non-exempt Police Management employees shall be updated and increased by a 2% cost of living allowance, as provided in attached Exhibits A, B, and C, with the pay rates for these employees adjusted accordingly. Selected Police Management positions will be eligible to participate in various programs contained in the Tualatin Police Officers Association Collective Bargaining Agreement.

**Section 2.** Effective July 1, 2016, the Salary Schedules for Temporary employees shall be updated as provided in attached Exhibits D and E.

Adopted by the City Council this 27th day of June, 2016.

CITY OF TUALATIN, OREGON

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

APPROVED AS TO FORM

ATTEST:

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

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

# Exhibit A

## FY 2016/17 SALARY SCHEDULE EFFECTIVE 7/01/2016

### EXEMPT MANAGEMENT

Grade	Title	RATE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9
<b>DMA1</b>	<i>Special Projects Manager</i>	Hourly	31.77	32.74	33.72	34.73	35.77	36.85	37.95	39.10	42.42
		Annual	66,081.60	68,099.20	70,137.60	72,238.40	74,401.60	76,648.00	78,936.00	81,328.00	88,233.60
<b>M12</b>	Park & Recreation Manager Assistant to the City Manager	Hourly	34.33	35.37	36.43	37.53	38.67	39.82	41.00	42.24	43.51
		Annual	71,406.40	73,569.60	75,774.40	78,062.40	80,433.60	82,825.60	85,280.00	87,859.20	90,500.80
<b>M13</b>	Planning Manager	Hourly	36.07	37.14	38.26	39.41	40.61	41.81	43.06	44.36	45.69
		Annual	75,025.60	77,251.20	79,580.80	81,972.80	84,468.80	86,964.80	89,564.80	92,268.80	95,035.20
<b>M14</b>	Assistant Finance Director	Hourly	37.87	39.02	40.18	41.38	42.62	43.90	45.21	46.56	47.96
	Building Official	Annual	78,769.60	81,161.60	83,574.40	86,070.40	88,649.60	91,312.00	94,036.80	96,844.80	99,756.80
	<i>Civil Engineer</i>										
	Library Manager										
<b>M15</b>	Engineering Manager City Engineer	Hourly	40.71	41.93	43.18	44.48	45.83	47.20	48.59	50.05	51.54
		Annual	84,676.80	87,214.40	89,814.40	92,518.40	95,326.40	98,176.00	101,067.20	104,104.00	107,203.20
<b>DM1</b>	Community Services Director	Hourly	43.91	45.25	46.60	47.98	49.43	50.92	52.44	54.00	55.64
	Human Resources Director	Annual	91,332.80	94,120.00	96,928.00	99,798.40	102,814.40	105,913.60	109,075.20	112,320.00	115,731.20
	Information Systems Director										
<b>DM2</b>	Finance Director Public Works Director	Hourly	46.49	47.90	49.34	50.84	52.35	53.92	55.53	57.19	58.93
		Annual	96,699.20	99,632.00	102,627.20	105,747.20	108,888.00	112,153.60	115,502.40	118,955.20	122,574.40
<b>DM3</b>	Vacant	Hourly	49.49	50.98	52.51	54.08	55.72	57.39	59.10	60.86	62.70
		Annual	102,939.20	106,038.40	109,220.80	112,486.40	115,897.60	119,371.20	122,928.00	126,588.80	130,416.00
<b>DM4</b>	Assistant City Manager	Hourly	50.86	52.37	53.94	55.55	57.23	58.96	60.71	62.53	64.40
	City Attorney	Annual	105,788.80	108,929.60	112,195.20	115,544.00	119,038.40	122,636.80	126,276.80	130,062.40	133,952.00
	<i>Community Development Director</i>										
<b>DM5</b>	Police Chief	Hourly	56.16	57.83	59.57	61.35	63.19	65.10	67.04	69.06	71.12
		Annual	116,812.80	120,286.40	123,905.60	127,608.00	131,435.20	135,408.00	139,443.20	143,644.80	147,929.60

\* italicized positions are not filled.

