



TUALATIN CITY COUNCIL MEETING

MONDAY, JUNE 26, 2023

TUALATIN CITY SERVICES
10699 SW HERMAN ROAD
TUALATIN, OR 97062

Mayor Frank Bubenik
Council President Valerie Pratt
Councilor Maria Reyes Councilor Bridget Brooks
Councilor Christen Sacco Councilor Cyndy Hillier
Councilor Octavio Gonzalez

To the extent possible, the public is encouraged to watch the meeting live on local cable channel 28, or on the City's website.

For those wishing to provide comment during the meeting, there is one opportunity on the agenda: Public Comment. Written statements may be sent in advance of the meeting to Deputy City Recorder Nicole Morris up until 4:30 pm on Monday, June 26. These statements will be included in the official meeting record, but not read during the meeting.

For those who would prefer to make verbal comment, there are two ways to do so: either by speaking in person or entering the meeting using the zoom link and writing your name in chat. As always, public comment is limited to three minutes per person.

Phone: +1 669 900 6833

Meeting ID: 861 2129 3664

Password: 18880

Link: <https://us02web.zoom.us/j/86121293664?pwd=SS9XZUZyT3FnMk5rbDVKN2pWbnZ6UT09>

Work Session

- 1. 6:00 p.m. – 6:20 p.m. (20 min) – Tualatin Moving Forward Quarterly Update.** In May 2018, Tualatin voters approved a \$20 million bond measure to pay for projects that improve traffic flow, neighborhood safety, and provide safe access to schools and parks citywide. The Tualatin Moving Forward Program Team provides the City Council with quarterly updates on these projects. This update describes Tualatin Moving Forward projects currently under construction or planned to start construction in the summer of 2023.
- 2. 6:20 p.m. – 6:40 p.m. (20 min) – Parking Permit Zone Request.** The residents that live along SW Blackfoot Drive and SW Osage Street have requested a permit parking zone be established on their streets during school hours. Staff will present information about the process for establishing a parking permit zone and the next steps for this request.

3. **6:40 p.m. (20 min) – Council Meeting Agenda Review, Communications, and Roundtable.** Council will review the agenda for the June 26 City Council meeting and brief the Council on issues of mutual interest.
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7:00 P.M. CITY COUNCIL MEETING

Call to Order

Pledge of Allegiance

Announcements

1. Update on the Tualatin Youth Advisory Council's Activities

Public Comment

This section of the agenda allows anyone to address the Council regarding any issue not on the agenda, or to request to have an item removed from the consent agenda. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.

Consent Agenda

The Consent Agenda will be enacted with one vote. The Mayor will ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda.

1. Consideration of Approval of the Work Session and Regular Meeting Minutes of June 12, 2023
2. Consideration of **Resolution No. 5703-23** Authorizing City of Tualatin to Enter into a Letter of Agreement with Washington County Disability, Aging, and Veterans Services
3. Consideration of **Resolution No. 5704-23** Authorizing the Purchase and Replacement of Tualatin Community Park Field Lighting through a Cooperative Procurement Program
4. Consideration of **Resolution No. 5705-23** Increasing the Authorization Amount of the Professional Services Agreement with AKS Engineering for the 65th Avenue / Nyberg Sewer Rehabilitation Project
5. Consideration of **Resolution No. 5706-23** Authorizing Personal Services Updates for Non-Represented Employees for FY 2023-2024
6. Consideration of **Resolution No. 5707-23** Approving and Authorizing Provision of Workers Compensation Insurance Coverage to Volunteers of the City of Tualatin
7. Consideration of **Resolution No. 5708-23** Authorizing the City Manager to Execute Grant Agreements for Two Metro Area Communications Commission Grants; and Appropriating Special Purpose Revenues in the City's General Fund During the FY 2022-23 Budget
8. Consideration of **Resolution No. 5709-23** Authorizing Changes to the FY 2022-2023 Adopted Budget

9. Consideration of **Resolution No. 5710-23** Amending Water, Sewer, Stormwater, Road and Parks Utility Fee Rates Inside the City of Tualatin and Rescinding Resolutions 5629-22
10. Consideration of **Resolution No. 5712-23** Amending the City of Tualatin Fee Schedule and Rescinding Resolution No. 5627-22
11. Consideration of **Resolution No. 5713-23** Awarding a Contract for Construction of the Sandalwood Water Quality Swale Retrofit
12. Consideration of **Resolution No. 5714-23** Authorizing the City Manager to Execute Grant Agreements for a State Homeland Security Program (SHSP) Grant

Public Hearings - Legislative or Other

1. Consideration of **Resolution No. 5711-23** Adopting the City of Tualatin Budget for the Fiscal Year Commencing July 1, 2023, Making Appropriations, Levying Ad-Valorem Taxes, and Categorizing the Levies

General Business

If you wish to speak on a general business item please fill out a Speaker Request Form and you will be called forward during the appropriate item. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.

1. Consideration of **Ordinance No. 1475-23** Prohibiting and Regulating Camping in the City of Tualatin

Items Removed from Consent Agenda

Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.

Council Communications

Adjournment

Meeting materials, including agendas, packets, public hearing and public comment guidelines, and Mayor and Councilor bios are available at www.tualatinoregon.gov/council.

Tualatin City Council meets are broadcast live, and recorded, by Tualatin Valley Community Television (TVCTV) Government Access Programming. For more information, contact TVCTV at 503.629.8534 or visit www.tvctv.org/tualatin.

In compliance with the Americans with Disabilities Act, this meeting location is accessible to persons with disabilities. To request accommodations, please contact the City Manager's Office at 503.691.3011 36 hours in advance of the meeting.



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council
THROUGH: Sherilyn Lombos, City Manager
FROM: Mike McCarthy, City Engineer
DATE: June 26, 2023

SUBJECT:
Tualatin Moving Forward Quarterly Update

EXECUTIVE SUMMARY:

This update describes Tualatin Moving Forward projects currently under construction or planned to start construction in the Summer of 2023.

In May 2018, Tualatin voters approved a \$20 million bond measure to pay for projects that improve traffic flow, neighborhood safety, and provide safe access to schools and parks citywide. The Tualatin Moving Forward Program Team provides the City Council with quarterly updates on these projects.

ATTACHMENTS:

- Powerpoint Presentation



Quarterly Update

City Council
June 26, 2023

- Tonight's focus: **2023 construction**
- Update on **key projects**
- Preview of City Council bus tour: **September 25**
- Monitor progress at **TualatinMovingForward.com**

