



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL WORK SESSION MEETING FOR AUGUST 09, 2021

Present: Mayor Frank Bubenik, Council President Nancy Grimes, Councilor Bridget Brooks, Councilor Valerie Pratt, Councilor Cyndy Hillier, Councilor Christen Sacco

Absent: Councilor Maria Reyes

Mayor Bubenik called the meeting to order at 5:30 p.m.

1. Election Referral Process.

City Attorney Sean Brady presented information on the election referral process. He provided a brief history of the "Oregon System" in regards to elections. Attorney Brady stated there are three components to the system including initiatives, referendums, and the referral processes. He explained the referral process including the passage of a resolution, preparation of the ballot title, notice of the ballot title, a ballot title challenge period, the explanatory statement, and the certification process. Attorney Brady presented a proposal for the referral process with the city including the council determining the language to be referred, city staff preparation of the resolution with all of the required items, and a council vote on the complete resolution package. He stated upcoming elections are May 17, 2022 and November 8, 2022.

Council President Grimes asked what a citizen has to have filed for signature collection to begin. Attorney Brady stated they are required to file forms with the city that must be certified before signature gathering begins.

Councilor Sacco asked what the process and timeline is for the challenge period. Attorney Brady stated the challenge period is for the ballot title and citizens have seven days to file a challenge on the title with the District Attorney.

Council President Grimes asked if signatures can be electronic. Attorney Brady stated citizens can download a form, sign, and send to the chief petitioner.

City Attorney Brady shared referral language that was submitted by citizens. He recommended clarifications to the language.

Councilor Pratt asked for clarification on how terms are counted for someone appointed part way through a term. Attorney Brady stated the partial term counts as a full term.

Councilor Brooks thanked Attorney Brady for the clarifications on the processes and the language.

Mayor Bubenik asked if Council would like to direct staff to draft a resolution to move the process forward.

Council President Grimes stated she is not in favor of Council referring this item to the ballot. She would like to see this be a citizen led initiative.

Mayor Bubenik stated due to the COVID resurgence he doesn't believe it is safe for signature gathers to be out in the community. He is in favor of council referral to the ballot. He reiterated the vote will be done by the citizens and they will get to make the ultimate decision.

Councilor Brooks stated experience as a Councilor fosters the city doing well. She stated the position of Mayor reflects regional relationships that are built over time.

Council consensus was reached to have the language drafted in a resolution and brought back to council at a public meeting.

Council President Grimes stated she wants this to be done with ample citizen input.

Council President Grimes asked if there is interest in adding language regarding a Mayor serving one term limit as a Councilor prior.

Mayor Bubenik stated he doesn't think that language should be added as everyone should have the opportunity to run for whichever position they see fit.

Councilor Brooks shared the same concerns as Council President Grimes in that experience fosters the city doing well. She stated regional relationships are built over time and wants to avoid transitional issues.

2. Council Meeting Agenda Review, Communications & Roundtable.

Councilor Hillier stated she attended the Clackamas County Business Alliance meeting.

Councilor Pratt stated she attended the Clackamas County Climate Action Alliance meeting and the Clackamas County Coordinating Committee meeting. She stated cooling centers will be available this week at the Library and the Juanita Pohl Center.

Councilor Brooks stated if you are feeling COVID symptoms it is important to be seen early as you may be able to receive an infusion. She encouraged people to keep being kind.

Council President Grimes asked if there is consensus amongst the Council in support of sending a letter supporting the City Manager to Washington County. Council consensus was reached. Council President Grimes will draft the letter and bring it back for review.

Mayor Bubenik stated he attended the Greater Economic Development District meeting, met with Chair Smith regarding the letter Council sent to receive notification on development of the Stafford Area, and the Aging Task Force meeting.

Adjournment

Mayor Bubenik adjourned the meeting at 6:35 p.m.

Sherilyn Lombos, City Manager

Nicole Morris / Nicole Morris, Recording Secretary

Frank Bubenik

/ Frank Bubenik, Mayor

Signature: *Nicole Morris*

Email: nmorris@tualatin.gov

Signature: *Frank Bubenik*

Email: fbubenik@tualatin.gov







CC WS Minutes 8-9-21

Final Audit Report

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OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR AUGUST 09, 2021

Present: Mayor Frank Bubenik, Council President Nancy Grimes, Councilor Bridget Brooks, Councilor Maria Reyes, Councilor Valerie Pratt, Councilor Cyndy Hillier, Councilor Christen Sacco

Call to Order

Mayor Bubenik called the meeting to order at 7:00 p.m.