Exhibit B

FY 2016/17 SALARY SCHEDULE  
EFFECTIVE 7/01/2016

NON EXEMPT MANAGEMENT EMPLOYEES

Grade	TITLE	RATE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9
M2	Legal Assistant	Hourly	21.79	22.43	23.11	23.80	24.52	25.25	26.01	26.79	27.59
		Annual	45,323.20	46,654.40	48,068.80	49,504.00	51,001.60	52,520.00	54,100.80	55,723.20	57,387.20
M3	Vacant	Hourly	22.94	23.63	24.34	25.08	25.83	26.60	27.40	28.21	29.07
		Annual	47,715.20	49,150.40	50,627.20	52,166.40	53,726.40	55,328.00	56,992.00	58,676.80	60,465.60
M4	Vacant	Hourly	24.15	24.87	25.63	26.38	27.18	28.00	28.83	29.69	30.60
		Annual	50,232.00	51,729.60	53,310.40	54,870.40	56,534.40	58,240.00	59,966.40	61,755.20	63,648.00
M5	<i>Recreation Coordinator</i>	Hourly	25.11	25.85	26.64	27.42	28.25	29.11	29.97	30.87	31.79
		Annual	52,228.80	53,768.00	55,411.20	57,033.60	58,760.00	60,548.80	62,337.60	64,209.60	66,123.20
M6	Court Administrator Human Resources Analyst <i>Paralegal</i>	Hourly	26.37	27.17	27.99	28.82	29.68	30.58	31.50	32.44	33.42
		Annual	54,849.60	56,513.60	58,219.20	59,945.60	61,734.40	63,606.40	65,520.00	67,475.20	69,513.60
M7	Recreation Supervisor	Hourly	27.66	28.50	29.36	30.23	31.14	32.08	33.03	34.02	35.04
		Annual	57,532.80	59,280.00	61,068.80	62,878.40	64,771.20	66,726.40	68,702.40	70,761.60	72,883.20
M8	Police Services Supervisor	Hourly	29.07	29.94	30.82	31.75	32.72	33.70	34.71	35.76	36.83
		Annual	60,465.60	62,275.20	64,105.60	66,040.00	68,057.60	70,096.00	72,196.80	74,380.80	76,606.40
M9	Access Services Supervisor	Hourly	30.53	31.44	32.39	33.34	34.35	35.38	36.44	37.54	38.67
	Public Service Supervisor	Annual	63,502.40	65,395.20	67,371.20	69,347.20	71,448.00	73,590.40	75,795.20	78,083.20	80,433.60
	Pohl Center Supervisor										
M10	Maintenance Service Div Mgr	Hourly	32.03	32.97	33.97	34.99	36.03	37.12	38.24	39.39	40.57
	Park Maintenance Div Mgr	Annual	66,622.40	68,577.60	70,657.60	72,779.20	74,942.40	77,209.60	79,539.20	81,931.20	84,385.60
	Street and Sewer Div Mgr										
M11	<i>Accounting Supervisor</i>	Hourly	33.63	34.63	35.68	36.74	37.87	39.02	40.18	41.38	42.62
	Water Division Mgr	Annual	69,950.40	72,030.40	74,214.40	76,419.20	78,769.60	81,161.60	83,574.40	86,070.40	88,649.60

\* italicized positions are not filled.

FY 2016/17 SALARY SCHEDULE  
EFFECTIVE 7/1/2016

POLICE

Exhibit C

Grade	TITLE	RATE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9
4% steps											
P1	Police Officer	Hourly	26.29	27.34	28.43	29.57	30.75	31.98	33.26	34.59	n/a
		Annual	54,683.20	56,867.20	59,134.40	61,505.60	63,960.00	66,518.40	69,180.80	71,947.20	n/a
Police Officer Grade is still effective as of 7/1/2015; in current negotiations											
Non-Exempt Police Mgmt											
4% Steps											
P2	Police Sergeant	Hourly	33.61	34.97	36.36	37.82	39.35	40.91	42.55	44.25	46.01
		Annual	69,908.80	72,737.60	75,628.80	78,665.60	81,848.00	85,092.80	88,504.00	92,040.00	95,700.80
Police Sergeant Grade is effective 7/1/2016											
Exempt Police Management											
3% Steps											
P3	Police Lieutenant	Hourly	44.50	45.83	47.21	48.64	50.09	51.58	53.14	54.73	56.38
		Annual	92,560.00	95,326.40	98,196.80	101,171.20	104,187.20	107,286.40	110,531.20	113,838.40	117,270.40
P4	Police Captain	Hourly	48.94	50.42	51.94	53.51	55.10	56.75	58.45	60.20	62.03
		Annual	101,795.20	104,873.60	108,035.20	111,300.80	114,608.00	118,040.00	121,576.00	125,216.00	129,022.40
DM5	Police Chief	Hourly	56.16	57.83	59.57	61.35	63.19	65.10	67.04	69.06	71.12
		Annual	116,812.80	120,286.40	123,905.60	127,608.00	131,435.20	135,408.00	139,443.20	143,644.80	147,929.60
Police Lieutenant, Police Captain, and Police Chief Grade is effective 7/1/2016											

\* *italicized* positions are not filled.