25 projects *Built* –
11 more *Underway*



30 projects –

BUILT

6 more –

UNDERWAY

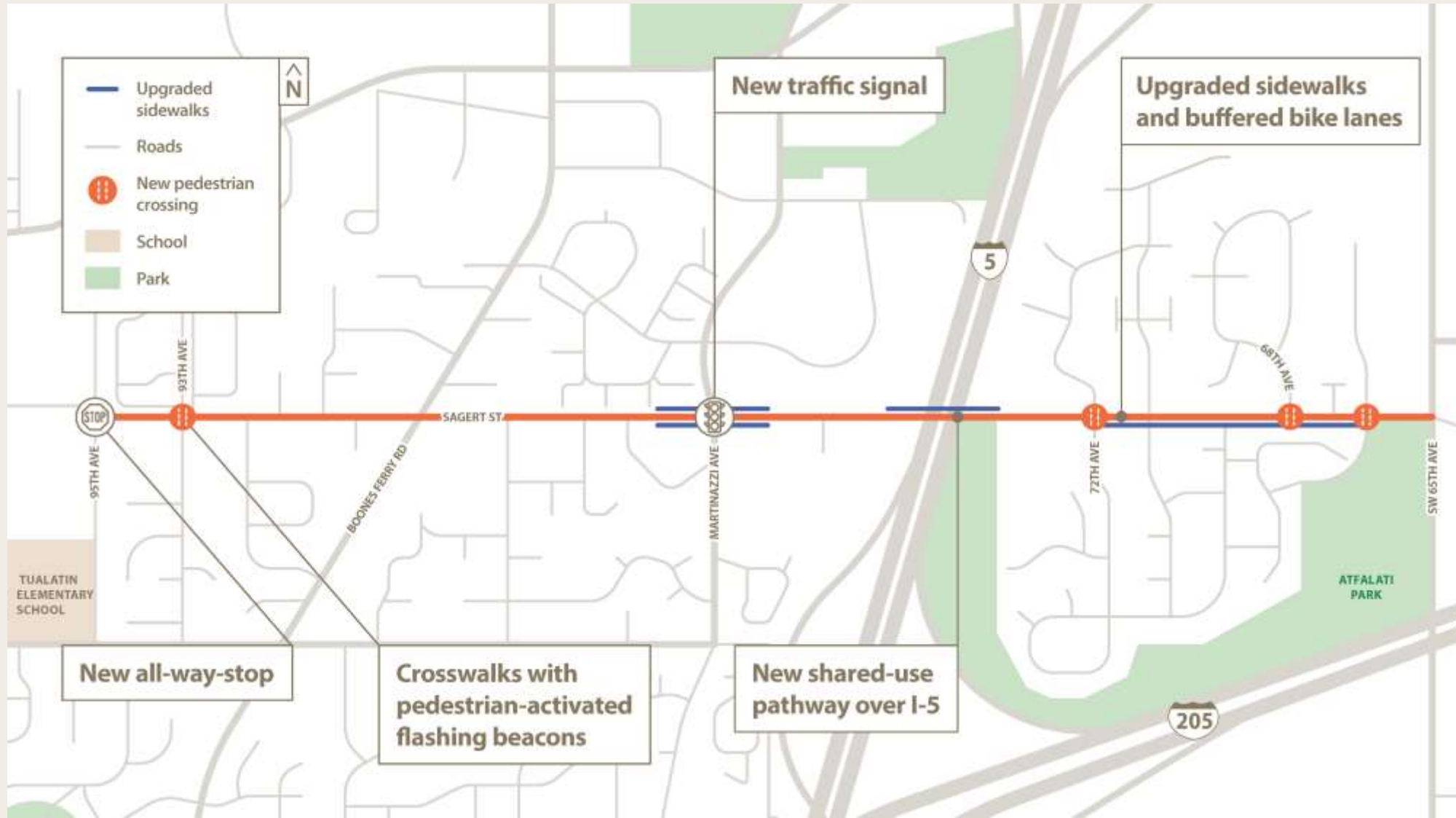
Program completion:
December 2023

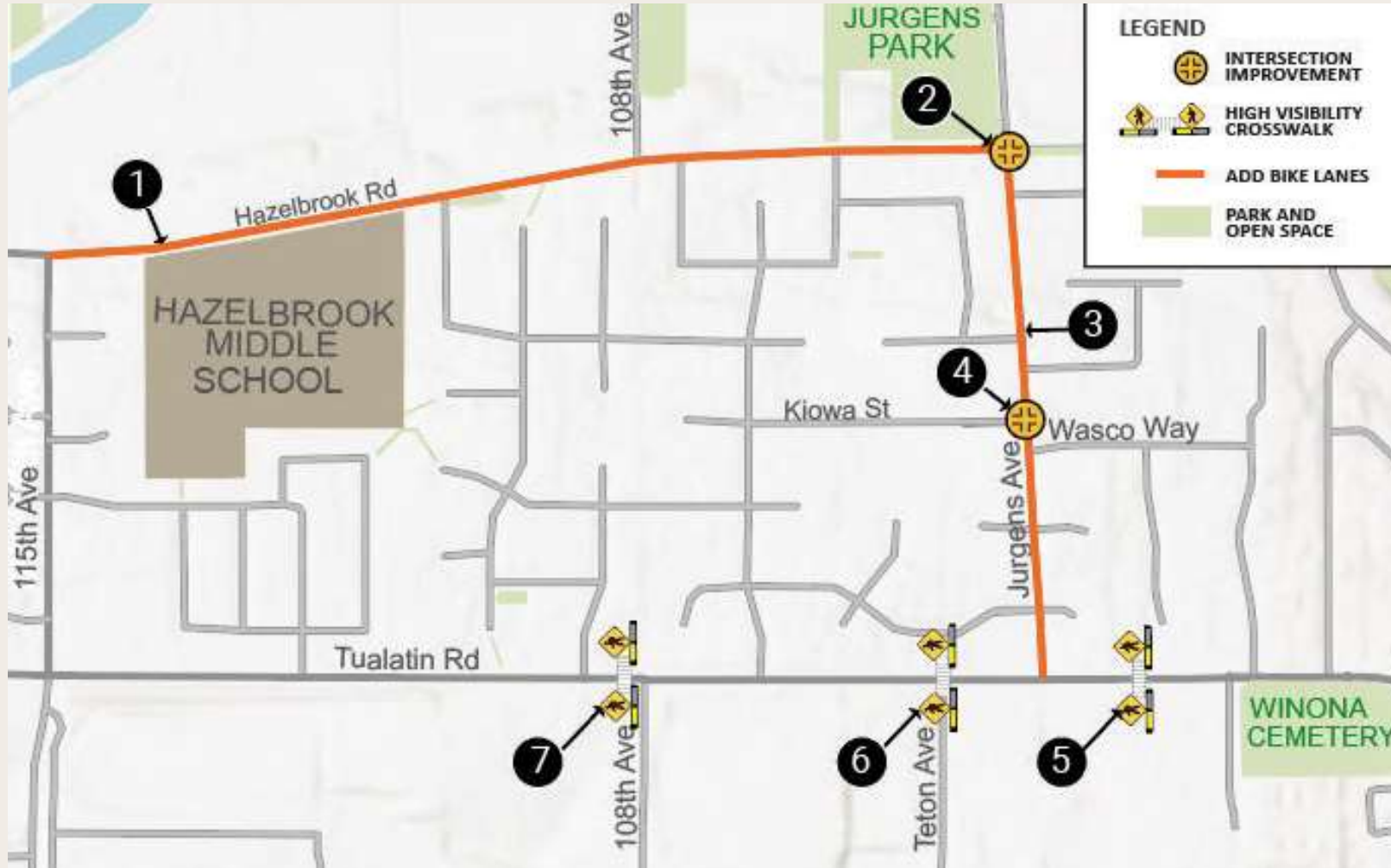


- BUILT** 65th Ave Near Meridian Park Hospital
- BUILT** Hazelbrook Area Project
- BUILT** Martinazzi Ave at Mohawk St
- BUILT** Martinazzi Ave at Fred Meyer Driveway
- BUILT** Boones Ferry Rd at The Commons (Phase 2)



Strolling and Rolling Along the “New” Sagert St





- ü **7 locations** selected for funding and construction
- ü Hazelbrook Rd striping to be completed after pavement surfacing

Tualatin Rd
near 108th Ave



Jurgens Ave north
of Tualatin Rd



Jurgens Ave &
Kiowa St



Before

Plus:

Boones Ferry Road at Tualatin Commons

Pedestrian-activated flashing beacon

Martinazzi Avenue at Mohawk

Ramp improvements and flashing beacons installed at the existing crosswalk

Sagert St. Bridge/I-5 Walkway

Space for people walking and biking across the bridge



After

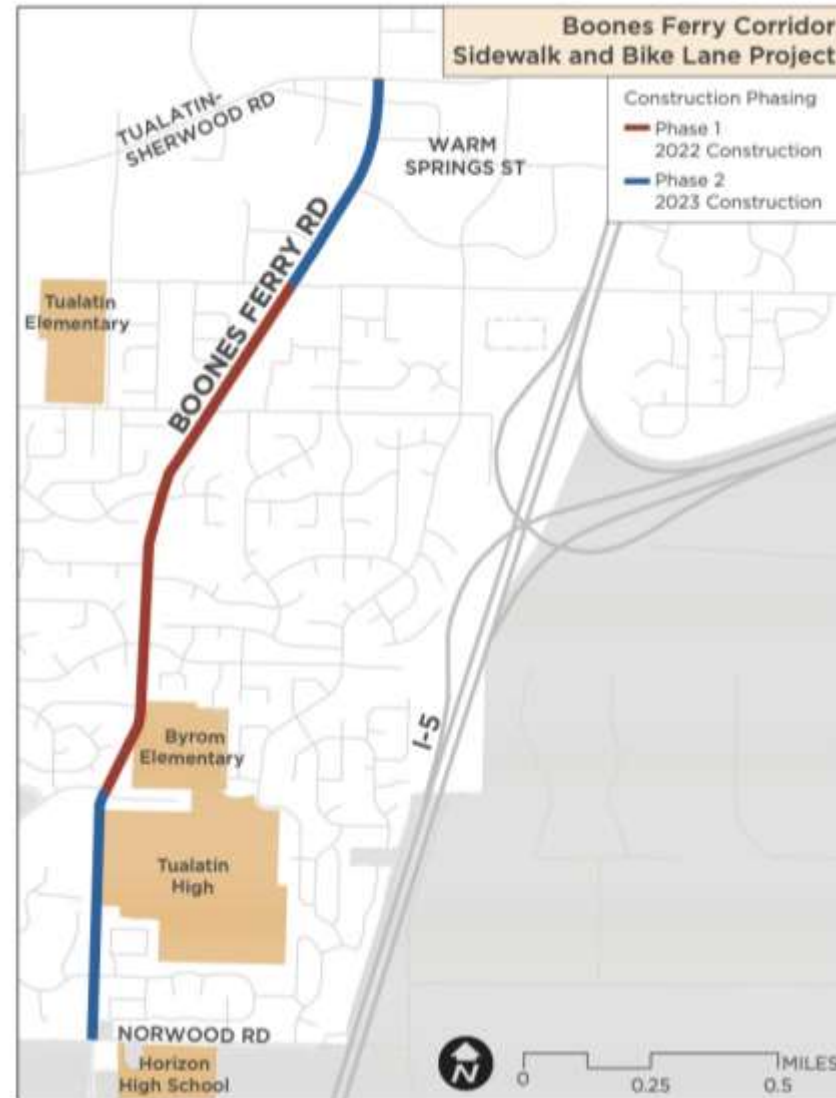
Martinazzi Avenue at Fred Meyer Driveway

Bus stop, sidewalk, and ramp improvements

Boones Ferry Road Corridor – Sidewalk/Bike Project

Create continuous connections for walking and biking along the corridor:

- ü Repair/add sidewalks and paved paths
- ü Upgrade curb ramps
- ü Add buffered bike lanes
- ü Improve bus stops



WE'RE FIXING THIS!

This location will be improved as a part of the Boones Ferry Road Sidewalk and Bike Lane Project.

¡ESTAMOS ARREGLANDO ESTO!

Esta ubicación será mejorada como parte del Proyecto de Aceras y Carriles para Bicicletas de Boones Ferry Road.

Visit boonesferrycorridor.com to learn more.

Visite boonesferrycorridor.com para obtener más información.



Boones Ferry Road Corridor – Sidewalk/Bike Project



Before



After



Reshaping the Nyberg Rd/T-S Rd/ I-5 Interchange

- ü Add a third eastbound lane (Martinazzi Ave to I-5)
- ü Repave and restripe lanes for more efficient traffic flow
- ü Install overhead signage
- ü Improve bicycle access and safety





City Council Bus Tour – Monday, September 25*



**AC upgrade for 2023!*

2023-2024 Transportation System Plan Update

QUESTIONS? 



City of Tualatin

CITY OF TUALATIN
Staff Report

TO: Honorable Mayor and Members of the City Council
THROUGH: Sherilyn Lombos, City Manager
FROM: Greg Pickering – Chief of Police
DATE: June 15, 2023

SUBJECT:

Parking permit zone request from the residents on SW Blackfoot Drive and Osage Street.

EXECUTIVE SUMMARY:

The residents that live along SW Blackfoot Drive and SW Osage Street have requested a permit parking zone be established on their streets during school hours. This request has been made due to the increase in parking along the street, primarily by High School students and parents of students at the elementary school. Over the last school year there has been 12 reports from residents concerning illegal parking or hazardous conditions caused by the influx of parked vehicles on the street. A survey of the homes on SW Blackfoot Drive and SW Osage Street was conducted. 25 surveys were sent by the Police Department. 15 of those surveys were returned, and all 15 that were returned indicated they were in support of a permit parking zone during the school hours of 8:00AM – 2:00PM on school days.

ATTACHMENTS:

PowerPoint presentation of survey results.



City of Tualatin
Council Meeting July 10, 2023

PARKING ISSUES

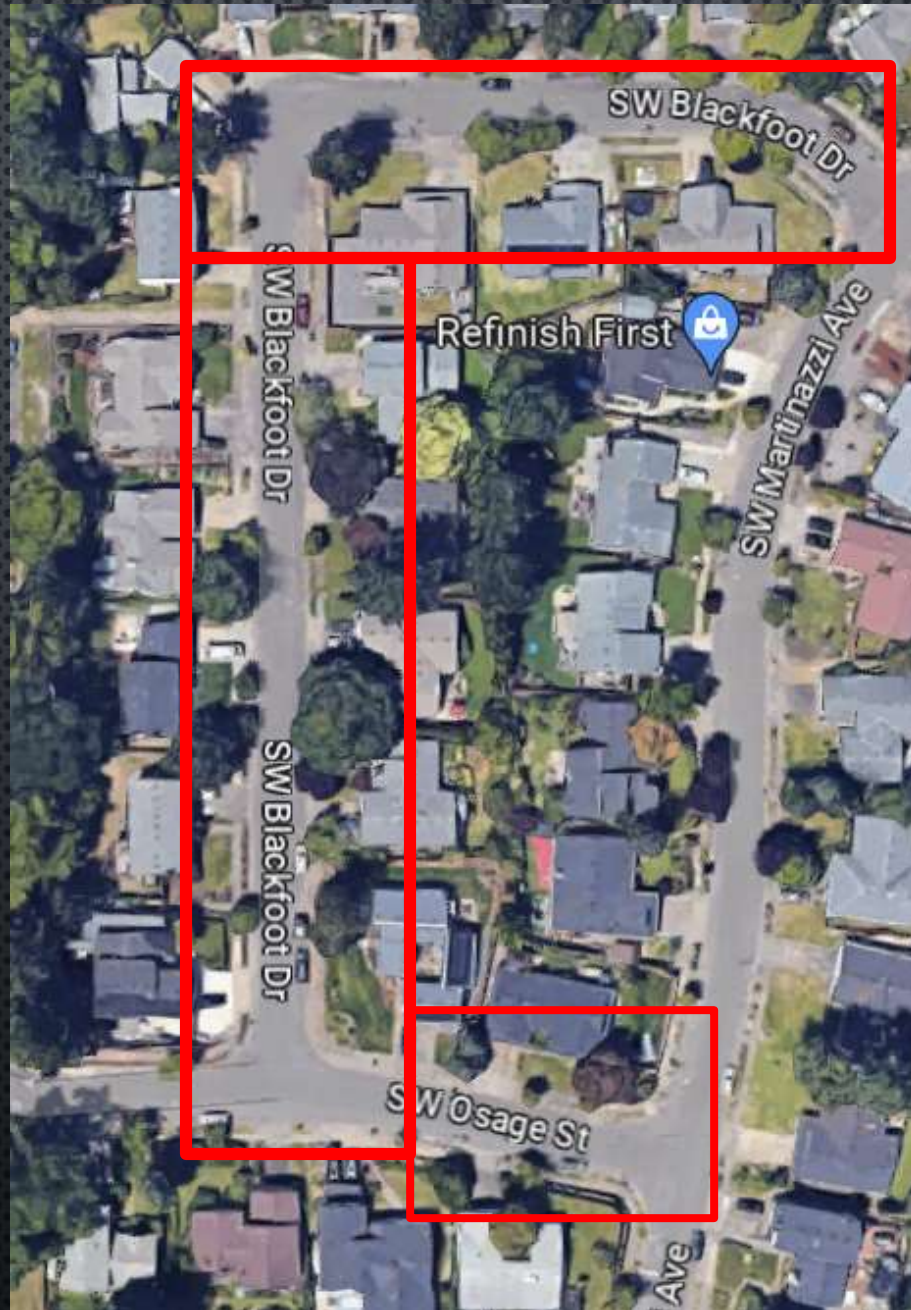
SW BLACKFOOT DRIVE
SW OSAGE STREET

Presented By: Chief Greg Pickering

What are the Issues?