Pledge of Allegiance

Moment of silence for those who have lost their lives to COVID-19

Public Comment

None.

Consent Agenda

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

Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Pratt, Councilor Hillier, Councilor Sacco

Absent: Councilor Reyes

MOTION PASSED

1. Consideration of Approval of the Work Session and Regular Meeting Minutes of July 26, 2021
2. Consideration of Approval of a New Liquor License Application for X Golf

Public Hearings - Quasi-Judicial

1. Public Hearing to Consider a Proposed Ordinance Creating the Southwest and Basalt Creek Development Area Urban Renewal Area and Plan

Mayor Bubenik opened the hearing in accordance with ORS 457.120.

Economic Development Manager Jonathan Taylor presented information for the public hearing for the proposed Urban Renewal Area. Consultant Elaine Howard presented a quick recap on urban renewal including terminology and how property tax revenues flow. Manager Taylor presented background on the Leveton Tax Increment District and the Central Urban Renewal District. He stated the city has spent 15 years identifying land use and infrastructure needs in the proposed urban renewal area. Manager Taylor stated the city has an industrial land deficient, a residential land deficient, and a strained transportation system. He stated council priorities are to improve transportation systems, prepare for increased density in the area, and promotion of the natural environment. Manager Taylor stated the project goal for the SW and Basalt Creek Development area is to develop an urban renewal plan to finance and implement identified projects from area development plans including the Basalt Creek Concept Plan, the SW Tualatin

Concept Plan, the Transportation System Plan, and Tualatin 2040. He stated the Tualatin Development Commission appointed seven members to a Urban Renewal Area Task Force. Manager Taylor stated they met over four meetings to review proposed boundaries and projects. Consultant Howard reviewed the five plan goals including public involvement, employment land development, transportation infrastructure, utility infrastructure, and developer assistance and incentives. She presented a map of the proposed urban renewal area and zoning designations. Manager Taylor presented two proposed citizen projects including a Storm Water Management Plan and a Natural Resource Protection Plan. He stated the Storm Water Management Plan is not being recommended for consideration as it is budgeted in the City's FY 21-22 budget year. Manager Taylor stated city staff presented the plan to the Washington County Board of Commissioners on August 3, 2021 where they recommended including the Basalt Creek Parkway in the proposed project list. He shared the proposed project list totaling \$53,200,000. Consultant Howard stated next steps include consideration of approval of the plan from Washington County Board of Commissioners followed by the Tualatin City Council.

PUBLIC COMMENT

Shawn Riley spoke in favor of the proposed Urban Renewal Area.

Dan Boss spoke in opposition of the plan. He expressed concerns with traffic congestion and the lack of remediation in the plan for new growth.

Cathy Holland spoke in opposition of the plan. She referenced the letter she submitted for the record. She expressed concerns with the addition of the Basalt Creek Parkway to the project list as recommended by Washington County.

Sallie Olson spoke in opposition of the plan. She expressed concerns with the lack of a traffic study being done before proposed development of the area.

COUNCIL QUESTIONS

Councilor Reyes asked if a traffic study has been completed in the area. City Manager Lombos stated in 2013 when the Transportation Refinement Plan was completed Washington County did traffic studies for projects in the area and those were included in this planning process..

Councilor Pratt expressed concerns with traffic in the area. She asked if studies showed if the area can handle more traffic. Councilor Pratt asked if adding the Basalt Creek Extension to the project list at such a late time in this process is okay. Manager Taylor stated the project list can change up until it is adopted and then after that amendments can be made via resolution. City Manager Lombos stated the Traffic Refinement Plan established the trip counts for the area. She noted the studies anticipated the planned improvements for the area. Manager Koper stated the traffic assumptions have since been re-run after additional plans were adopted for the area.

Councilor Brooks asked if the results of the distribution study been received from the County. Manager Koper stated they have but not in an easily digestible format. He stated they would need to seek further answers on what happens if certain areas are not constructed.