**TEMPORARY EMPLOYEES - SCHEDULE A**  
**FY 2016/2017 Salary Schedule**  
**Effective 7/01/2016**

Exhibit D

<b>Grade</b>	<b>TITLE</b>	<b>RATE</b>	<b>MINIMUM REGULAR WAGE FY 16/17</b>	<b>MAXIMUM REGULAR WAGE FY 16/17</b>
<b>T4</b>	TEMP PARKING ENFORCE OFF	Hourly	14.73	18.66
<b>T6</b>	TEMP LIBRARY ASST TEMP OFFICE ASST I	Hourly	16.67	21.13
<b>T8</b>	TEMP OFFICE ASSIST II	Hourly	18.36	23.28
<b>T9</b>	TEMP POLICE SERVICES TECH TEMP PUBLIC SERVICE ASST TEMP SPECIAL EVENTS COORD	Hourly	19.30	24.48
<b>T11</b>	TEMP FINANCE/ACCTG TECH TEMP OFFICE COORD TEMP PROP EVIDENCE TECH TEMP REC PROG SPEC	Hourly	21.77	27.60
<b>T12</b>	TEMP FLEET TECH I TEMP VOLUNTEER COORD	Hourly	22.85	28.95
<b>T13</b>	TEMP LIBRARIAN I	Hourly	24.01	30.40
<b>T14</b>	TEMP LIBRARIAN II	Hourly	25.48	32.24
<b>T16</b>	TEMP BLDG CONST INSPT II	Hourly	28.38	35.96

**TEMPORARY EMPLOYEES - SCHEDULE B**  
**FY 2016/17 SALARY SCHEDULE**  
**EFFECTIVE 7/01/2016**

Exhibit E

<b>Grade</b>	<b>TITLE</b>	<b>RATE</b>	<b>REGULAR WAGE FY 16/17</b>
<b>U1</b>	TEMP LIBRARY PAGE	Hourly	10.86
<b>U5</b>	TEMP RECREATION LEADER I TEMP RECREATION AIDE	Hourly	11.01
<b>U9</b>	TEMP HOMEWORK LEADER TEMP LIBRARY SENIOR PAGE TEMP FILE CLERK TEMP OPS MAINT WORKER	Hourly	13.44
<b>U10</b>	TEMP INTERN TEMP PARK RANGER TEMP RECREATION LEADER II	Hourly	14.14
<b>U12</b>	TEMP YOUTH LEADER	Hourly	15.73
<b>U14</b>	TEMP SR YOUTH LEADER	Hourly	16.90
<b>U16</b>	TEMP TECHNOLOGY SPEC	Hourly	19.38
<b>U30</b>	TEMP REC. COUNSELOR I	Hourly	33.65
<b>J1</b>	JUDGE	Hourly	100.00



# 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:** 06/27/2016

**SUBJECT:** Consideration of **Resolution No. 5285-16** Adopting the City of Tualatin Budget for the Fiscal Year Commencing July 1, 2016, Making Appropriations, Levying Ad-Valorem Taxes, and Categorizing the Levies

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

Adoption of the Fiscal Year 2016–2017 Budget, after conducting a public hearing to consider public input on the Fiscal Year 2016–2017 Budget. The City of Tualatin Budget Advisory Committee approved the proposed budget on May 31, 2016. The total of the Fiscal Year 2016-2017 Budget is \$84,133,510 as approved by the Budget Advisory Committee and amended by the City Council.

The tax rate for general government would be approved at \$2.2665 per \$1,000 taxable assessed value, with \$975,000 to be levied for bonded debt. The bond levy is excluded from limitation for local government operations.

Oregon State law requires the City Council adopt a budget prior to July 1, 2016.

### **RECOMMENDATION:**

Staff recommends adoption of the attached resolution, which includes the Budget Committee Approved Fiscal Year 2016-2017 Budget.

### **EXECUTIVE SUMMARY:**

The City of Tualatin budget is made up of 17 funds, divided among five different categories: General Fund, Special Revenue Funds, Debt Service Funds, Capital Projects Funds and Enterprise Funds. Urban Renewal Funds are presented in the Tualatin Development Commission budget, which will be heard in a separate public hearing later this evening.

The General Fund is the primary operating fund of the City and supports general government services. Special Revenue Funds account for the proceeds of specific revenue sources that are legally restricted to expenditure for specific purposes, including the Building Fund, Operations Fund, street funds, as well as miscellaneous funds such as Core Area Parking and the Tualatin Science and Technology Scholarship Fund. Debt Service Funds record revenues and expenditures for our general obligation bond debt. Capital Project Funds record capital projects



that are funded from restricted funds, such as system development charges funds. The Enterprise Funds include all funds related to the following systems: Water, Sewer and Storm Drain. These funds account for the infrastructure systems covering water, sewer and storm drain and their revenues are derived from sources that are specifically earmarked, or restricted for these specific purposes.