- Non-Residents Parking on Public Street in front of homes
 - Visibility issues, safety concerns for residents.
 - Some Parked illegally (in front of hydrants, mailboxes, intersections)
 - Some blocking driveways and preventing home owner parking
 - Litter, trash, cigarette butts, off-road vehicles, long-term parking
-
- During the last school year, there has been **12** calls for Service to Police regarding Parking Issues/Traffic complaints in these areas.

Affected Streets





SW OSAGE STREET

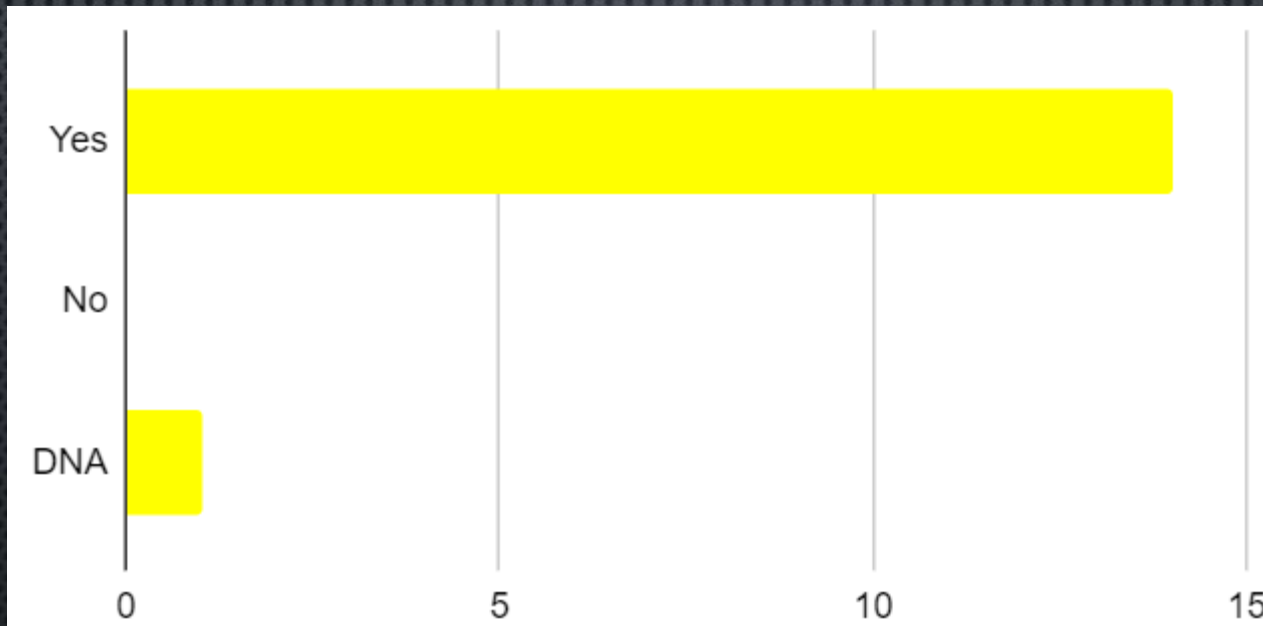


SW BLACKFOOT DRIVE

NEIGHBORHOOD SURVEY RESULTS

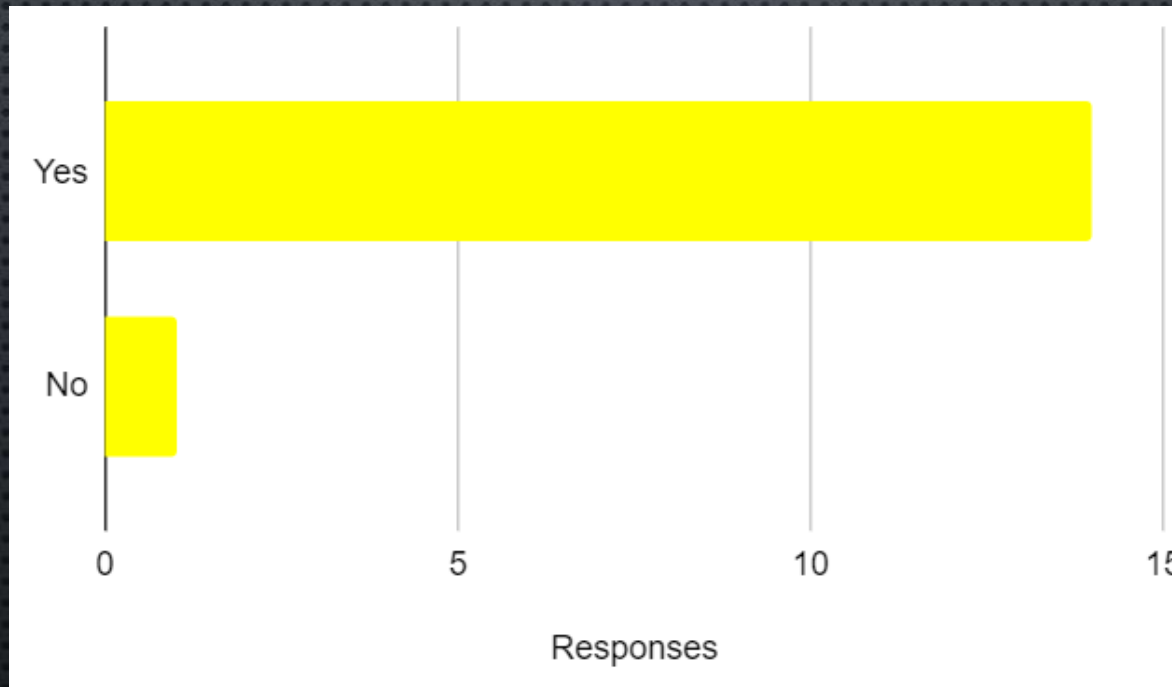
- 25 NEIGHBORHOOD SURVEYS SENT TO RESIDENTS.
 - 19 SURVEYS SENT - SW BLACKFOOT DRIVE
 - 6 SURVEYS SENT - SW OSAGE
- RESULTS: 15 RESPONSES (60% RETURN RATE)
 - ALL RESPONSES WERE IN FAVOR OF A PARKING PERMIT ZONE DURING SCHOOL HOURS (SCHOOL DAYS – 8:00AM – 2:00PM)

Q1: HAVE YOU EXPERIENCED OR OBSERVED A NON-RESIDENT PARKING PROBLEM IN YOUR NEIGHBORHOOD?



