



TUALATIN CITY COUNCIL

OFFICIAL WORK SESSION MEETING MINUTES

FOR NOVEMBER 12, 2024

PRESENT: Mayor Frank Bubenik, Council President Valerie Pratt, Councilor Maria Reyes, Councilor Cyndy Hillier, Councilor Christen Sacco (joined at 5:22 p.m.), Councilor Octavio Gonzalez (joined at 5:17 p.m.)

ABSENT: Councilor Bridget Brooks

Mayor Bubenik called the meeting to order at 5:04 p.m.

1. *Purchasing Thresholds and Contracting Authority.*

Contracts and Procurement Analyst Richard Contreras and City Attorney Kevin McConnell presented information on procurement thresholds and contract authority. Attorney McConnell provided a brief overview of the current procurement threshold process at the city. Analyst Contreras discussed the city's procurement authority as outlined by the Oregon Public Contracting Code. He explained that procurement thresholds refer to a contract's anticipated dollar value, determining the procurement method used, based on local contracting rules adopted in 2009, which were aligned with the State of Oregon's thresholds at that time.

Analyst Contreras outlined the three procurement thresholds: direct appointment (\$5,000 and under), intermediate procurement (\$5,001-\$150,000), and formal procurement (over \$150,000). He elaborated on the professional services qualified pool, noting that the city establishes this pool every two years, allowing staff to directly appoint any consultant within the pool for contracts up to \$150,000. He also covered the City Manager's Contracting Authority, which permits the City Manager to award and sign contracts not exceeding \$150,000—a threshold set in 2009.

Analyst Contreras highlighted that the State of Oregon increased its thresholds in 2023, whereas Tualatin's limits have not been updated since 2009. He pointed out that due to inflation and the updated state purchasing limits, the city's current limits are outdated. He stated updating local procurement thresholds would streamline workflow while maintaining accountability and transparency. Analyst Contreras proposed aligning the city's thresholds with the current state levels: direct appointment (\$25,000 and under), intermediate procurement (\$25,001-\$250,000), and formal procurement (over \$250,000). He emphasized that raising these thresholds would facilitate more effective service delivery to the community.

Council President Pratt asked if the City Manager would be able to directly appoint up to \$250,000. Analyst Contreras clarified that the City Manager, like all staff, would only be able to directly appoint up to \$25,000.

Councilor Hillier inquired about the rationale for maintaining the qualified pool threshold at \$100,000. Analyst Contreras explained that the state did not increase that figure and noted that staff would revisit the matter if the state updates it.

Councilor Reyes asked how many contracts the city executes that exceed \$250,000. Analyst Contreras responded that the city typically posts 20-30 procurements per year.

The Council reached consensus to direct staff to draft the necessary ordinance to increase the procurement thresholds.

2. FEMA New Floodplain Requirements.

City Engineer Mike McCarthy, Assistant Community Development Director Steve Koper, and City Attorney Kevin McConnell presented information on new federal floodplain requirements. Engineer McCarthy provided an overview of the National Flood Insurance Program (NFIP), explaining that it allows property owners, renters, and businesses to obtain flood insurance backed by the federal government. He noted that NFIP insurance is often more accessible and significantly less expensive than private insurance. He shared a map of the Special Flood Hazard Area (Floodplain) in Tualatin.

Attorney McConnell discussed the historical context of biological impacts on endangered species within these areas and outlined measures currently in place to ensure short-term compliance as new program guidelines are developed.

Engineer McCarthy presented the Pre-Implementation Compliance Measure (PICM) options provided by FEMA, which include a moratorium on development, case-by-case analysis, or adoption of a model ordinance. He detailed the model ordinance parameters, emphasizing maintaining the existing level of mitigation or providing reductions through onsite measures, within reach, or through plantings. Director Koper explained how these changes would impact development in Tualatin, particularly regarding developers' responsibilities for mitigation or offsets related to stormwater quality and plantings. He also presented the Endangered Species Act compliance timeline, noting that the city must select a PICM option and begin implementation by December 1, 2024, with reporting starting on January 1, 2025.

Councilor Gonzalez expressed a desire to delay the decision, stating that the parameters feel imposed on the city and create regulatory red tape for businesses. He asked how many developments would be affected. Director Koper noted one current development in the floodplain and indicated that a significant portion of Tualatin could potentially be impacted. Attorney McConnell recommended selecting one of the PICM options to ensure the city remains in compliance. Engineer McCarthy added that the Riverfront Park project could be among the affected developments.

Councilor Reyes asked if there would be additional costs associated with implementing these changes. Engineer McCarthy responded that additional staff time would be required to review projects in the floodplain.

Council President Pratt inquired whether the regulations apply to both private and public properties. Engineer McCarthy confirmed that they apply to both.