The City is once again presenting a fiscally prudent budget. City staff continues to provide the services our residents desire, at the levels they have come to enjoy and expect from the City, in a financially responsible way. The City budget is seeing an increase in operating costs due to increases in utility costs, as well as existing contractual obligations, though the City departments did an outstanding job holding their budgets tight while addressing the increases that were out of the City's control. While maintaining quality service levels, the fiscal year 2016-2017 budget includes funding for technology replacements, pavement maintenance, increased street sweeping and catch basin cleaning, as well as capital projects identified in the City's Capital Improvement Plan and utility master plans. Other additions to the budget are for growth in recreation programming, and to enhance reading and technology programs for students, as well as Pre-K literacy, at the Library. Overall, the City's expenditure budget is once again a financially stable budget and further proves that the City of Tualatin is one of America's Best Communities.

The City's total revenues for Fiscal Year 2016-2017 continue to be stable, with increases in our property tax revenues due to development that has occurred throughout the City over the past two years. Continued development will provide for projected assessed value growth for the coming fiscal year. Given the economic environment of the past few years, the City is pleased with a stable revenue stream that continues to allow for prudent financial management.

In addition to the budget approved by the budget committee, the City Council has the ability to change the approved budget in each fund by no more than 10% of the total budget. Typical changes that the Council may make are related to unanticipated lags in completion of projects, or delays in receiving budgeted products or services, that necessitate adjustments to future year budget(s). The proposed changes to the 2016-2017 budget approved by the Budget Advisory Committee are related to projects in the General Fund and Parks Development Fund that were not completed during FY 2015-2016, as originally planned. In the General Fund, the fiber ring project took longer to design and permit, so we are carrying over the majority of the budget (\$156,680). Also in the General Fund, some of the furniture replacement in the Juanita Pohl Center will not be completed by June 30th, so \$5,300 is being carried over. In the Park Development Fund, \$15,000 in materials and services for an updated parks and trails brochure is being carried over and \$50,000 in capital outlay is being carried over for the connection of the Tualatin River Greenway Trail in Community Park, the Lazy River Accessibility and Lighting project and an interpretive sign on the new Tualatin River Greenway Trail.

For more detailed information, the City's Proposed 2016-2017 Budget can be found at <http://www.tualatinoregon.gov/finance/proposed-fy-2016-2017-budget>. The final adopted budget document will be posted to the website in early July.

## **OUTCOMES OF DECISION:**

By adopting the budget before July 1st, the City will be able to operate, expend money and incur liabilities for fiscal year 2016-2017.



RESOLUTION NO. 5285-16

A RESOLUTION ADOPTING THE CITY OF TUALATIN'S BUDGET  
FOR THE FISCAL YEAR COMMENCING JULY 1, 2016, MAKING  
APPROPRIATIONS, LEVYING AD VALOREM TAXES, AND  
CATEGORIZING THE LEVIES

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

Section 1. The City Council of the City of Tualatin hereby adopts the Budget as approved by the Budget Committee and adjusted by the Council. The total sum of the budget is \$84,133,510 (including \$11,969,075 of unappropriated fund balance and reserves) and is now on file at the City Offices.

Section 2. The amounts for the fiscal year beginning July 1, 2016, and for the purposes shown below, are hereby appropriated as follows:

**GENERAL FUND**

City Council	\$	176,835	
Administration	\$	1,001,740	
Finance	\$	1,029,210	
Legal Services	\$	313,150	
Municipal Court	\$	392,125	
Planning	\$	785,275	
Engineering	\$	1,189,150	
Information Systems	\$	1,298,980	
Police	\$	7,294,895	
Public Works Administration	\$	559,285	
Fleet	\$	468,350	
Building Maintenance	\$	981,055	
Parks Maintenance	\$	1,377,610	
Community Services	\$	1,120,830	
Library	\$	2,066,600	
Non-Departmental	\$	1,396,490	
Contingency	\$	3,126,290	
		<hr/>	
Total GENERAL FUND Appropriations			\$ 24,577,870
Reserves	\$	2,711,925	
Unappropriated	\$	3,225,715	
		<hr/>	
Total GENERAL FUND			<u><u>\$ 30,515,510</u></u>

### **BUILDING FUND**

Personal Services	\$	755,815	
Material & Services	\$	137,400	
Transfers	\$	355,570	
Contingency	\$	<u>187,320</u>	
Total BUILDING FUND Appropriations			\$ 1,436,105
Reserves	\$	<u>1,254,200</u>	
Total BUILDING FUND			<u><u>\$ 2,690,305</u></u>

### **OPERATIONS FUND**

Non-Departmental	\$	<u>1,115,835</u>	
Total OPERATIONS FUND Appropriations			<u><u>\$ 1,115,835</u></u>

### **WATER FUND**

Personal Services	\$	614,500	
Material & Services	\$	2,868,985	
Capital Outlay	\$	1,850,000	
Transfers	\$	2,006,705	
Contingency	\$	<u>1,101,030</u>	
Total WATER FUND Appropriations			\$ 8,441,220
Reserves	\$	<u>1,706,805</u>	
Total WATER FUND			<u><u>\$ 10,148,025</u></u>