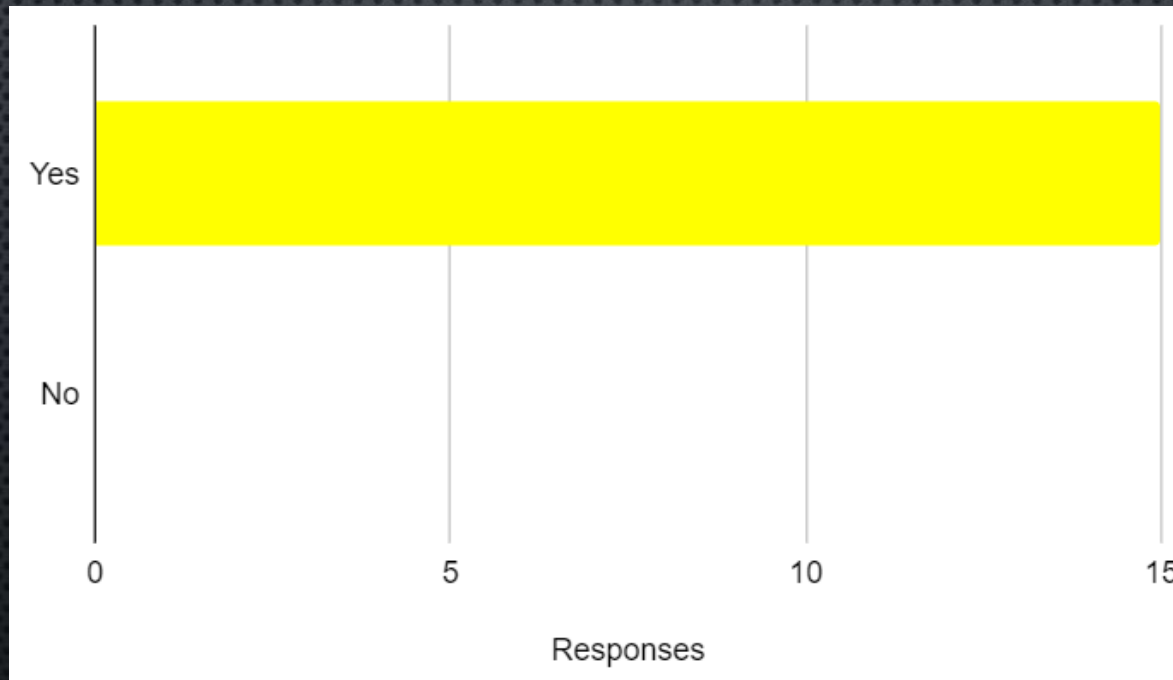
| Answer Choice | Responses |
|---------------|-----------|
| Yes | 14 |
| No | 0 |
| DNA | 1 |

Q2: DO YOU BELIEVE THE PARKING PROBLEM IS SIGNIFICANT ENOUGH TO CALL FOR A CHANGE IN THE CITY STREET PARKING RULES TO ALLOW A PARKING PERMIT ZONE IN YOUR NEIGHBORHOOD?



| Answer Choice | Responses |
|---------------|-----------|
| Yes | 14 |
| No | 1 |

Q3: A PARKING PERMIT ZONE WOULD REQUIRE YOU (OR VISITORS) TO DISPLAY A PARKING PERMIT ON YOUR VEHICLE, ONLY IF PARKED ON THE STREET. THE PARKING RESTRICTION WOULD BE IN EFFECT 8:00 TO 2:00PM ON SCHOOL DAYS. ARE YOU FOR OR AGAINST THAT IDEA FOR YOUR NEIGHBORHOOD?



| Answer Choice | Responses |
|---------------|-----------|
| Yes | 15 |
| No | 0 |

RESULTS BREAKDOWN

2023 SURVEY RESULTS

BLACKFOOT

12 RESPONSES

- 12 IN FAVOR (100%)

OSAGE

3 RESPONSES

- 3 IN FAVOR (100%)

COMMENTS FROM SURVEY

- LOITERS DUMP THEIR GARBAGE ON OUR PROPERTIES AND VERY LOUD, RUDE, OR ABRASIVE WHEN CONFRONTED. THEY CONSTANTLY VANDALIZE MAILBOXES WE WELL AS SPEED AROUND THE CORNER OF OSAGE AND MARTINAZZI WITHOUT THE REGARD FOR THE RESIDENTS. IT IS UNSAFE TO ALLOW MY CHILDREN TO PLAY OUTSIDE.
- A PARKING PERMIT WOULD BE A HUGE ACCOMPLISHMENT IN OUR NEIGHBORHOOD. THERE ARE DOZENS OF RANDOM VEHICLES ON OUR STREET THAT CAUSE NOISE, LEAVE TRASH, AND OVERALL DISRUPTION.
- THIS YEAR, A SUBURBAN PARKED BLOCKING MY CAR IN MY DRIVEWAY. ALSO LEAVING McDONALD'S GARBAGE IN MY FRONT YARD. A COUPLE DAYS LATER THE SAME KIDS WERE MAKING RUDE COMMENTS TO ME AS I WAS WORKING IN MY YARD. I OBSERVED THEM LATER LEAVING THEIR GARBAGE IN MY FRONT YARD AGAIN AND WATCHING ME THROUGH MY WINDOWS AS I WAS CLEANING! ONE EVEN CAME INTO MY YARD TO WATCH ME, I CLOSED MY BLINDS.
- INCIDENT- STUDENT FIGHTING WITH BOYFRIEND IN FRONT OF MY HOUSE. SHE THREW GARBAGE (INCLUDING BROKEN GLASS) ALL OVER THE STREET. SCREAMING PROFANITIES AT RESIDENTS WHO ASKED HER TO STOP.

COMMENTS FROM RESIDENTS

- SO TODAY THERE WAS A GROUP OF KIDS COMING UP THE GREEN SPACE ON MARTINAZZI. I WATCHED THEM SMOKE WEED. THEY WERE IN FRONT OF OUR HOUSE ON OSAGE, AND THIS KID (THE SAME ONE WHO HAD STOLEN OUR NEWS PAPER LAST WEEK) HAD A CIGARETTE AND HE WAS GOING TO FLICK IT UP ON OUR GRASS. THEN HE REALIZED I WAS WATCHING HIM FROM THE WINDOW SO HE KEPT WALKING TO A HONDA THAT WAS PARKED ACROSS FROM YOUR HOUSE. THEY GOT THEIR BACKPACK AND SKATE BOARD THAT WAS UNDER THE CAR AND WALKED TOWARDS SCHOOL. ABOUT 20 MINUTES LATER WE HAD TO LEAVE FOR AN APPOINTMENT AND THEY WERE ALL WALKING BACK DOWN TO MARTINAZZI WHILE I WAS BACKING THE CAR OUT. I REALLY DIDN'T LIKE THEM SEEING US LEAVE OUR HOUSE.
- TONIGHT WHEN WE WENT TO TAKE THE TRASH CANS TO THE STREET THERE WAS A T-SHIRT BEHIND THE CAN AND WE WENT TO TAKE A LOOK AND THE SHIRT WAS COMPLETELY DRY BUT SOME ONE POOPED AND COVERED IT UP. I'M SO DISGUSTED AND I HATE THE THOUGHT THAT SOMEONE WAS IN MY YARD....

