



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL WORK SESSION MEETING FOR JULY 27, 2020

Present: Mayor Frank Bubenik, Council President Nancy Grimes, Councilor Bridget Brooks, Councilor Robert Kellogg, Councilor Paul Morrison, Councilor Maria Reyes, Councilor Valerie Pratt

Work Session

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

1. Tualatin 2040 Implementation Update.

Community Development Director Aquilla Hurd-Ravich and Planning Manager Steve Koper presented an update on the Tualatin 2040 Implementation. Director Hurd-Ravich recapped the project including the visioning process, code updates, emerging issues, and prioritization. She stated staff is now in the implementation phase which includes the adoption of the comprehensive plan. Manager Koper reviewed the timeline and work plan for the housing updates to the comprehensive plan. He explained it is important to have a comprehensive plan as it is required by law and establishes zoning and sets community standards. He added the plan helps communicate community vision and goals, as well as provides policies that meet the vision, and provides a framework for land uses, infrastructure, resource conservation, and more in Tualatin. Manager Koper stated the city is updating the comprehensive plan to provide a housing element based on the completed Housing Needs Assessment. He added the chapters will be reordered to group similar goals and visions that are currently spread out across multiple chapters. Manager Koper showed examples of how to incorporate the housing needs assessment into the comprehensive plan. He shared ideas for some of the additional graphic updates. Manager Koper stated public outreach on the implementation includes creation of a website, feedback and refinement from the Planning Commission, an interested party's review, an annual cost burden housing event, and attendance at CIO meetings. Manager Koper stated next steps include the planning commissions review and recommendations.

Councilor Pratt asked about the consulting grant they received and what it will be used for. Manager Koper stated it would be for language for the missing middle provisions in the update.

Councilor Reyes asked if this plan includes the results from the community survey's done last year. Manager Koper stated the plan includes those results and incorporates feedback into the city's values and goals.

Councilor Brooks stated she is glad to see this become more user friendly. She expressed concerns with density increases and how that will work into the transportation planning and environmental impact statements.

Councilor Morrison asked how we get developers to help build for the missing middle. Manager Koper stated the Council will be getting into those details during future discussions.

Mayor Bubenik asked if there will be any rework once the consultants come on board. Manager Koper stated staff is currently working on the best information they have and the consultants coming on early will help them be more nibble moving forward.

2. 2021 Legislative Agenda for the League of Oregon Cities

Assistant to the City Manager Megan George presented the League of Oregon Cities (LOC) 2021 Legislative Priorities. She stated the LOC is looking for the cities feedback on priorities for the upcoming year. Manager George stated staff has identified four top priority areas: Expedited Siting for Shelter and Affordable Housing, Mental Health Service Delivery, Municipal Broadband and Municipal Pole Protection, and Right-of-way/Franchise Fees Authority Preservation. She asked for Council feedback on the priorities.

Councilor Brooks stated she would like to see Local Climate Action Planning Resources and Long Term Transportation Infrastructure Funding included as priorities for Tualatin.

Councilor Morrison stated he would like to see Local Climate Action Planning made a priority. He made comments regarding Right-of-way/Franchise Fee Authority Preservation noting that he would like to see it less of a priority as to not scare off service providers.

Councilor Kellogg strongly supported Municipal Broadband and Municipal Pole Protection and Right-of-way/Franchise Fees Authority Preservation as priorities for the city. He noted he would like to see Local Speed Setting Authority added as a priority.

Mayor Bubenik stated Council consensus was reached to forward staff recommendations and add Local Climate Action Planning Resources and Long Term Transportation Infrastructure Funding to the list.

3. Council Meeting Agenda Review, Communications & Roundtable.

Councilor Pratt announced Meals on Wheels is in need of drivers to help deliver meals to our elderly population.

Councilor Kellogg stated the Food Pantry is in need of donations and volunteers as there is a large need currently. He stated if any Councilors want to endorse the Metro Transportation Bond they can get in touch with Metro Councilor Dirksen to assist with that.

Councilor Morrison stated he attended the C4 sub-committee meeting.

Councilor Brooks stated she attended the Tualatin Arts Advisory Committee meeting and the Local Leaders Meeting with Representative Prusak.

Mayor Bubenik stated he attended the Obama Foundation Mayor's Pledge workshops, Modern Middle Housing Tour, Westside Economic Alliance meeting, Metro Mayors Consortium meeting, Greater Portland Inc. meeting, and the In-N-Out Community meeting.

Adjournment

Mayor Bubenik adjourned the meeting at 6:20 p.m.