### **SEWER FUND**

Personal Services	\$	343,595	
Material & Services	\$	6,216,155	
Capital Outlay	\$	20,000	
Transfers	\$	1,018,240	
Contingency	\$	<u>1,139,700</u>	
Total SEWER FUND Appropriations			\$ 8,737,690
Reserves	\$	<u>1,621,960</u>	
Total SEWER FUND			<u><u>\$ 10,359,650</u></u>

### **STORM DRAIN FUND**

Material & Services	\$	1,141,575	
Capital Outlay	\$	350,000	
Transfers	\$	845,075	
Contingency	\$	350,500	
		<hr/>	
Total STORM DRAIN FUND Appropriations			\$ 2,687,150
Reserves	\$	548,170	
		<hr/>	
Total STORM DRAIN FUND			<u><u>\$ 3,235,320</u></u>

### **ROAD UTILITY FEE FUND**

Material & Services	\$	841,080	
Transfers	\$	271,520	
Contingency	\$	-	
		<hr/>	
Total ROAD UTILITY FEE FUND Appropriations			\$ 1,112,600
Reserves	\$	62,750	
		<hr/>	
Total ROAD UTILITY FEE FUND			<u><u>\$ 1,175,350</u></u>

### **ROAD OPERATING FUND**

Personal Services	\$	275,620	
Material & Services	\$	899,615	
Capital Outlay	\$	4,213,000	
Transfers	\$	777,030	
Contingency	\$	639,485	
		<hr/>	
Total ROAD OPERATING FUND Appropriations			\$ 6,804,750
Reserves	\$	98,145	
		<hr/>	
Total ROAD OPERATING FUND			<u><u>\$ 6,902,895</u></u>

### **CORE AREA PARKING DISTRICT FUND**

Material & Services	\$	20,020	
Capital Outlay	\$	13,000	
Transfers	\$	26,950	
Contingency	\$	6,895	
		<hr/>	
Total CORE AREA PKG DIST FUND Appropriations			\$ 66,865

Reserves	\$ 126,635	
Total CORE AREA PARKING DISTRICT FUND		\$ 193,500
<b>TUALATIN SCIENCE AND TECHNOLOGY SCHOLARSHIP FUND</b>		
Material & Services	\$ 400	
Total TUALATIN SCHOLARSHIP FUND Appropriations		\$ 400
Reserves	\$ 50,650	
Total TUALATIN SCHOLARSHIP FUND		\$ 51,050
<b>GENERAL OBLIGATION BOND FUND</b>		
Debt Service	\$ 965,130	
Total GO BOND DEBT FUND Appropriations		\$ 965,130
Reserves	\$ 75,870	
Total GO BOND DEBT FUND		\$ 1,041,000
<b>ENTERPRISE BOND FUND</b>		
Material & Services	\$ 750	
Debt Service	\$ 636,665	
Total ENTERPRISE BOND FUND Appropriations		\$ 637,415
Reserves	\$ 486,250	
Total ENTERPRISE BOND FUND		\$ 1,123,665
<b>WATER DEVELOPMENT FUND</b>		
Capital Outlay	\$ 115,000	
Transfers	\$ 292,410	
Contingency	\$ 640,825	
Total WATER DEV FUND Appropriations		\$ 1,048,235

### **SEWER DEVELOPMENT FUND**

Material & Services	\$	384,000
Capital Outlay	\$	85,000
Transfers	\$	8,950
Contingency	\$	<u>3,876,880</u>

Total SEWER DEV FUND Appropriations	\$	<u><u>4,354,830</u></u>
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### **STORM DRAIN DEVELOPMENT FUND**

Capital Outlay	\$	205,000
Contingency	\$	<u>428,730</u>

Total STORM DRAIN DEV FUND Appropriations	\$	<u><u>633,730</u></u>
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### **PARK DEVELOPMENT FUND**

Material & Services	\$	32,000
Capital Outlay	\$	3,119,790
Transfers	\$	36,700
Contingency	\$	<u>-</u>

Total PARK DEV FUND Appropriations	\$	<u><u>3,188,490</u></u>
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### **TRANSPORTATION DEVELOPMENT TAX FUND**

Transfers	\$	2,751,000
Contingency	\$	<u>3,605,120</u>

Total TRANSPORT DEV TAX FUND Appropriations	\$	<u><u>6,356,120</u></u>
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TOTAL APPROPRIATED ALL FUNDS	\$	72,164,435
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TOTAL RESERVES	\$	8,743,360
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TOTAL UNAPPROPRIATED ALL FUNDS	\$	<u><u>3,225,715</u></u>
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TOTAL BUDGET	\$	<u><u>84,133,510</u></u>
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Section 3. The City Council of the City of Tualatin hereby imposes the taxes provided for in the adopted budget at the rate of \$2.2665 per \$1,000 assessed value for operations and in the amount of \$975,000 for bonds; and that these taxes are hereby imposed and categorized for tax year 2016-17 upon the assessed value of all taxable property within the district.