RECOMMENDATIONS

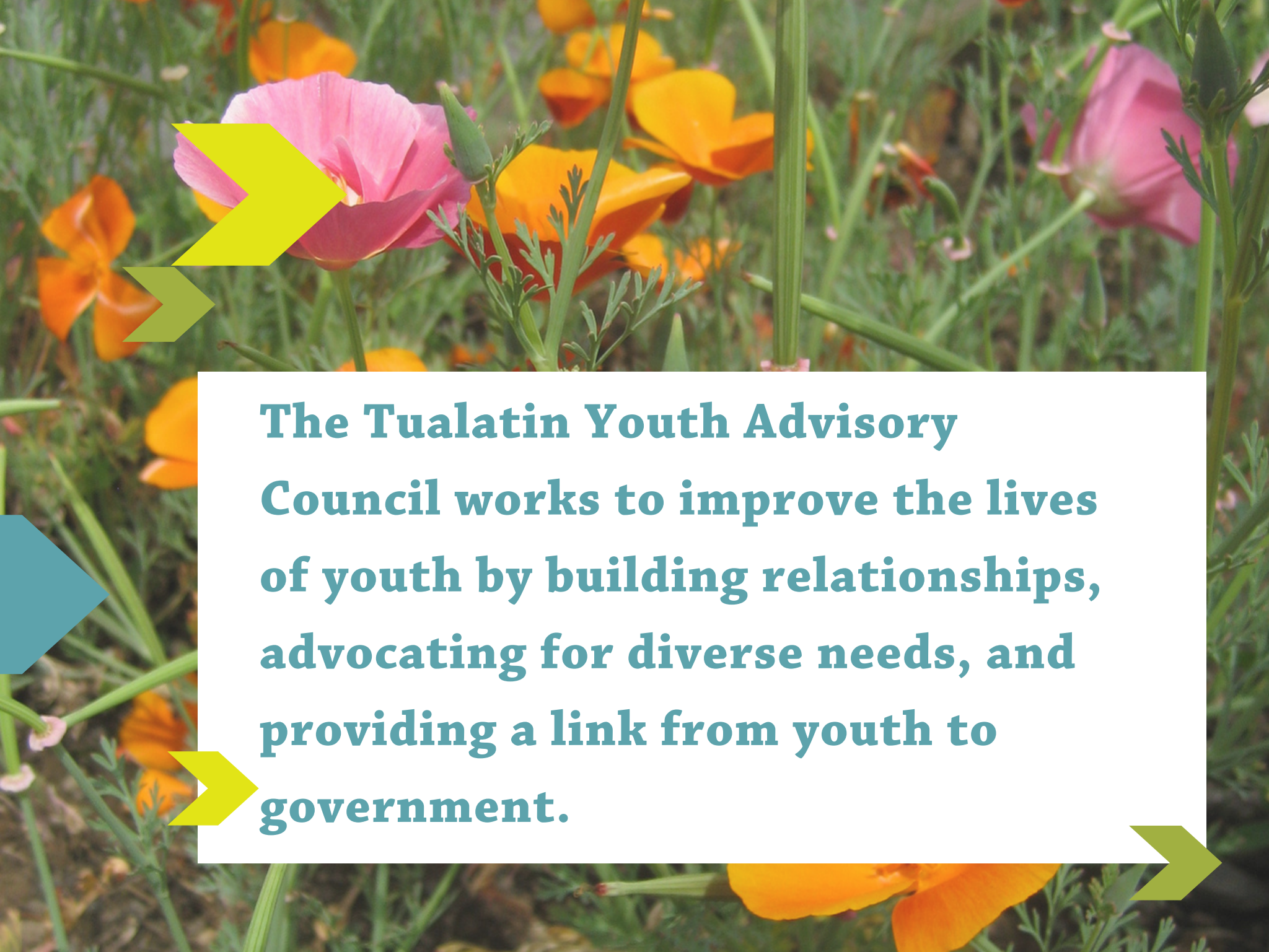
- BASED UPON THE CITIZEN FEEDBACK, OBSERVATIONS, AND CALLS FOR SERVICE;
 - RESTRICT PARKING FROM 8:00AM – 2:00PM ON SW OSAGE AND SW BLACKFOOT (PER CURRENT CODE)
 - THE RESIDENTS HAVE ASKED THE PERMIT ZONE BE EXTENDED UNTIL 4:00PM, AS THE HOURS AT THE SCHOOL HAVE BEEN PUSHED BACK AND THE HIGH SCHOOL NOW GETS OUT AT 3:45.

QUESTIONS & DISCUSSION



Tualatin Youth Advisory Council





The Tualatin Youth Advisory Council works to improve the lives of youth by building relationships, advocating for diverse needs, and providing a link from youth to government.

VERTICAL GARDEN PROJECT

- Plants from local company, Garden Corner
- Installed with the help of the parks maintenance team
- Creating webpage about the plants and how people can create a wall garden of their own
- Rotate new plants in the future to highlight





Youth Survey

Questions Focus on:

- event and activity preferences
- issues impacting youth
- awareness of ways to get involved
- stress management

CONCERTS IN THE PARKS

- Fridays July 7, 21, August 4, 18
- YAC Selling Sno-Cones and Popcorn

YAC RETREAT

Discussed future
project ideas and
how to better meet
our mission





**Thank
you!**





City of Tualatin

CITY OF TUALATIN
Staff Report

TO: Honorable Mayor and Members of the City Council
THROUGH: Sherilyn Lombos, City Manager
FROM: Nicole Morris, Deputy City Recorder
DATE: June 26, 2023

SUBJECT:
Consideration of Approval of the Work Session and Regular Meeting Minutes of June 12, 2023

RECOMMENDATION:
Staff respectfully recommends the Council adopt the attached minutes.

ATTACHMENTS:

- City Council Work Session Meeting Minutes of June 12, 2023
- City Council Regular Meeting Minutes of June 12, 2023



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR JUNE 12, 2023

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

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

1. Consideration of the Prohibition & Regulation of Camping on Public Property.

Deputy City Manager Megan George and Police Chief Greg Pickering provided a presentation regarding the prohibition and regulation of camping on public property. Manager George began by discussing HB 3115 and its impact on camping regulations. She mentioned previous legal cases that found violations of the Eighth Amendment, leading to the allowance of camping on public property. Manager George highlighted Tualatin's existing ordinance, pointing out its non-compliance with HB 3115, necessitating updates. She also shared information on how neighboring jurisdictions are handling time, place, and manner regulations.

Manager George introduced the draft ordinance, emphasizing that decisions made now are not permanent, and subsequent changes may be required based on case law, local and regional implementation, and efforts to address shelter capacity and services. She outlined the goals of the ordinance, including compliance with HB 3115, providing clarity for city staff in enforcing time, place, and manner regulations, maintaining consistency with nearby jurisdictions, and striking a balance between property use and compassion for the homeless. Manager George stated staff is recommending prohibiting camping between 7 am and 7 pm as part of the time restrictions. She stated in regards to manner restrictions, staff is suggesting considering neighboring jurisdictions, discouraging large encampments, preserving access to public infrastructure, and addressing environmental concerns. In terms of place restrictions, Manager George stated staff is proposing banning camping in city-owned parking lots, within 20 feet of buildings, near natural resources, public-right-of-way, municipal grounds, and city parks. She also shared a map highlighting the designated areas where camping would be allowed, noting the space would accommodate 120 camping sites across two sites.

Chief Pickering addressed the enforcement of the ordinance. He stated the department will use a trauma-informed approach to assist campers by connecting them with services if desired. Chief Pickering clarified the police department would not actively seek out these camps but would only address specific behaviors when necessary. Manager George concluded by discussing the next steps, which involve reviewing and considering the ordinance, as well as implementing it accordingly.

Council President Pratt asked if distance between the sights would be addressed in the ordinance. Manager George mentioned a 5-foot buffer was considered but it significantly reduced the number of available camping sites.

Council President Pratt raised a question about how to handle someone who is camping outside the prohibited hours due to illness. Chief Pickering responded they would assist that individual in finding the necessary services to get well.

Council President Pratt requested the inclusion of wetland preservation conservation districts in the ordinance. Manager George clarified it is already covered under natural areas conservation but agreed to specifically highlight wetlands for clarity.

Councilor Brooks inquired about any upcoming legislation related to homelessness. Manager George stated currently, there is no legislation that will impact the topic at hand.

Councilor Brooks asked about the County's involvement with Homeless Resource Coordinators to address homelessness. Manager George suggested scheduling a follow-up discussion with Washington County to explore that topic further.

Councilor Sacco asked about the considerations regarding the exclusion of a buffer. Manager George explained the decision was made to provide more opportunities for camping on the available parcels. Councilor Sacco inquired whether the Council should consider implementing a buffer.

Council President Pratt questioned whether a buffer would assist with enforcement by creating more space between camping individuals.

Councilor Reyes expressed support for designating specific camping areas and inquired about the nearest shelter to Tualatin. Manager George responded the closest shelter is Just Compassion located in Tigard.

Councilor Gonzalez expressed gratitude to the staff for their work and expressed satisfaction with the drafted ordinance as is.