Sherilyn Lombos, City Manager

Nicole Morris / Nicole Morris, Recording Secretary

Frank Bubenik / Frank Bubenik, Mayor

Signature: Nicole Morris
Nicole Morris (Aug 17, 2020 08:33 PDT)

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Final Audit Report

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Present: Mayor Frank Bubenik, Council President Nancy Grimes, Councilor Bridget Brooks, Councilor Robert Kellogg, Councilor Paul Morrison, Councilor Maria Reyes, Councilor Valerie Pratt

Call to Order

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

Public Comment

Anthony Stewart, Western Oregon Dispensary, followed up with the Council on addressing the concerns they have presented in the past regarding locations of marijuana dispensaries.

Consent Agenda

Motion to adopt the consent agenda made by Council President Grimes, Seconded by Councilor Brooks.

Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Reyes, Councilor Pratt

MOTION PASSED

1. Consideration of Approval of the City Council Regular Meeting Minutes of June 22, 2020 and Work Session and Regular Meeting Minutes of July 13, 2020
2. Consideration of Approval of a Change in Liquor License Application for P.F. Chang's China Bistro
3. Consideration of **Resolution No. 5512-20** a Resolution Amending Resolution No. 5505-20 to Amend Utility Fees for Hydrant and Bulk Water Usage Charges

Special Reports

1. Oregon Department of Transportation (ODOT) Presentation on I-5 and I-205 Tolling

ODOT Toll Program Director Lucinda Broussard and WSP Consultants Heather Wills and Matt Dolata presented an update on the I-205 Toll Project. Director Broussard stated they have started the National Environmental Policy Act (NEPA) process on the project. She stated there is an upcoming Equity and Mobility Advisory Committee to draft the charter and work plan, work on the toll projects equity framework, and receive an update on the I-205 and I-5 Tolling Projects. Director Broussard stated they hosted an I-205 Regional Modeling group that reviewed an early screening analysis of the five potential toll alternatives. She recapped what they have heard about tolls including implementing equitability, operational effectiveness of modern toll systems, lack of a robust transit service in Clackamas County, and how local trips will be treated. Director Broussard stated the 45 day comment period will start on August 3 to obtain feedback on the range of alternatives for environmental review, obtain feedback on the purpose and need statement, increase awareness of toll systems, and share information on the results of the

feasibility analysis. She stated engagement during the period will include an online open house and webinar, information sharing on the website and social media, committee meetings, stakeholder interviews, and community engagement liaisons.

Consultant Wills covered the purpose and need statements, goals, and objectives. She stated the project purpose is to manage congestion on I-205 between Stafford Road and OR 213 and raise revenue to fund congestion relief projects. Consultant Wills shared the projects goals and objectives including items such as equitable benefits for all users, limited additional traffic rerouting, supporting regional economic growth, and support of travel demand. She stated the next steps in the environmental review process include the 45 day comment period and preparation of the draft environmental assessment.

Consultant Dolata presented the screening alternatives analysis results. He presented the five alternatives: a toll on the Abernethy Bridge, toll on the Abernethy Bridge with tolling gantries off the bridge, individually tolling multiple bridges to be rebuilt, segment based tolls from Stafford Road to OR 213, and Single Zone Tolls from Stafford Road to OR 213. Consultant Dolata presented performance measures for screening alternatives and evaluation criteria. He spoke to the results noting the 2027 model results showed daily volume reduction along I-205 with diversion being at its worst during the off-peak hours. Consultant Dolata spoke to diversions off I-205 including rerouting to other roadways regionally and locally and the transportation demand management that happens from tolling. He spoke to the Transportation System Demand that showed reduced vehicle miles traveled, a reduction in vehicle hours traveled, and shifted demand from freeways to non-freeway routes. It was noted the model shows peak hours with the greatest potential vehicle hours savings overall, with potential decreases on non-freeways as well as freeways. Consultant Dolata shared locations that were assessed for rerouting noting that there were small shifts in the regional and local models and shared changes in the model based on the alternatives. He stated staff is progressing through the rerouting analysis by identifying potential impacted routes, identifying potential scale of impacts at key locations, and identifying impacts to study intersections during peak hours. Consultant Dolata shared the cost and revenue for each alternative. He presented future system considerations and expansions. Consultant Dolata presented a performance comparison summary for all the alternatives. He stated the initial recommendations for the NEPA analysis include advancing alternative 3 and 4 and to refine toll schedule assumptions to improve regional outcomes. Consultant Dolata covered the rationale behind the recommendations including alternative three being the most effective and alternative four having the greatest flexibility.