General Government Limitation  
General Fund...\$2.2665/\$1,000

Excluded from Limitation  
Debt Service Fund...\$975,000

Section 4. The Finance Director shall certify to the County Assessors of Washington County and Clackamas County, Oregon, the tax levy made by this resolution; and file with the County Clerks a true copy of the Budget as finally adopted.

INTRODUCED AND ADOPTED this 27th day of June, 2016.

CITY OF TUALATIN, OREGON

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:** 06/27/2016

**SUBJECT:** Consideration of **Ordinance No. 1395-16** Relating to the Road Utility and Amending Tualatin Municipal Code Chapter 3-4

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

Whether to adopt the attached ordinance relating to the Road Utility and amending Tualatin Municipal Code (TMC) Chapter 3-4

### **RECOMMENDATION:**

Staff recommends adoption of the attached ordinance.

### **EXECUTIVE SUMMARY:**

In 1987/88, the City developed a pavement management plan for purposes of determining the costs of maintaining City streets and thereby preventing further deterioration thereof. This plan resulted in City Council adoption of the "City of Tualatin Pavement Management Plan". In 1989, the City Council commissioned a study to examine the various funding options available to the City for road maintenance, identified in the Plan, and for street lighting, and to analyze the advantages and disadvantages of each. The report, dated December 1989, recommended the City establish a utility based revenue source so as to best address citizen desires for equity, revenue stability and flexibility. The City Council adopted Ordinance 803-90 in April 1990, setting the road utility fee, and creating the residential (single and multi-family) categories and non-residential categories, which are based upon trips generated. For the residential categories, a rate per unit was established and for the non-residential categories, a rate per thousand square feet was created. These rates have not been changed since the ordinance took effect in 1990.

The pavement maintenance program has been successful since its inception and the stable revenue source has been adequate to handle the high and low years of cost to maintain the road system. With the costs of the program continuing to rise, and with a look to the future funding needs for the system, an analysis of the program was begun. The first recommendation of the analysis is to account for the inflationary impacts on the maintenance costs by indexing the road utility fee in the same manner as other fees and charges. The index chosen is the Engineering News Record Construction Cost Index for Seattle, Washington, which is the same index used for the indexing of the Water and Parks System Development

Charges. The category rates are proposed to be updated using this index and beginning on July 1, 2017, the rate will automatically be increased by the most recently available twelve month average change in the index.

Additionally, upon review of TMC 3-4-100, Delinquent Accounts, it was determined that placing a lien on the delinquent property was not practical, but rather handling a delinquent road utility fee in the same manner as other delinquent utility charges, since they are billed together on the same monthly utility bill. TMC 3-4-100 is proposed to be changed to reflect this preferred handling of delinquent accounts.

#### **OUTCOMES OF DECISION:**

Adoption of this ordinance allows for continued stability in the road utility funding for inflationary construction cost increases.

#### **FINANCIAL IMPLICATIONS:**

The proposed category amounts are projected to increase 4.8% and increase road maintenance revenues approximately \$30,000.

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**Attachments:**     Ord No. 1395-16 - Road Utility

ORDINANCE NO. 1395-16

AN ORDINANCE RELATING TO THE ROAD UTILITY AND AMENDING  
TUALATIN MUNICIPAL CODE CHAPTER 3-4.

WHEREAS, the City of Tualatin has a road utility dedicated to street maintenance , sidewalks, right-of-way landscaping, street tree replacement, and street lighting; and

WHEREAS, the road utility fee has not been raised since implemented, but the costs of reconstruction and maintenance increase yearly due to inflation; and

WHEREAS, Council wants to account for inflationary impacts by indexing the road utility fee in the same manner as other fees and charges to stabilize funding for street maintenance, sidewalks, right-of-way landscaping, street tree replacement, and street lighting;

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

**Section 1.** TMC 3-4-080 is amended to read as follows:

3-4-080 Determination of Road Utility Fee.

(1) The Road Utility Fee shall be based on the following factors:

- (a) The developed use of the property which includes the amount of vehicular traffic generated by the property, as determined by the City Engineer.
- (b) For nonresidential uses the developed square footage on the property or parcel.
- (c) The traffic generation factor for each use category of developed property.
- (d) The base rate maintenance cost for each Customer Group, based on use category of the developed property.