Councilor Brooks expressed concerns with the addition of the Basalt Creek Parkway to the project list. She asked why the project wasn't originally in the plan. Manager Taylor stated the addition happened as a result of the consult and confer process with the County and their assumption of the inclusion of the Basalt Creek Parkway based on a prior agreement with the previous City Council.

Councilor Brooks asked if the timeframe on adoption can be extended. City Manager Lombos stated the development that has happened in the area goes on the tax rolls on October 1. She stated if the district isn't formed by September 1 it changes the financial calculations for the area.

Councilor Brooks asked for clarification on the County's rationale for asking for the addition of the Basalt Creek Parkway. City Manager Lombos stated the Council adopted the Basalt Creek Plan in 2019 which included the Basalt Creek Parkway. She stated the County wants it included as it will help them to seek Federal funding for the project. City Manager Lombos stated the County is requesting financial support from all partners involved as a show of support for the project.

Council President Grimes stated the Urban Renewal area is key to unlocking the resources the Council needs to address the concerns of the community including traffic issues in the area, environmental opportunities, and additional park lands. She also noted the parkway will be one of the largest east/west traffic connections in the city and can possibly help with traffic congestion in the area. Council President Grimes stated the Urban Renewal area will be critical for the development of the area.

Councilor Sacco stated she is not in favor of the Basalt Creek Parkway but recognizes the promises that were made from prior Councils. She wants to make sure the Council secures funding for the proposed district so there are funds available for affordable housing, water and sewer, and trail development.

Councilor Pratt asked what tax increment the city would miss out on if they don't pass this before the deadline. Manager Taylor stated they would miss out on the new PGE site, the new Amazon facility, and several additional projects in that area.

Councilor Pratt asked what funding would be dedicated to the project list presented tonight. Manager Taylor stated tax increment financing takes time to receive and the project list can be changed several times during that period.

Councilor Pratt asked how the housing that is planned for the area would be affected if the urban renewal district is not passed. Manager Taylor stated the water system upsizing will be needed for the planned affordable housing units in the area.

Councilor Pratt expressed dissatisfaction with the way in which the Basalt Creek Parkway extension was added to the project list.

Council President Grimes stated the parkway is going to be built by Washington County regardless so she would like to see this district go forward.

Councilor Hillier wants to make sure the city has a seat at the table and the funds to make an impact on important things such as transportation. She would like to see the urban renewal district go forward.

Councilor Reyes wants to make sure the city has a voice during the process of the area being built out. She wants to see the urban renewal district go forward.

Councilor Brooks stated she feels concerned with how the County has gone about adding the parkway to the list and feels that it was done with a lack of collaboration. She would like the project removed from the list and if it is not she cannot vote in support of the district.

Mayor Bubenik stated the addition of the bridge makes him take pause in respect to the partnership the city has with the County. He would like to see firm commitments from the County on how the bridge will be further refined based on the feedback of the City's constituents. Mayor Bubenik expressed concerns with taking it out of the plan and the potential of the County not approving the Urban Renewal District. He asked what a new traffic study would cost and where would it come from to fix the problems we have today and that will come from the growth in the future.

Motion to advance Ordinance No. 1458-21 with the amendments presented to the August 23, 2021 Council meeting for consideration and adoption by the City Council made by Council President Grimes, Seconded by Councilor Sacco.

Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Reyes, Councilor Hillier, Councilor Sacco

Voting Nay: Councilor Brooks, Councilor Pratt

MOTION PASSED

City Manager Lombos asked about the letter of support for federal funding to be sent to Washington County.

Councilor Sacco would like to see the letter include the city having a seat at the table during the Basalt Creek Parkway project so Tualatin's citizens' concerns are heard.

Councilor Brooks would like to include the following concerns in the letter regarding the parkway: congestion, cost, environmental impacts, functionality and alignment, safety, pollution, and government overreach.

City Manager Lombos requested one of the Councilors attend the Washington County hearing on August 17.

Councilor Brooks stated she is opposition of the letter and the district with the amendments.

Council consensus was reached to send the letter with the proposed points.

2. Public Hearing to Consider a Proposed Ordinance Adopting a Substantial Amendment to the Leveton Tax Increment District Plan

Mayor Bubenik opened the hearing in accordance with ORS 457.120.

