



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL WORK SESSION MEETING FOR JUNE 24, 2024

Present: Mayor Frank Bubenik, Council President Valerie Pratt, Councilor Bridget Brooks, Councilor Maria Reyes, Councilor Cyndy Hillier, Councilor Octavio Gonzalez

Absent: Councilor Christen Sacco

Mayor Bubenik called the meeting to order at 6:01 p.m.

1. Review of Council Rules Subcommittee proposed revisions to Council Rules.

City Attorney Kevin McConnell presented the proposed revisions to the Council Rules. He stated the Council established a sub-committee that met three times to discuss revisions to the rules. Attorney McConnell highlighted four main areas of revisions: decorum, the travel policy, mandatory Oregon Government Ethics and Council Rules training, and allowing council members to attend Council meetings virtually. He explained the revisions to Rule 8B(5), which ensure that council rules regarding public comment prohibit actual disruptions, allow community members to engage in constitutionally permissible expressive conduct, and authorize the presiding officer to request the arrest of a disrupter for disorderly conduct if the disruption threatens the safety/security of the public. Attorney McConnell spoke about revisions in Rule 8B(1-4) related to interactions among council members. These revisions add the objective of decorum, detail how members of the Council can appeal Presiding Officer decisions, speaks to prohibiting personal attacks/intimidation of fellow members, and explain how members can raise a point of personal privilege if offended by the actions/remarks of another member.

Attorney McConnell discussed the proposed rules for virtual attendance at council meetings. He also discussed the travel policy, he noted the basic rules have not changed, but a premium economy seat for flights over two hours long or if personal circumstances require it has been added. Attorney McConnell mentioned the addition of rules regarding ethics and council rules training. He stated that the next steps include Council decisions on the proposed rules and further directing staff to prepare a resolution for adoption.

Councilor Brooks inquired about the difference between a 'point of personal privilege' and a 'point of order'. Attorney McConnell explained that a 'point of order' is for addressing a direct violation of the council rules, whereas a 'point of personal privilege' is used when a councilor feels offended by a statement.

Council President Pratt asked about the timeline for the mandatory trainings and suggested aligning both ethics and council rules training within the same timeframe. Attorney McConnell agreed to change the wording for both to "within one year of assuming office."

Council President Pratt also proposed adding clarifying language around the use of Council Communications and shared her suggestions for discussion. She emphasized the need for a purpose statement.

Councilor Brooks sought clarification on how many times council members need to take the ethics training per term. Attorney McConnell clarified that it must be done once per elected term. Councilor Brooks requested that this be clearly stated in the rule.

Councilor Brooks spoke about her desire for flexibility of Council Communications, emphasizing that councilors attend various relevant events outside of the city, which should be shared.

Councilor Reyes agreed, highlighting the importance of flexibility in reporting Council Communications. She asked for there to be further clarification on whether presentations are for seeking direction or not when presentations are given.

Councilor Hillier suggested defining the term "general" in Council President Pratt's proposed clarifying language for Council Communications.

Councilor Brooks asked how Councilor Reyes could seek clarification on the point of a topic. Attorney McConnell stated that a 'point of information' could be used for this purpose, allowing the councilor to receive further clarification.

Councilor Gonzalez expressed concerns about Council President Pratt's proposed rule change, particularly in ensuring he can discuss matters related to the local school district. Attorney McConnell clarified that discussions on general matters affecting the city are permissible. If a 'point of order' is called, the presiding officer decides on the matter, and this decision can be appealed to the entire council for a vote.

Council President Pratt emphasized the need for clarification on when personal opinions may have gone too far.

Councilor Brooks expressed a desire to strengthen the rules concerning factual or misleading statements and how to establish boundaries around them. Attorney McConnell agreed to look into how that can be remedied.

Mayor Bubenik asked about the handling of disruptions during Council meetings and at what point a meeting can be stopped. Attorney McConnell stated that the authority lies with the Mayor and does not need to be explicitly included in the rules.