(2) The City Engineer shall determine the category of use from the ITE Manual that shall apply to each developed lot or parcel within the City. In the absence of a specific use category from within the ITE Manual for a particular developed use, the City Engineer shall determine the appropriate category by interpreting the ITE Manual and assigning the category which most accurately reflects the traffic generated by the particular developed use. After determining the appropriate use category for a developed parcel, the City Engineer shall use the estimated vehicle trip generation figures for the assigned use

category from the ITE Manual and designate the developed property to a particular Customer Group. For nonresidential developed uses the applicable Road Utility fee shall be based on the area of developed use measured in thousands of square feet or fractions of thousand square feet. The Customer Groups are as follows:

- (a) Single family residential;
- (b) Multi-family residential; and
- (c) Non-residential uses. Trip generation rates per thousand square feet of developed area shall be assigned to one of the following four non-residential groups:
  - (i) Group 1 with 7 or fewer average daily vehicle trips per thousand square feet of developed area;
  - (ii) Group 2 with more than 7 but less than 21 average daily vehicle trips per thousand square feet of developed area;
  - (iii) Group 3 with 21 or more but less than 53 average daily vehicle trips per thousand square feet of developed area;
  - (iv) Group 4 with 53 or more but less than 151 average daily vehicle trips per thousand square feet of developed area;
  - (v) Group 5 with 151 or more but less than 400 average daily vehicle trips per thousand square feet of developed area;
  - (vi) Group 6 with 400 or more average daily vehicle trips per thousand square feet of developed area; and
  - (vii) Group 7 for specially assigned trip generation figures.

(3) For purposes of examining uses not explicitly listed in the ITE manual and thereby determining the appropriate Category of Use, the City Engineer shall consider at least the following factors as well as any other relevant information:

- (a) the size of the site and the building;
- (b) the number of employees;
- (c) other developed sites operated by the same or an affiliated owner for a use generating comparable amounts of traffic;

- (d) other developed sites operated by a different owner for a use generating comparable amounts of traffic;
- (e) the number of work shifts;
- (f) the number of hours of operation; and
- (g) the planning district designation.

The City Engineer may require and consider the results of a traffic study, provided such study shall be conducted in conformance with the methodology outlined in the ITE Manual, and provided further such study shall include on site traffic counts not less than twice nor more than four times during the year immediately following the beginning of operation on site. In furtherance of this rule the City Engineer may assign a Use Category and Customer Group on an interim basis, provided it is not less than the lowest Customer Group among available residential or nonresidential groups. The determination of Use Category shall not be considered a land use decision as that term is defined in ORS 197.015.

(4) The monthly fee for each customer group is as follows:

- (a) Single family residential, ~~\$3.92~~ \$3.99 per unit;
- (b) Multifamily residential, ~~\$3.36~~ \$3.40 per unit;
- (c) Non-residential Group 1, ~~\$0.75~~ \$0.79 per thousand square feet; plus an additional \$2.50 flat fee;
- (d) Non-residential Group 2, ~~\$1.66~~ \$1.74 per thousand square feet; plus an additional \$2.50 flat fee;
- (e) Non-residential Group 3, ~~\$4.39~~ \$4.60 per thousand square feet; plus an additional \$2.50 flat fee;
- (f) Non-residential Group 4, ~~\$11.08~~ \$11.61 per thousand square feet; plus an additional \$2.50 flat fee;
- (g) Non-residential Group 5, ~~\$29.51~~ \$30.93 per thousand square feet; plus an additional \$2.50 flat fee;
- (h) Non-residential Group 6, ~~\$72.73~~ \$76.24 per thousand square feet; plus an additional \$2.50 flat fee; and
- (i) Non-residential Group 7, ~~\$0.53~~ \$6.84 per thousand square feet, plus an additional \$2.50 flat fee.

(5) Beginning on July 1, 2017 and each July 1 thereafter, the monthly fee for each customer group identified in subsection 4 of this Section will automatically increase by the most recently available rolling twelve month average change in the Engineering News Record Construction Cost Index for Seattle, Washington.

~~(5)~~ (6) The Council may revise the monthly fee to reflect actual revenues, anticipated maintenance and lighting requirements, improvements in the methods of calculating revenues or requirements and changes in conditions which the Council finds should be taken into consideration in rates.

**Section 2.** TMC 3-4-090 is amended to read as follows:

TMC 3-4-090 Billing and Collection of fee.

(1) The road utility fee shall be billed and collected with and as part of the monthly water and sewer bill for those lots or parcels utilizing City water and sewer, and billed and collected separately for those lots or parcels not utilizing City water and sewer. In cases where a developed property is subject to water and sewer utility charges, the Road Utility Fee bill shall be directed to the same person as the bill for water and sewer charges. In the case of those lots or parcels which are not occupied by the owner, the fee shall be billed with the monthly water and sewer bill, if any, which is billed to the resident of the property, unless the owner of the property requests that the combined utility bill be sent to another address. If a tenant in possession of any premises pays such fee, such payment shall relieve the owner from such obligation ~~and lien~~, but the City shall not be required to look to any person other than the owner for the payment of such fees. All such bills shall be rendered monthly by the Finance Director and shall become due and payable upon receipt.

