



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL WORK SESSION MEETING FOR SEPTEMBER 28, 2020

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

Mayor Bubenik called the meeting to order at 5:02 p.m.

1. Tualatin Moving Forward Bus Tour (Virtual) & Quarterly Update.

Public Works Director Jeff Fuchs, Assistant to the City Manager Megan George, and Management Analyst Kelsey Lewis presented a quarterly update on Tualatin Moving Forward projects. They highlighted completed projects and others that have reached significant milestones including: the Tualatin Public Library sidewalk art project, Mohawk Street east of Martinazzi Ave at PGE, Martinazzi Ave and Sagert Street, Nasoma Lane near Marquis Assisted Living, 90th Ave near Kaiser Permanente, 90th Ave and Sweek Drive, Tualatin Road between 105th Ave and 115th Ave, Garden Corner Curves at Moratoc Drive to Willow Street, and Boones Ferry Road at Tualatin High School.

Councilor Brooks asked if the presentation on sidewalk art could be shared with the Tualatin Arts Advisory Committee. Manager George stated the sidewalk art piece of the presentation is going to be made available on social media.

Councilor Brooks asked why there isn't a bus stop at the medical center. Director Fuchs stated he will have to follow-up with Tri-Met on the stops.

Councilor Morrison asked if there are plans to put a crosswalk near the north lot at the high school. Director Fuchs stated the opening that was there has been closed so it is no longer a route for students to take.

Mayor Bubenik asked if the driver feedback sign along Tualatin Road had been calibrated. Director Fuchs stated it has not been calibrated yet.

Mayor Bubenik asked about the status of the light at Tualatin Road and Teton. Director Fuchs stated the project will be kicking off soon.

2. Regulation of Marijuana Facilities in Tualatin.

Community Development Director Aquilla Hurd-Ravich presented feedback from the September 16th Tualatin Marijuana Regulations webinar. She recapped what is allowed with the current marijuana ordinance. Director Hurd-Ravich stated the proposed changes would be to allow facilities in commercial zones (except the Central Commercial zone), reduce the buffers to 1,000 feet, and reduce the separation distance to 1,000 feet between businesses. She stated common questions and comments included general support for the current ordinance, it was noted social media comments were in support of the proposed changes. Director Hurd-Ravich stated the full summary of questions and comments are available in the packet. She stated next steps if the

Council decides to move forward with the proposed changes would be a Planning Commission review and then a Council decision on the ordinance.

Councilor Pratt asked how many dispensaries would be allowed in the new proposed commercial area. Director Hurd-Ravich stated there would be room for one.

Councilor Brooks asked why we use the term marijuana and not cannabis. She believes it is more inclusive to use the term cannabis.

Councilor Kellogg stated he doesn't see a policy reason why a facility can't exceed 3,000 square feet for industrial purposes. He would like to see that section stricken from the ordinance.

Councilor Reyes stated she feels voters have spoken in regards to the ordinance and would like to see the Council honor that. She would like to see the proposed changes move forward.

Councilor Brooks would like to see the proposed changes move forward with her proposed terminology change to cannabis.

Council President Grimes stated she is okay with the term cannabis and the reduction to meet state law but would like to keep the zoning the same around the industrial area.

Councilor Pratt stated she thinks the proposed changes are a good compromise and would like to move it forward.

Councilor Morrison stated his biggest issue is having a cannabis shop near the gateway to the city.

Councilor Kellogg stated the purpose of this measure is to not increase consumption but make a legal way for legal businesses to be in our city.

Mayor Bubenik spoke in support of the proposed changes.

Council President Grimes stated she wants to make sure the input of the community is respected. She added most of the input from the past has been that the citizens want the ordinance to remain the same.

Mayor Bubenik stated the statistically valid survey that was conducted years ago showed citizens in favor of marijuana facilities.

Council consensus was reached to have the ordinance drafted and sent forward to the Planning Commission.

3. Council Meeting Agenda Review, Communications & Roundtable.

Councilor Brooks stated she attended the Washington County Housing Bond LIP meeting, the Policy Advisory Board meeting, and the Tualatin Arts Advisory meeting.

Councilor Kellogg thanked the Mayor for his response to citizens regarding the Basalt Creek Extension project. He stated funding is still being sought after and it's important that the city keep tabs on the project.

Councilor Pratt stated she attended the Tualatin Community Police Foundation meeting. She thanked Boy Scout Troop 35 for installing drip lines at the Tualatin Community Garden.

Councilor Morrison reminded the Council that public comment for the Metro Regional Framework for Highway Jurisdictional Transfer can now be made. He stated Metro wants to replace the transfer station in South County, he expressed concerns with that decision.

Councilor Kellogg stated the Tualatin Historical Society will be holding a fundraiser on October 8. More information is available on their website.

Mayor Bubenik stated he attended the following meetings and events: Washington County Mayors and Chairs meeting, Metro Mayors Consortium meeting, Small Cities Consortium meeting with GPI, the Tualatin Chamber Board meeting, and the Tri-Met HB 2017 meeting.

Mayor Bubenik adjourned the meeting at 6:57 p.m.