Mayor Bubenik also raised concerns about meeting absences and the use of Zoom for attendance, emphasizing the expectation for members to attend in person except for personal circumstances. Council President Pratt suggested adding language to limit the number of meetings a member could attend virtually.

Councilor Hillier sought clarification on whether a virtual member has the right to vote. Attorney McConnell confirmed that taking away a member's ability to vote would infringe on their constitutional rights.

Mayor Bubenik asked for consensus on clarifying the timing of mandatory trainings. The consensus was reached to require both ethics and council rules training once per term.

Mayor Bubenik sought consensus on the language regarding virtual attendance. Consensus was reached to clarify that council members cannot solely attend meetings via Zoom unless personal circumstances prohibit in-person attendance.

Mayor Bubenik also sought clarification on the desired language for Council Communications. Consensus was reached to ensure the language upholds the spirit of the community and remains factual.

City Manager Lombos inquired about updating the preamble as suggested by Councilor Pratt, specifically Section 8B(1). Consensus was reached to combine the language from Tigard with the current language.

2. Council Meeting Agenda Review, Communications & Roundtable.

Council communications was moved to the end of the regular meeting due to a lack of time.

Adjournment

Mayor Bubenik adjourned the meeting at 7:02 p.m.

Sherilyn Lombos, City Manager



/ Nicole Morris, Recording Secretary



Valerie A Pratt [Jul 17, 2024 16:03 PDT]

/ Valerie Pratt, Mayor ProTem










CC WS Minutes 6-24-24

Final Audit Report

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OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR JUNE 24, 2024

Present: Mayor Frank Bubenik, Council President Valerie Pratt, Councilor Bridget Brooks, Councilor Maria Reyes, Councilor Cyndy Hillier, Councilor Octavio Gonzalez

Absent: Councilor Christen Sacco

Call to Order

Mayor Bubenik called the meeting to order at 7:09 p.m.

Pledge of Allegiance

Announcements

1. Police Department Re-Accreditation Award

Police Chief Greg Pickering presented the police department's re-accreditation award from the Northwest Accreditation Alliance. He noted that this re-accreditation process occurs every three years. NW Accreditation Alliance Executive Director Scott Hayes presented the award and affirmed the department's accreditation.

Public Comment

None.

Consent Agenda

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

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

MOTION PASSED

1. Consideration of Approval of the Work Session and Regular Meeting Minutes of June 10, 2024
2. Consideration of **Resolution No. 5777-24** Awarding the Contract for Engineering, Public Engagement, and Construction Management for the B-Level Water Reservoir & Pump Station
3. Consideration of **Resolution No. 5780-24** Authorizing the City of Tualatin to enter into a Letter of Agreement with Washington County Disability, Aging, and Veterans Services
4. Consideration of **Resolution No. 5781-24** Authorizing Personnel Services Updates for Non-Represented Employees for FY 2024-2025
5. Consideration of **Resolution No. 5782-24** Approving and Authorizing Provision of Workers Compensation Insurance Coverage to Volunteers of the City of Tualatin

6. Consideration of **Resolution No. 5783-24** Awarding a Contract for CCTV Inspections to Pacific Int-R-Tek
7. Consideration of **Resolution No. 5785-24** Amending Water, Sewer, Stormwater, Road, and Parks Utility Fee Rate
8. Consideration of **Resolution No. 5788-24** Adopting the City of Tualatin 2025-2029 Capital Improvement Plan
9. Consideration of **Resolution No. 5789-24** Increasing the Change Order Authorization Amount for the Tualatin River Greenway Trail Extension Construction Project with Brown Contracting
10. Consideration of **Resolution No. 5790-24** Increasing the Change Order Authorization Amount for the Tualatin River Greenway Trail Construction Documents and Professional Services Contract with Alta Planning + Design