(2) In the event funds received from City utility billings, as described in subsection (1) of this section, are inadequate to satisfy in full all of the water, sanitary sewer, storm sewer and road utility fees, credit shall be given first to the road utility fee, second to the sanitary and storm sewer service charges and third to the charges for water service.

**Section 3.** TMC 3-4-100 is amended to read as follows:

TMC 3-4-100 Delinquent Accounts ~~Road Utility Fee Lien~~.

When a person's account is delinquent, the person will be provided a notice of delinquency. If payment is not received, the City may discontinue City utility services and may collect the charges through any means authorized by law.

~~(1) When for any reason the road utility fee has not been paid, then the City Manager shall proceed to collect such charges in the manner provided by law. In addition~~

~~to any other remedies provided by law, the City Manager shall cause a report and request for lien to be prepared and forward a copy by certified mail re-turn receipt requested to the owner of record of the property. The property owner shall be notified that unless a hearing is requested to contest the City Manager's determination, the City will docket a lien against the property. Requests for hearing shall be made and determined in accordance with TMC 3-4.130.~~

~~(2) At the hearing to determine the validity of the lien, the City Council may accept, reject, or modify the determination of the City Manager as set forth in the report. If the City Council finds that road utility fees are payable by the owner as set forth in the report, unpaid and uncollected, it shall, by motion, direct the City Manager to docket the unpaid and uncollected water service charge in the City lien docket. Upon completion of the docketing, the City shall have a lien against the described property for the full amount of the unpaid charge, together with simple interest at the rate of 10% per annum and with the City's actual cost of providing notice to the owner. The lien shall be enforceable in any manner provided in ORS Chapter 223. The docketing of a lien against the property by the City shall not preclude the City from pursuing other available remedies to collect such charges, interest, penalties and costs.~~

**Section 4. Severability.** Each section of this ordinance, and any part thereof, is severable. If any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

ADOPTED THIS \_\_\_\_ day of \_\_\_\_\_, 2016.

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:** Jerry Postema, Public Works Director  
Don Hudson, Finance Director

**DATE:** 06/27/2016

**SUBJECT:** Consideration of **Ordinance No. 1394-16** Establishing a Core Area Parking District (CAPD) Tax Rate of \$155.34 for Fiscal Year 2016-17

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### ISSUE BEFORE THE COUNCIL:

Consideration of Ordinance No. 1394-16 establishing a Core Area Parking District (CAPD) tax rate of \$155.34 for Fiscal Year 2016/17.

### RECOMMENDATION:

Staff recommends that the City Council consider approval of Ordinance No. 1394-16 establishing a Core Area Parking District (CAPD) tax rate of \$155.34 for Fiscal Year 2016/17.

### EXECUTIVE SUMMARY:

The Core Area Parking Board and staff are recommending that the tax rate remain at the current rate of \$155.34 for the upcoming Fiscal Year (2016/17). This rate is multiplied by the number of parking spaces each tenant is estimated to need within the district. Credits are granted for private spaces provided by each tenant.

### OUTCOMES OF DECISION:

Approval of the CAPD tax rate will result in the following:

- Retain current CAPD tax rate while maintaining current services.

Denial of the CAPD tax rate will result in the following:

- A tax rate will not be established by the beginning of the fiscal year.
- Require the Board to revisit an increase or decrease in the tax rate for fiscal year 2016/17.

### FINANCIAL IMPLICATIONS:

Tax revenue support operation and maintenance of the Core Area Parking District. With the current tax rate, the total estimated revenue for the District is \$55,000.

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**Attachments:** Ordinance 1394-16 Adopting the Core Area Parking District Tax Rate for 2016

ORDINANCE NO. 1394-16

AN ORDINANCE ADOPTING THE CORE AREA PARKING DISTRICT  
TAX RATE AND CREDIT FOR FISCAL YEAR 2016/17

WHEREAS, Tualatin Municipal Code (TMC) 11-3-060 requires Council to establish an annual tax rate and credit by ordinance for the Core Area Parking District; and

WHEREAS, the Core Area Parking District Board recommends to Council that the tax rate be \$155.34 and that the credit remain unchanged; and

WHEREAS, Council finds the tax rate and credit to be appropriate;

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

**Section 1.** "Schedule A" of TMC Chapter 11-3 is amended to read as follows:

The annual Core Area Parking District tax rate for Fiscal Year 2016/17 is hereby established as \$155.34 .

The formula for the credit is as follows:

$$A = \frac{\text{(Number of on-site parking spaces provided)}}{\text{(Gross Leasable Area)} \times \text{(Space Factor)}}$$

If "A": is greater than or equal to 1.0, the credit is 50%.

If "A": is less than 1.0, the credit is ("A" x 50%).

INTRODUCED AND ADOPTED this 27<sup>th</sup> day of June, 2016.

CITY OF TUALATIN OREGON

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

APPROVED AS TO LEGAL FORM

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

ATTEST

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