Council President Pratt asked if the PICM choice could be changed later. Attorney McConnell explained that while choices may change once the new regulations are adopted, many cities are opting to adopt the model ordinance.

Mayor Bubenik expressed concern about the impact on the vision for the CORA area and how the regulations would affect development in Tualatin, given its location in the floodplain.

The Council reached a consensus to direct staff to implement the model ordinance option as outlined in the PICM options.

3. Council Meeting Agenda Review, Communications & Roundtable.

Councilor Pratt asked about the cost of consent agenda item two and whether it was a typical cost. City Manager Lombos confirmed that the cost was normal for a development of that size.

Councilor Sacco shared that she attended the Veteran's Breakfast.

Councilor Sacco took a moment to remind citizens that Tualatin is a caring community that values diversity, equity, and access. She requested that the Council issue a statement reaffirming that the 2030 Vision remains unchanged.

Councilor Reyes expressed a desire to ensure that the statement does not provide false hope to individuals in light of the changing federal immigration climate, emphasizing that immigration issues are managed at the federal level and not locally.

Councilor Gonzalez initially voiced opposition, expressing concern that such a statement could be perceived as fearmongering. However, he later clarified his position, stating that he would support a statement reaffirming the Community Vision, as Tualatin is a strong and welcoming community.

Councilor Hillier emphasized the importance of reaffirming the Vision to the community.

The Council reached a consensus to draft a letter reaffirming the 2030 Vision.

Councilor Hillier stated she attended both the Architectural Review Board training and the Veteran's Breakfast.

Councilor Reyes thanked staff for their swift responses to citizen concerns regarding safety issues.

Council President Pratt stated she attended the Veteran's Breakfast and the Clackamas County Coordinating Committee meeting. She announced that the League of Oregon Cities Conference would be held in Portland and encouraged all Council members to attend.

Mayor Bubenik shared that he met with newly elected Washington County Commissioner Jason Snider, Metro Councilor Lynn Peterson, and attended several events, including the Veteran's Breakfast, the Communities That Care Key Leaders Breakfast, and the MITCH Charter School Jog-a-Thon.

Adjournment

Mayor Bubenik adjourned the meeting at 6:24 p.m.

Sherilyn Lombos, City Manager

Nicole Morris / Nicole Morris, Recording Secretary

Frank Bubenik / Frank Bubenik, Mayor










CC WS Minutes 11-12-24

Final Audit Report

2024-11-27

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OFFICIAL MEETING MINUTES

FOR NOVEMBER 12, 2024

PRESENT: Mayor Frank Bubenik, Council President Valerie Pratt, Councilor Maria Reyes, Councilor Cyndy Hillier, Councilor Christen Sacco, Councilor Octavio Gonzalez

ABSENT: Councilor Bridget Brooks

Call to Order

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

Pledge of Allegiance

Announcements

1. Proclamation Declaring November 30, 2024 as Small Business Saturday in the City of Tualatin

Chamber of Commerce CEO Anneleah Jaxen and Board President Susan Noack spoke to their Celebrate Local campaign. They spoke in support of all local businesses and encouraged everyone to shop small.

Councilor Gonzalez read the proclamation declaring November 30, 2024 as Small Business Saturday in the City of Tualatin.

2. American Public Works Association (APWA) Oregon Project of the Year Award – Tualatin Moving Forward Program

City Engineer Mike McCarthy announced the Tualatin Moving Forward Program received the American Public Works Association (APWA) Oregon Project of the Year award.

Public Comment

Danny O'Neal addressed traffic safety and requested that the city adopt a comprehensive traffic safety program.

Roy Clark expressed interest in having a Veteran's Day celebration held in the city next year on Veteran's Day.

Consent Agenda

Motion to adopt the consent agenda made by Council President Pratt, Seconded by Councilor Sacco. Voting Yea: Mayor Bubenik, Council President Pratt, Councilor Reyes, Councilor Hillier, Councilor Sacco, Councilor Gonzalez

MOTION PASSED

1. Consideration of Approval of the Work Session and Regular Meeting Minutes of October 28, 2024

2. Consideration of **Resolution No. 5819-24** Awarding and Authorizing The City Manager to Execute a Professional Services Agreement with Jensen Hughes for Plan Review and Inspection Services
3. Consideration of **Resolution No. 5820-24** Authorizing the City Manager to Execute a Collective Bargaining Agreement with Tualatin Police Officers Association – Sergeants

Special Reports

1. Tualatin Arts Advisory Committee Community Enhancement Award

The Tualatin Arts Advisory Committee members presented the Community Enhancement Award to MITCH Charter School for the inclusion of students in the creation of permanent and temporary art installations, and the integration of art into core curriculum areas.

MITCH Charter School Board President Sara Parker accepted the award.