Public Hearings - Legislative or Other

1. Consideration of **Resolution No. 5787-24** Authorizing Changes to the FY 2023-2024 Adopted Budget

Assistant City Manager and Finance Director Don Hudson presented proposed changes to the FY 23/24 adopted budget. He explained that local budget law permits adjustments to previously adopted budgets under specific circumstances. The changes being considered tonight include transfers related to an increase in merchant discount fees, personnel changes, and the associated costs. Director Hudson stated that adjustments in the Information Services budget are necessary due to unforeseen overages for Police Department laptop replacements, the replacement of the badge access system in the Police building, and the opportunity to achieve significant software savings by paying for multi-year licenses.

Director Hudson stated that in the General Fund, there are two main appropriation transfers. The first involves moving personal services appropriations from the Finance budget to the Administration budget since the Economic Development Manager position was repurposed and reassigned to the Administration Department, necessitating the proposed transfer. He stated that a contingency transfer is also being proposed in the Road Utility Fee Fund due to additional revenue received from vehicle license fees from both counties, which requires a contingency transfer to the Road Utility Fee Fund. Director Hudson stated that the Parks Utility Fee Fund saw additional costs related to the mailing of utility bills and the utility bill assistance program, necessitating an increase in the materials and services category.

PUBLIC COMMENT

None.

COUNCIL QUESTIONS

Councilor Brooks inquired about the credit card fees and why they are not included as a separate part of the billing structure. Director Hudson explained that these fees are factored into the overall cost of doing business and are not charged as a separate fee.

Motion to adopt Resolution No. 5787-24 authorizing changes to the FY 2023-2024 adopted budget.

Motion made by Council President Pratt, Seconded by Councilor Brooks.
Voting Yea: Mayor Bubenik, Council President Pratt, Councilor Brooks, Councilor Reyes,
Councilor Hillier, Councilor Gonzalez
MOTION PASSED

2. Consideration of **Resolution No. 5786-24** Adopting the City of Tualatin Budget for the Fiscal Year Commencing July 1, 2024, Making Appropriations, Levying Ad-Valorem Taxes, and Categorizing the Levies

Finance Director Don Hudson presented the proposed City of Tualatin Budget for the Fiscal Year beginning July 1, 2024. He stated that the proposed budget was approved by the Budget Committee on May 29, 2024. Manager Hudson mentioned that staff is proposing several changes to the budget. One change is in the Road Operating Fund due to staff changes and proposing to carry over \$140,000 for the Neighborhood Transportation Safety Program due to a delay. Another carryover is in the Vehicle Replacement Fund for a police vehicle that has been ordered but is not anticipated to be received until after July 1st. Director Hudson stated the total of the Fiscal Year 2024-2025 Budget is \$158,563,925 as approved by the Budget Advisory Committee and amended by the City Council. He noted that the tax rate would be approved at \$2.2665 per \$1,000 taxable assessed value, with \$4,937,120 to be levied for bonded debt.

City Manager Sherilyn Lombos presented further requested information on the Climate Action Plan budget. She stated the CAP Steering Committee met and discussed budget considerations. Manager Lombos stated they are recommending, in year one, setting the foundational groundwork internally, addressing outstanding items regarding programmatic development, scoping projects, developing a work plan, and bringing on consultants to develop funding options and strategies. She stated that actions already budgeted for in FY 24/25 include a collaboration with Backyard Habitat, water conservation program scoping, the InPipe Hydro Turbine project, and funds to establish a resource hub for community education. Manager Lombos stated the Steering Committee is recommending adding \$125,000 to non-departmental funds as a placeholder for two actions: to hire a firm to facilitate prioritization and development of a five-year implementation plan (\$50,000) and to hire a firm to analyze and provide options for a sustainable funding strategy (\$75,000).

PUBLIC COMMENT

None.

COUNCIL QUESTIONS

Councilor Brooks emphasized the importance of completing the foundational work on the CAP. She expressed a desire to ensure that if the work is completed ahead of schedule, everyone remains open to moving the implementation forward.