Councilor Reyes raised the question of adjusting the time limit for daylight hours based on the seasons. Manager George explained a seasonal shift was considered, but for the sake of enforcement, it was deemed simpler to maintain a single timeframe.

Councilor Hillier inquired about the impact of these changes on other cities and the impacts of future developments on these sites. Manager George mentioned cities have attempted to coordinate for the sake of consistency, but there are differences among them that are unavoidable. She added if any of the designated camping sites were to be developed, the restrictions could be amended to ensure compliance with the legislation.

Councilor Sacco expressed her desire to include a buffer for safety reasons and suggested amending the draft ordinance to incorporate a 10-foot buffer.

Councilor Reyes asked about the possibility of the designated camping sites being situated in floodplain areas. Manager George clarified the designates areas are not typically prone to flooding.

Mayor Bubenik polled for consensus to include a 12x12 foot camping space, a 10-foot buffer, and adding specific language regarding wetlands in the ordinance. Consensus was reached.

Councilor Hillier asked how a buffer would be enforced. Chief Pickering stated they won't be policing the camp sites but noting that a safety buffer is good to have in these situations.

2. Council Meeting Agenda Review, Communications, and Roundtable.

Councilor Brooks stated she attended the regional water consortium meeting and the policy advisory board meeting.

Councilor Sacco stated she attended the C4 meeting. She recognized the first pride celebration in Tualatin and thanked everyone for their work on the parade.

Councilor Hillier stated she attended the Blender Dash and the Pride Stride. She also participated in the award of the Science and Technology Scholarship.

Councilor Reyes stated applications for the IDEA Committee are now being accepted.

Council President Pratt stated she attended the Memorial Day Celebration and the Blender Dash.

Mayor Bubenik stated he attended the Memorial Day Celebration, the Pride Stride, and lobbied in Washington DC on behalf of the JPACT Committee for transportation funding.

Adjournment

Mayor Bubenik adjourned the meeting at 6:05 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Frank Bubenik, Mayor



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR JUNE 12, 2023

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

Call to Order

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

Pledge of Allegiance

Announcements

1. Proclamation Declaring the Week of June 19 – June 25, 2023 as National Pollinator Week in the City of Tualatin

Tualatin Parks Advisory Committee Members Emma Gray and Beth Dittman presented information about the City of Tualatin's participation in the Bee City USA program. They outlined the commitments required to become a Bee City USA, which include establishing a committee, creating pollinator habitats, reducing the use of pesticides, organizing pollinator awareness events, and installing appropriate signage. This year, Tualatin held 13 planting events, involving 725 volunteers who planted a total of 29,340 square feet. They emphasized the community benefits that arise from participating in the Bee City USA program, such as the preservation of vital animal species, improved local food production, support for small businesses, reduced use of pesticides for pest control, and an increased awareness of biological diversity. Information was provided on how individuals can get involved during Pollinator Week, encouraging community members to participate in activities and initiatives related to supporting pollinators.

Councilor Brooks read the proclamation declaring the week of June 19 – June 25, 2023 as National Pollinator Week in the City of Tualatin.

2. Proclamation Declaring June 19, 2023, as Juneteenth Day in the City of Tualatin

Councilor Sacco read the proclamation declaring June 19, 2023, as Juneteenth Day in the City of Tualatin.

Public Comment

Keith Irvine voiced his concerns regarding the proposed ordinance connected to HB 3115. He expressed his preference for the smallest possible number of camping sites to be made available for people

Peggy Irvine spoke in regards to the homeless camping ordinance. She inquired about the number of individuals currently camping in Tualatin and expressed apprehension about the health and safety issues associated with camping within the city.

Tim McQueen expressed opposition to permitting homeless camping in parks, emphasizing safety concerns as the primary reason.

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 Brooks, Councilor Reyes, Councilor Hillier, Councilor Sacco, Councilor Gonzalez

MOTION PASSED

1. Consideration of Approval of the Work Session and Regular Meeting Minutes of May 22, 2023
2. Consideration of **Resolution No. 5699-23** Authorizing the City Manager to Execute a Maintenance and Operations Agreement with Randy McLeod and Janine McLeod for Basalt Creek Parkland
3. Consideration of **Resolution No. 5700-23** Adopting Tualatin's Equitable Housing Funding Plan
4. Consideration of **Resolution No. 5701-23** Authorizing the Purchase of Right-of-Way and Easements for the Construction of the Boones Ferry Corridor Phase 2 Project, Part of the Tualatin Moving Forward Program

Public Hearings - Legislative or Other

1. Consideration of **Resolution No. 5702-23** Declaring the City's Election to Receive State Revenue Sharing Funds During Fiscal Year 2023-24

Finance Director Don Hudson stated in order for the city to receive state shared revenues the city must hold two public hearings. He noted the first public hearing was held before the budget committee and the second is being held tonight. Director Hudson stated the city is set to receive \$456,315 in state revenue sharing funds in FY 2023-24.

Motion to adopt Resolution No. 5702-23 declaring the city's election to receive state revenue sharing funds during fiscal year 2023-24 made by Councilor Brooks, Seconded by Council President Pratt.

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

MOTION PASSED

Public Hearings - Quasi-Judicial

1. Consideration of the Norwood Road Plan Text Amendment and Plan Map Amendment (PTA 23-0001 and PMA 23-0001)

Mayor Bubenik opened the public hearing in accordance with ORS 197.763(5) and (6) and ORS 197.796(3)(b).

Councilor Hillier disclosed ex-parte contact stating she lives in the Ibach CIO area and has seen the signs in the neighborhood, read and received all the emails related to the application, and the postcard that was left on her door.

Councilor Brooks disclosed ex-parte contact stating she has driven by the site and received emails that were sent to the Council related to the hearing.

Council President Pratt disclosed ex-parte contact stating she has seen the signs in the community and received the emails that the council received and have been entered into the record.

Councilor Gonzalez disclosed ex parte contact stating he attended a public hearing on October 23,2022 before he elected, he drives by it daily, received the postcards, a social media messaged.

Councilor Reyes disclosed ex-parte contact stating she has received emails that she forward to staff for the record.

Councilor Sacco disclosed ex-parte contact stating she has read the emails received from community members, drove by the site, and seen the signs posted in the area.

Mayor Bubenik disclosed ex-parte contact driven by the site, seen the signs, and read the emails.

Ex-Parte Disclosures

Councilor Hillier disclosed she lives in the Ibach CIO area and has observed signs in the neighborhood. She also mentioned reading and receiving all the emails associated with the application, as well as receiving a postcard left on her door.

Councilor Brooks disclosed she has driven by the site in question and received emails sent to the Council regarding the hearing.

Council President Pratt disclosed she has seen signs in the community and received the same emails that were sent to the Council and entered into the record.

Councilor Gonzalez disclosed that before being elected, he attended a public hearing on October 23, 2022. He mentioned driving by the site daily, receiving postcards, and receiving social media messages.

Councilor Reyes disclosed she received emails, which she forwarded to staff for inclusion in the record.

Councilor Sacco disclosed she has read the emails received from community members, driven by the site, and observed the signs posted in the area.

Mayor Bubenik disclosed he has driven by the site, seen the signs, and read the emails associated with the matter.

Staff Presentation

Assistant Community Development Director Steve Koper presented the Norwood Road Plan Text and Plan Map Amendment. He stated AKS Engineering and Forestry LLC submitted the application on behalf of Vista Residential Partners and Horizon Community Church, the property owner. Director Koper explained the proposed Plan Text Amendment (PTA) aims to remove the locational factors from the High-Density High-Rise (RH-HR) purpose statement in the Tualatin Development Code (TDC) Section 44.100, which currently restricts the zone to downtown.

Additionally, the TDC Table 44-3 would be revised to limit the structure height to four stories or 50 feet in the RH-HR zoning district south of Norwood Road, applicable to the subject site. Director Koper shared the proposed text amendment with strike-through for Chapter 44 RH-HR and showcased a map illustrating the existing and proposed zoning.