Economic Development Manager Jonathan Taylor presented the proposed Leveton Tax Increment Plan amendment. He shared the proposed amendments to expand the district and add the Herman Road Extension Project.

PUBLIC COMMENT

None.

COUNCIL DISCUSSION

Councilor Pratt asked when it is estimated that the district will be closed. Director McMillian stated construction is expected to go into 2023. Manager Taylor stated the closure will happen after the final payments are made on the project.

Mayor Bubenik asked for clarification about the transfer of these funds and the impact on the taxing district. Manager Taylor stated the funds are already in the district and it is just a transfer between line items.

Motion to advance Ordinance No. 1459-21 to the August 23, 2021 Council meeting for consideration and adoption by the City Council made by Councilor Hillier, Seconded by Councilor Brooks.

Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Reyes, Councilor Pratt, Councilor Hillier, Councilor Sacco

MOTION PASSED

General Business

1. Consideration of **Ordinance 1457-21** Relating to Building Codes

Community Development Director Kim McMillian stated the ordinance is a regular update of the code based on state code. She stated it makes updates to the building and fire code.

Motion for first reading by title only made by Councilor Pratt, Seconded by Councilor Brooks.

Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Reyes, Councilor Pratt, Councilor Hillier, Councilor Sacco

MOTION PASSED

Motion for second reading by title only made by Councilor Pratt, Seconded by Council President Grimes.

Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Reyes, Councilor Pratt, Councilor Hillier, Councilor Sacco

MOTION PASSED

Motion to adopt Ordinance No. 1457-21 relating to building codes made by Councilor Pratt, Seconded by Council President Grimes.

Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Reyes, Councilor Pratt, Councilor Hillier, Councilor Sacco

MOTION PASSED

2. Consideration of **Resolution No. 5565-21** Adopting Tualatin's Housing Production Strategy and Housing Production Strategy Report

Assistant Community Development Director Steve Koper and Housing Production Analyst Karen Fox presented the Housing Production Strategy for adoption. Director Koper recapped the process to date including the Housing Element adoption. He briefly recapped House Bill 2003 that was passed to meet the diverse housing needs in Oregon. Director Koper recapped the process for developing and implementing the Housing Production Strategy the city went through. Analyst Fox shared the Housing Production Strategy goals including affordable housing, affordable homeownership, preservation of affordable housing, preservation of Naturally Occurring Affordable Housing (NOAH), housing for underserved communities, workforce housing, housing stabilization, housing rehabilitation, accessible and specialized design, mixed use housing and redevelopment, regulatory and zoning changes, and transportation and public infrastructure. Manager Koper shared impacts of different strategies. He shared next steps

include beginning the implementation of the strategic actions based on a six year schedule, biennial reports to Council, and updates to DLCDC.

Councilor Brooks stated her concerns are with congestion in the dense new builds. Analyst Fox stated the city looked and programs and partnerships to preserve the current affordable housing the city has and look at creative solutions for the future than just focusing on production.

Councilor Brooks asked about mixed use housing. Analyst Fox stated one of the goals is focused on mixed use and affordable housing.

Councilor Brooks asked what funds will be available for this. Analyst Fox stated staff is still evaluating a variety of financial resources.

Motion to adopt Resolution No. 5565-21 adopting Tualatin's Housing Production Strategy and Housing Production Strategy Report made by Councilor Pratt, Seconded by Councilor Brooks. Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Reyes, Councilor Pratt, Councilor Hillier, Councilor Sacco
MOTION PASSED

Council Communications

Councilor Pratt stated cooling centers will be open at the Juanita Pohl Center and Library.

Councilor Brooks stated building over wetlands is not just happening in Tualatin it is happening in surrounding cities. She encourage citizens to push for environmental stewardship with the County and surrounding cities.

Councilor Sacco stated she attended the Concert on the Commons and announced additional upcoming concerts.

Adjournment

Mayor Bubenik adjourned the meeting at 9:45 p.m.

Sherilyn Lombos, City Manager

Nicole Morris / Nicole Morris, Recording Secretary

Frank Bubenik / Frank Bubenik, Mayor

Signature: 
Email: nmorris@tualatin.gov

Signature: 
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