Councilor Hillier inquired whether a consultant would continue to be funded to carry on the work after the initial phase. Manager Lombos responded that continued funding for a consultant is not currently being considered.

Council President Pratt thanked the staff for their efforts in coordinating and providing the additional requested information.

Motion to adopt Resolution No. 5786-24 adopting the City of Tualatin Budget for the Fiscal Year commencing July 1, 2024, making appropriations, levying ad-valorem taxes, and categorizing the levies made by Councilor Brooks, seconded by Council President Pratt.

Voting Yea: Mayor Bubenik, Council President Pratt, Councilor Brooks, Councilor Reyes, Councilor Hillier, Councilor Gonzalez
MOTION PASSED

Motion to amend budget adoption to add \$125,000 to general fund non-department and \$10,000 to general fund library made by Councilor Brooks, seconded by Councilor Hillier.

Voting Yea: Mayor Bubenik, Council President Pratt, Councilor Brooks, Councilor Reyes, Councilor Hillier, Councilor Gonzalez
MOTION PASSED

General Business

1. Consideration of **Ordinance No. 1487-24** Establishing a Core Area Parking District Tax Rate for Fiscal Year 2024/25

Assistant City Manager/Finance Director Don Hudson presented an ordinance establishing a Core Area Parking District (CAPD) tax rate for fiscal year 2024/25. The Core Area Parking District Board recommended the tax rate increase for FY 2024/25 of 7% at their March 19, 2024 meeting. The proposed rate is \$209.36 for the upcoming fiscal year.

Councilor Reyes stated the committee met and everyone was in favor of the proposed rate.

PUBLIC COMMENT

None.

COUNCIL QUESTIONS

Council President Pratt asked if there would be gradual increases every year moving forward. Director Hudson stated that the rates are set based on the project needs of the district on a five-year basis.

Councilor Hillier asked what the increase was last year and what is anticipated to increase next year. Director Hudson stated it has ranged between 5-7% increases.

Councilor Hillier asked if there are discounts for non-profits in the district. Director Hudson stated there has not been in the past and those decisions are made by the board.

Motion for first reading by title only made by Council President Pratt, seconded by Councilor Reyes.

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

MOTION PASSED

Motion for second reading by title only made by Council President Pratt, seconded by Councilor Reyes.

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

MOTION PASSED

Motion to adopt Ordinance No. 1487-24 establishing a Core Area Parking District Tax Rate for fiscal year 2024/25 made by Council President Pratt, seconded by Councilor Reyes.

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

Voting Nay: Councilor Gonzalez

MOTION FAILED FOR LACK OF UNANIMITY

Council Communications

Councilor Hillier stated she attend the Policy Advisory Board meeting and the Washington County Consolidation Coordinating Committee (911) meeting.

Councilor Brooks stated she attended the Climate Action Plan steering committee meeting, the Clackamas Cities Dinner, a webinar on race and water, the Arts Advisory Committee meeting, and the National League of Cities first tier suburbs meetings. She stated she attended the Pride Celebration and thanked everyone who helped organize the event.

Council President Pratt stated she attended the C4 retreat where they discussed a joint set of values and outcomes relating to transportation and a funding package in the 2025 legislative session. She asked the Council to place the Joint Values and Outcomes on the next work session to review and discuss whether to sign on to the document or not.

Mayor Bubenik stated he attended the Washington County Mayors meeting, the Clackamas Cities Dinner, the Washington County Coordinating Committee meeting, the Mayors meeting with Chair Harrington, the Pride Stride, and met with the Department of Land Use Conservation.

Adjournment

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

Sherilyn Lombos, City Manager



_____ / Nicole Morris, Recording Secretary



Valerie A Pratt (Jul 17, 2024 15:04 PDF)

_____ / Valerie Pratt, Mayor Protem










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