Councilor Pratt asked once the bridges are rebuilt if the tolling ends. Director Broussard stated tolls would pay for the construction of the bridges and then it would be decided if they would stay.

Councilor Pratt asked what percentage of the revenues is in administration for the tolls. Ms. Broussard stated 15%.

Councilor Pratt asked for clarification on the purpose being to reduce traffic on I-205 and not on the alternative routes. Consultant Dolata stated the primary objective is I-205 and then making sure the overall system is better.

Councilor Pratt asked if they are looking at the potential growth and housing for the region. Mr. Dolata stated they are currently looking out to 2027 and will eventually look out to 2040 when they are further along in the process.

Councilor Brooks asked for clarification in the numbers for the local re-routing near I-205. Consultant Dolata stated the reported numbers are the change in the number with tolling. Councilor Brooks asked about the significant increases to the area in alternatives three and four. Consultant Dolata stated the changes are for the peak hours. Councilor Brooks stated the numbers are alarming and is surprised that those alternatives are being suggested for this area. She expressed concerns with traffic and gridlock already in the area and the impacts tolling will have.

Councilor Morrison shared concerns with the modeling being based off a wish list and not off the reality on how the area works. He stated rerouting doesn't help or alleviate the traffic problem. Councilor Morrison asked about the tolling authority along the segments. Consultant Willis explained tolling authority and what tolling can pay for. Councilor Morrison stated the intent of the legislators was for the tolling to be temporary and asked about the change in tone regarding ongoing tolling for maintenance. Director Broussard stated the commission would make the decision on tolling after the project is complete and paid for.

Council President Grimes stated the alternatives are egregious. She stated the models don't include the local growth for the Stafford Triangle in the future and expressed concerns with alternative four and impacts due to re-routing. Consultant Dolata stated the goal with alternative four is to manage traffic better based on cost and implementation. Director Broussard stated when they start working on the NEPA they will be using the 2040 data which will include the Stafford area growth. She added one specific alternative has not been chosen and the comment period is when ODOT needs feedback on each alternative. Council President Grimes asked when they get to see equity applied to this project. Director Broussard stated the equity committee will be meeting to review the draft analysis.

Councilor Reyes stated equity is important to the Council because they want to consider the people who work in the area. She wants to make sure outreach is properly done with the right groups and not just directed to a website.

Councilor Pratt expressed concerns with the projects goals and objectives. Consultant Willis stated the goals and objectives have not been measured at the screening level. She noted the goals and objectives will be used as performance measures during the NEPA process and many haven't been touched at this point. Consultant Willis stated this is still high level at this point.

Councilor Kellogg asked about the diversion percentage for alternative three and four and the differences between the two. Mr. Dolata stated the numbers represents the change in volume over the course of the day. Councilor Kellogg asked about mitigations in the project and who will pay for those. Director Broussard stated the mitigation cost will be covered by the project.

Council President Grimes expressed concerns with the complications of mitigation for Borland Road.

Mayor Bubenik asked what it means to "manage traffic" in alternatives three and four. Mr. Dolata stated it is based on a variable tolling rate structure and shifting behaviors to help reduce congestion.

Public Hearings - Legislative or Other

1. Consideration of **Resolution No. 5508-20** Adopting Findings in Support of Special Procurement and Authorizing the City Manager to Enter Into a Direct Negotiation Contract with Wallis Engineering, PLLC for Construction Engineering and Inspection Services for the Garden Corner Curves Project

Transportation Engineer Mike McCarthy presented the special procurement. He stated Wallis Engineering, PLLC was selected for the Garden Corner Curves project in fall 2018 through a Request for Proposals (RFP) process to design the project. Engineer McCarthy stated the RFP process is a qualifications based competitive selection process that was open to all qualified firms. He stated authorizing this contracting exemption allows the City to continue with the best consultant based upon the skills and experience needed to complete this project efficiently and effectively. Engineer McCarthy stated this continuity will provide substantial cost savings and public benefits to the City by reducing schedule delays that would result from a new competitive process. He noted Wallis Engineering has already worked with the City on the Garden Corner Curves concept study, design of the project, and all the public involvement efforts as part of those processes. Engineer McCarthy stated a new RFP process would take approximately two months, which would result in delays to construction of the project. He stated granting the special procurement process will be unlikely to encourage favoritism because this is a single special procurement that already went through a qualifications based selection process.

PUBLIC COMMENT

None.

COUNCIL DISCUSSION

Councilor Kellogg thanked staff for doing a thorough job going through the special procurement process.