Sherilyn Lombos, City Manager

Nicole Morris / Nicole Morris, Recording Secretary

Frank Bubenik / Frank Bubenik, Mayor

Signature: Nicole Morris
Nicole Morris (Oct 14, 2020 14:31 PDT)

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2020-10-14

Created:	2020-10-14
By:	Nicole Morris (nmorris@tualatin.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAr8gMy1pF5BXmMEGasGiAZizTwlZr9J2Z

"CC WS Minutes 9-28-20" History

-  Document created by Nicole Morris (nmorris@tualatin.gov)
2020-10-14 - 9:30:22 PM GMT - IP address: 208.71.205.225
-  Document e-signed by Nicole Morris (nmorris@tualatin.gov)
Signature Date: 2020-10-14 - 9:31:00 PM GMT - Time Source: server- IP address: 208.71.205.225
-  Document emailed to Frank Bubenik (fbubenik@tualatin.gov) for signature
2020-10-14 - 9:31:01 PM GMT
-  Email viewed by Frank Bubenik (fbubenik@tualatin.gov)
2020-10-14 - 11:11:52 PM GMT - IP address: 45.41.142.177
-  Document e-signed by Frank Bubenik (fbubenik@tualatin.gov)
Signature Date: 2020-10-14 - 11:12:08 PM GMT - Time Source: server- IP address: 73.164.251.4
-  Agreement completed.
2020-10-14 - 11:12:08 PM GMT



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

Announcements

1. Proclamation Declaring October 2020 as Domestic Violence Awareness Month in the City of Tualatin

Councilor Brooks read the proclamation declaring October 2020 as Domestic Violence Awareness Month in the City of Tualatin.

2. Proclamation Declaring September 2020 as Emergency Preparedness Month

Councilor Kellogg read the proclamation declaring September 2020 as Emergency Preparedness Month.

3. Chief Bill Steel announced the Tualatin Police Department was awarded one of the top workplaces in Oregon. He noted they were the only government entity out of the 92 awardees.

The Council congratulated the department on the honor.

Public Comment

Anthony Stewart, Western Oregon Dispensary, thanked the Council for the time they have spent discussing the proposed marijuana regulations.

Consent Agenda

Motion to adopt the consent agenda made by Councilor Kellogg, Seconded by Councilor Morrison. 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 Work Session and Regular Meeting Minutes of August 10, 2020 and Work Session and Regular Meeting Minutes September 14, 2020
2. Consideration of **Resolution No. 5521-20** Awarding Fiscal Year 2020-21 Outside Agency Grant Funds to Provide Services to the Tualatin Community

Special Reports

1. Presentation of the Final Report on the Feasibility of Urban Renewal Districts in Tualatin, Oregon

Economic Development Manager Jonathan Taylor introduced Consultants Elaine Howard and Nick Popenuk to present the final report on the feasibility of Urban Renewal Districts. Consultant Popenuk stated they took the draft report as presented to Council previously and finalized the report based on feedback. He stated one of the key conclusion from the presentation was that the north district has significant financial capacity and could generate \$118-171 million dollars. Consultant Popenuk stated the city could pursue the urban renewal area in a way that could mitigate the financial impacts to other taxing districts including reducing the size of the boundary, a smaller urban renewal area, commit to a generous revenue sharing formula, and reduce the duration of the plan to less than 30 years. Consultant Popenuk stated the Basalt Creek area has significant financial capacity of \$13-26 million in projects in today's dollars. He noted the funding wouldn't be available on day one as it would start gradually and build over time. Consultant Popenuk stated key infrastructure projects have been identified in the area so a large visioning effort wouldn't be needed for the area. Consultant Popenuk stated coordination with effective taxing districts will be key for the area.

Councilor Brooks asked about the projects that were identified in Basalt Creek. Community Development Director Aquilla Hurd-Ravich stated the projects came out of the concept plan work for the area which identifies mostly infrastructure projects to allow for growth in the area.

Councilor Kellogg stated a long range plan for the Basalt Creek area could include an additional WES station.

Manager Taylor stated staff will continue to work on the community outreach plan and draft a scope for the districts.

Councilor Morrison asked about the percentage the city can have in urban renewal and asked if both districts can be done in the percentage. Manager Taylor stated they can.

Public Hearings - Legislative or Other

1. Consideration of Plan Text Amendment (PTA) 20-0003 to modify the Medium Low-Density Residential (RML) Zone to Allow Detached Single-Family Residential Dwellings as an Outright Permitted Use (continued from August 10, 2020)

Mayor Bubenik recapped the process on the PTA to date. He stated on August 10 the applicant presented a proposed PTA and the council conducted a public hearing. Mayor Bubenik stated at that meeting a motion to deny the PTA was made and seconded. The hearing was continued until tonight. Mayor Bubenik stated the applicant has submitted a new proposal for consideration.

Councilor Pratt withdrew her motion to deny the request.

Mayor Bubenik reopened the hearing to consider the applicants new proposal.