General Business

1. Republic Services 2023 Annual Report

Republic Services Municipal Contract Administrator Travis Comfort and Municipal Relationship Manager Cindy Rogers presented the 2023 Annual Report. Administrator Comfort reported that 5,904 homes were serviced monthly in Tualatin, with 443,211 tons of materials being hauled. He highlighted the successful launch of the Recycle+ program in Tualatin this year. Administrator Comfort discussed commercial food waste, noting that county enforcement on commercial generators in Tualatin is increasing and that Republic Services will assist businesses with compliance processes. He mentioned that residential yard debris collection, including food waste, is expected to grow. Administrator Comfort provided an overview of garbage, recycling, and food waste statistics for residential, commercial, and industrial sectors.

Manager Rogers spoke about the Stoneridge Neighborhood Clean-Up events, during which nearly eight tons of waste were collected. She also noted the annual Bulky Waste Day event was a success, where 25 tons of materials were collected. Manager Rogers highlighted other community events, such as Toys for Tots, birthday party drive-by celebrations, and participation in parades.

Manager Rogers shared Republic Services' financial statements, noting that the company will not be seeking a rate adjustment in 2025. She also mentioned their collaboration with city staff to meet the requirements of the Recycling Modernization Act and waste reduction programs.

Councilor Gonzalez thanked Republic Services for their active participation in the community.

Council President Pratt asked if the yard debris carts are being utilized more with the change. Administrator Comfort stated they are anticipating an increase for the 2024 numbers.

Councilor Sacco thanked them for their work in the Las Casitas area.

Mayor Bubenik asked if there are any changes in the commodity process and pricing. Administrator Comfort stated they have not seen a change as of yet but those changes are coming in the next couple of months.

Councilor Reyes asked about the Recycle+ program and would like to see more information about it in the community. Manager Rogers stated they will be showcasing the program more at community events.

2. Consideration of **Ordinance No. 1495-24** Amending Tualatin Municipal Code 8-1-252 to Add an Additional Street (SW 96th Drive)

Motion for first reading by title only to adopt Ordinance No. 1495-24 amending Tualatin Municipal Code 8-1-252 to add an additional street (SW 96th Drive) made by Council President Pratt, Seconded by Councilor Reyes.

DISCUSSION ON THE MOTION

Councilor Sacco expressed concern that this action might shift the problem to another area of the city. She stated that if the Council wishes to proceed, she would prefer applying the enforcement to only one side of the street.

Councilor Hillier voiced her concern about moving forward without feedback from the consultant on the ordinance.

Councilor Reyes stated the parking zone should cover the entire area, not just one side of the street, and expressed support for advancing the ordinance as presented.

Council President Pratt agreed with Councilor Reyes and commented that the school should be addressing the issue more effectively.

Councilor Gonzalez indicated that he would prefer to see the consultant's report before proceeding. He asked if tickets are currently being issued for illegal parking. Chief Pickering responded that they coordinate with the School Resource Officer when students park illegally and have the ability to issue city parking tickets if necessary.

Councilor Sacco inquired about the estimated cost to the city for placing signs in the designated zone. City Manager Lombos explained that the cost would be in the hundreds of dollars.

Councilor Hillier asked about the timeline for the consultant's report and what the process would be for repealing the ordinance if necessary. Chief Pickering stated that the report is expected around the beginning of the year. He noted that similar programs are implemented in other areas of the city, not just related to school parking.

Councilor Sacco noted that the street is a public street and expressed concern about targeting one group, specifically students. She emphasized the need to address related issues, including garbage and illegal parking.

Councilor Reyes stressed the importance of ensuring that emergency vehicles can access the area quickly when needed.

VOTING

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

MOTION PASSED

Motion for second reading by title only to adopt Ordinance No. 1495-24 amending Tualatin Municipal Code 8-1-252 to add an additional street (SW 96th Drive) made by Council President Pratt, Seconded by Councilor Reyes.

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

MOTION PASSED

Motion to adopt Ordinance No. 1495-24 amending Tualatin Municipal Code 8-1-252 to add an additional street (SW 96th Drive) made by Council President Pratt, Seconded by Councilor Reyes.

DISCUSSION ON MOTION

Councilor Reyes spoke in support of the ordinance and emphasized the need for the hours to be seasonal.

Councilor Hillier pointed out that not everyone parking in the area disrespects the laws.

VOTING

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

Voting Nay: Councilor Hillier, Councilor Sacco

MOTION FAILED for lack of unanimity

Council Communications

None.

Adjournment

Mayor Bubenik adjourned the meeting at 8:23 p.m.

Sherilyn Lombos, City Manager

Nicole Morris / Nicole Morris, Recording Secretary

Frank Bubenik / Frank Bubenik, Mayor










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