Motion to adopt Resolution No. 5508-20 adopting findings in support of special procurement and authorizing the City Manager to enter into a direct negotiation contract with Wallis Engineering, PLLC for construction engineering and inspection services for the Garden Corner Curves Project made by Councilor Kellogg, Seconded by Councilor Brooks.

Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Reyes, Councilor Pratt

MOTION PASSED

General Business

1. Consideration of **Resolution No. 5515-20** of the City Council of the City of Tualatin Authorizing the City Manager to Execute an Intergovernmental Agreement (IGA) with Washington County for Small Business Emergency Assistance Grants Funds

Economic Development Manager Jonathan Taylor presented an IGA with Washington County for Small Business Emergency Assistance Grants Funds. He stated the resolution tonight is to receive \$680,000 in CARES Small Business Assistance. Manager Taylor presented requested council actions including approval of motion of contract modifications with Business Oregon for an additional \$243,000 to the approved \$35,000 existing contract for Emergency Business Assistance and direction for funding plan development based on Council priorities for economic impact. He recapped the Tualatin recovery plan mission to manage and implement an effective,

efficient, and nimble local economic recovery effort in collaboration with vital business partners. Manager Taylor stated the City is in the stabilization phase with efforts focused on the Business Recovery Centers. He stated potential areas of impacts include business assistance, rent assistance, childcare assistance, and potential future planning.

Councilor Morrison stated he wants these funds distributed quickly to help businesses now. He asked how child care fits into helping businesses. Manager Taylor stated you can help the facilities and/or the workers.

Councilor Brooks asked if childcare facilities would receive funding at the local level or just at the county level. Manager Taylor stated Council can broaden the economic vitality of this service and noted the County has a fund for childcare as well. Councilor Brooks would like to be able to help small childcare groups.

Councilor Reyes would like to explore providing childcare grants to centers to help families. She would like to see grants available to both families and providers.

Councilor Pratt asked what the Washington County childcare program will look like. Manager Taylor stated the details on that program are not available yet. Councilor Pratt wants to make sure there are local dollars for childcare.

Councilor Pratt expressed concern with the increase of homelessness and would like to see the city address that.

Councilor Kellogg asked if there is tax liability associated for the recipients of the funds. Manager Taylor stated there is a tax liability. He spoke in favor of the Economic Stabilization Fund 2.0. He would like to see more information on the rent assistance category and what is already available out there. Councilor Kellogg would like to see scholarships provided to childcare facilities to help assist families and the centers. He stated he would like to see a portion of the funds set aside for potential future grants.

Councilor Brooks asked for clarification if rental assistance if for homes or businesses. She would like to see a localized effort to prevent evictions.

Mayor Bubenik stated he wants to broaden rent assistance to mortgage assistance as well. He would also like to see homeless services expanded and a gift card program put in place to help local businesses and provide assistance to families.

Councilor Brooks expressed concerns with limitations in spending with gift card programs. She would like to see some cash flexibility available in a program like that as well.

Mayor Bubenik stated the city could set aside money for utility assistance and offsets. Director Hudson stated Washington County has set aside approximately \$3 million for utility assistance. He noted program details are still being finalized.

Councilor Brooks expressed concerns with capacity at Community Action so she wants to make sure those utility dollars come locally to Tualatin citizens.

Council consensus was reached to set money aside for business assistance, rental and mortgage assistance, childcare assistance, a reserve fund, and homeless services.

Motion to modify contract with Business Oregon for an additional \$243,000 to the approved \$35,000 existing contract for Emergency Business Assistance made by Councilor Brooks, Seconded by Councilor Pratt.

Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Reyes, Councilor Pratt

MOTION PASSED

Motion to approve Resolution No. 5515-20 authorizing the City Manager to execute an Intergovernmental Agreement with Washington County for Small Business Emergency Assistance Grants Funds made by Council President Grimes, Seconded by Councilor Pratt.

Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Reyes, Councilor Pratt

MOTION PASSED

Council Communications

Councilor Morrison thanked citizens for feedback on the In-N-Out proposal.

Councilor Kellogg stated it is time to make Western Oregon's Dispensary concerns a priority for the city. Council consensus was reached to conduct community outreach on potential ordinance changes.

Councilor Pratt thanked the local Corvette Club for their donation to the Tualatin Police Foundation.

Adjournment

Mayor Bubenik adjourned the meeting at 9:36 p.m.

Sherilyn Lombos, City Manager

Nicole Morris _____ / Nicole Morris, Recording Secretary

Frank Bubenik _____ / Frank Bubenik, Mayor

Signature: 

Email: fbubenik@tualatin.gov

Signature: 
Nicole Morris (Sep 29, 2020 15:29 PDT)

Email: nmorris@tualatin.gov









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