Planning Manager Steve Koper entered his presentation into the record. He presented the Basalt Creek Medium-Low Residential (RML) Text Amendment. He stated the proposal is to allow single family dwellings on sites of 15 acres or more and that 15% of the total units

proposes are townhouses or row houses. He stated the largest item of note is the reduction in lot size from 4,500 to 3,000 square feet and rear setbacks from 15 to 10 feet. He shared examples of current RML developments in the city. Manager Koper shared the buildable acres for the proposed area in comparison to the overall city.

Applicant Representative Michael Robinson requested the Council approved the revised PTA. He stated the amendment proposes that a single family subdivision continue to be a conditional use permit so public feedback can continue to be heard during the process. Mr. Robinson stated the 15% minimum for attached product will continue to be a minimum so that Council can request more during the application process. He stated the 3,000 square foot lots will allow for more affordable and a wider type of product.

COUNCIL QUESTIONS

Councilor Pratt asked what the applicant means by an affordable product. Applicant Representative Michael Anders stated they don't know the size of the homes as of yet until the modifications are made where they can then explore the diversity of housing for the area.

Councilor Pratt asked about the attached units and what the percentage of greenspace would be. Manager Koper stated the Council can ask the applicant for how much desired greenspace they want and the planning commission can levy the conditions in the Conditional Use Permit process. Councilor Pratt stated she wants to make sure there is greenspace so that it's a livable community. Applicant Gordon Root stated once the PTA is passed they can then discuss promises regarding items of this nature.

Councilor Kellogg asked if there is examples of what other city codes talk about in regards to open spaces in developments. Mr. Robinson stated Frog Pond West in Wilsonville has the language he is referencing.

Councilor Kellogg asked for an example where attached and detached housing have the same price point. Mr. Root provided examples in Forest Grove and McMinnville where the detached homes were less than the attached homes due to the lot sizing.

Applicant Representative Al Jeck, Venture Properties, stated they are still determining site plans and will need to know what the outcome of the PTA is to better understand the opportunities for greenspace at the site.

Council President Grimes requested to having housing made available that is appropriate for seniors. Applicant Representative David Force, Lennar Homes, and Mr. Jeck stated they would like to provide single level homes in the area.

Councilor Brooks stated she wants to ensure diversity in housing types and would like to see the 15% minimum raised. Mr. Root stated certainty in the project helps to keep costs as low as they can. Councilor Brooks stated 25% and dedication of greenspace would make her happy with the project. Mrs. Doukas stated the PTA won't change the total project density.

Mayor Bubenik stated he wants a 15% minimum and he wants certainty in housing type.

PUBLIC COMMENT

Kelly Kurth spoke to his concerns with livability and would like to see more greenspace areas designated.

Dan Cobb spoke in opposition of the development due to the lot size shrinking to 3,000 square feet.

APPLICANT REBUTAL

Mr. Robinson stated they would be open to 20% attached housing and some open space.

Councilor Pratt asked if there would be an opportunity to leave the established trees along Norwood. Mr. Robinson stated the open space component could include the trees. Mr. Jeck stated they are evaluating the benefit to the where the trees are kept.

Councilor Morrison asked how public input will be received on the greenspace and housing mix. Manager Koper stated the applicant has worked to satisfy the goals of the council and are willing to compromise on these items.

Mr. Robinson proposed 5% of gross acreage for open space. Councilor Pratt asked if the proposed acreage would be usable space outside of the stormwater. Mr. Robinson stated it would be outside of the stormwater.

Councilor Reyes wants to ensure that whatever is built is attainable for the working people of Tualatin.

Councilor Brooks stated she is good with the 20% attached unit, 5% open space, and she would like to see a pocket park added as well.

Councilor Kellogg agreed with Councilor Brooks sentiments.

Councilor Pratt concurred and too would like to see a pocket park with a play structure.

Mr. Robinson stated the developers have agreed to include a play structure.

Councilor Reyes agreed as she wants housing for the community.

Council President Grimes agreed with the amendments to the proposal.

Council directed staff to draft the proposed language based on the amendments tonight. The hearing will be continued until October 12, 2020.

Adjournment

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

Sherilyn Lombos, City Manager

Nicole Morris / Nicole Morris, Recording Secretary

Frank Bubenik / Frank Bubenik, Mayor

Signature: 

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Final Audit Report

2020-10-14

Created:	2020-10-14
By:	Nicole Morris (nmorris@tualatin.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAvFICaEsk4dlaw1aYwkMIRIVEHmhk2ILv

"CC Minutes 9-28-20" History

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2020-10-14 - 9:29:19 PM GMT- IP address: 208.71.205.225
-  Document emailed to Frank Bubenik (fbubenik@tualatin.gov) for signature
2020-10-14 - 9:29:44 PM GMT
-  Email viewed by Frank Bubenik (fbubenik@tualatin.gov)
2020-10-14 - 11:12:15 PM GMT- IP address: 45.41.142.85
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2020-10-14 - 11:12:35 PM GMT
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2020-10-14 - 11:44:03 PM GMT- IP address: 45.41.142.205
-  Document e-signed by Nicole Morris (nmorris@tualatin.gov)
Signature Date: 2020-10-14 - 11:44:16 PM GMT - Time Source: server- IP address: 208.71.205.225
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2020-10-14 - 11:44:16 PM GMT