Director Koper stated the applicants submitted two voluntary conditions. The first condition is the installation of a traffic signal at the intersection of SW Norwood Road and SW Boone Ferry Road before the occupancy of any future site development. The second voluntary condition is the addition of a 60-foot buffer along SW Norwood Road to preserve trees that would not be removed for future access or public roadway improvements. Director Koper stated the applicant further agreed to additional voluntary conditions, including reserving 10% of the units as affordable to workforce/middle-income households earning 80% of the area median income (AMI) or median family income (MFI) for a period of 15 years, constructing 40 electric vehicle charging stations, and ensuring the project meets the US Green Building Council LEED green building standard. Director Koper stated staff has recommended additional conditions, such as the construction of a left turn on SW Norwood Road and a proportional share contribution to the City of Tualatin for future transportation system improvements, specifically the proposal for a second right-turn lane on the I-5 southbound off-ramp before the Certificate of Occupancy is issued. He presented the applicable criteria for the hearing.

Tualatin Planning Commission Chair Bill Beers stated the commission met on April 20, 2023, to consider the amendment. He noted the commission voted 4-1 to recommend denying both the Plan Text and Plan Map Amendments to the City Council. They determined the application is not in the best interest of the community and does not align with the comprehensive plan.

Applicant Presentation

AKS Engineering Mimi Doukas and Stoel Rives Attorney Dana Krawczuk presented on behalf of the applicant. Attorney Krawczuk discussed the approval criteria the Council need to consider and requested the Council act as a judge rather than a policymaker on this matter, focusing on the presented evidence. She emphasized that the determination of public interest could be based on the City's Comprehensive Plan and other adopted policy documents, highlighting the city council goals and policies related to the proposed amendment. Attorney Krawczuk shared the Transportation Planning Rule relevant to the traffic criterion. She provided overall trip generation comparisons and mentioned that even without the zone change, the Boones Ferry Road/Norwood Road intersection was projected to fail. Attorney Krawczuk argued that the proposed mitigation, which involves installing a traffic signal, would address the failing intersection. She referred to the city's goal 10 regarding housing, stating there was no legally supportable reason to deny the application since the City was already ahead of schedule in meeting the Housing Needs Analysis and the application did not result in a surplus of units or acreage.

Engineer Mimi Doukas then presented the proposed site plan. She highlighted the applicant's commitment to preserving a buffer of trees along the northern area, maintaining existing access points to preserve trees, constructing a maximum four-story building, and providing open space and amenity areas. Engineer Doukas mentioned the applicant has also committed to affordability and sustainability by ensuring that 10% of the units would be affordable to workforce/middle-income households, constructing 40 electric vehicle charging parking spaces, and meeting US Green Building Council LEED standards. She argued the application serves the public interest by addressing housing needs, implementing existing and adopted housing policies, and fulfilling the city's need for additional land for housing.

Attorney Krawczuk stated there is one existing RH-HR zoning location in downtown Tualatin but due to constraints it would be difficult to build on. She stated the proposed site is suitable for development as it has a willing property owner and developer, is well-suited for multifamily apartments, has convenient access to major roadways and bus services, and provides access to amenities. She stressed that this application would not discourage downtown redevelopment. Attorney Krawczuk concluded by stating that the approval criteria had been met, and if approved, the application would implement the goals and policies of the comprehensive plan. She highlighted the applicant's commitment to building a project using green building methods, improving the transportation network, and providing affordable housing for working families. The applicant requested approval of the application.

Council Questions

Council President Pratt inquired about the definition of multi-family housing. Director Koper clarified that it refers to any housing with more than four units.

Council President Pratt then asked why the affordable housing was limited to 15 years. Lee Novack from Vista Residential explained that deed restrictions for affordable housing projects typically have a 15-year requirement. He mentioned that as projects age, rents tend to become more affordable, so it makes sense for the deed restrictions to expire.

Council President Pratt asked if the 60-foot buffer would include an easement that could potentially be encroached upon by the county if needed. Engineer Doukas responded the buffer is 60 feet from the right-of-way, and they are still working with the County on projects in the area. Council President Pratt expressed concerns about tree plantings having enough space to grow within the right-of-way. Arborist Todd Prager assured her that the preservation plan aims to maintain the outer edge of the trees along the buffer, ensuring that the interior trees are not compromised. He mentioned their goal is to push projects north of the roadway to achieve this. Council President Pratt requested assurances that the trees would not be removed. Engineer Doukas stated that these details would be worked out at the architectural review level.

Council President Pratt asked about the amount of green space to be expected on the site. Engineer Doukas explained the green space mainly consists of adult recreational spaces within their amenities.

Council President Pratt inquired if the traffic study considered more than just peak hours. Engineer Doukas stated a full traffic impact analysis was conducted, which looked at all the roadways at full build-out. Transportation Engineer Todd Mobley added that the analysis typically focuses on the am/pm peak hours when congestion is at its highest.

Council President Pratt asked if the applicant had reached out to the Tigard-Tualatin School District to inquire about accommodating transfer requests since the proposed site falls within the Sherwood School District. Engineer Doukas responded they had not done so.

Councilor Hillier requested clarification from the applicant regarding the transportation review area. Engineer Mobley explained that in the comparative analysis of the zone, the entire site was considered. Councilor Hillier further asked if the trips in the Autumn Sunrise area were included. Engineer Mobley confirmed that it was accounted for in the traffic study through the growth study. Councilor Hillier sought clarification on the study hours and why only the pm peak hours were considered and compared to a school site. Engineer Mobley explained they compared to a school site as it would generate more trips during the morning peak hour.

Engineer Doukas added that trip generation numbers are calculated based on the ITE (Institute of Transportation Engineers) manual for trips.

Councilor Hillier questioned the accuracy of the numbers, considering that the studies may be outdated. Engineer Doukas clarified that when referring to outdated numbers, they were specifically referring to the Housing Needs Analysis, which relies on historical data and may not provide accurate projections.

Councilor Hillier asked when the traffic was counted for the study. Engineer Doukas stated that the numbers were counted in December 2022. Engineer Mobley stated that they then used the manuals to adjust the numbers seasonally.

Councilor Sacco expressed the desire to see traffic impacts specifically related to residential development on the site, rather than the scenario involving an elementary school. Engineer Doukas explained the elementary school scenario was chosen because transportation rules require assessing the highest impact scenario, which in this case was the school. Councilor Sacco emphasized the importance of considering the input from community members who have firsthand experience with traffic in the area.

Council President Pratt asked whether the study included the potential impact of forthcoming tolling on traffic. Attorney Krawczuk responded that tolling was not included in the study.

Councilor Brooks expressed concern about the low percentage of workforce housing units at 10% and suggested that a higher percentage would be preferable. She also raised the issue of traffic, highlighting that the existing standards may not adequately account for other factors such as tolling and its potential impact on intersections in the area. Councilor Brooks emphasized the importance of developments having access to nearby stores, being walkable, and contributing to decreased traffic as valuable aspects for renters and not having other amenities like pools.

Councilor Gonzalez acknowledged the issue of traffic and expressed his support for bringing affordable housing to Tualatin, as it is currently not affordable to live here.

Councilor Reyes raised concerns about the timing of the traffic study and suggested that it should have been conducted during a more relevant time. Engineer Mobley explained that the studies were adjusted based on timing considerations.

Councilor Reyes asked about the selection process for the workforce housing units. Mr. Novak explained how the selection process works to fill those units.

Councilor Hillier asked about the margin of error for the traffic study. Engineer Mobley stated most studies tend to overestimate traffic and are conservative in their analysis.

Councilor Pratt inquired about the difference between medium and high density housing. Director Koper clarified that it refers to density rather than housing type.

Mayor Bubenik asked about the size of the theoretical school in the scenario the applicant proposed in the traffic study. Engineer Mobley stated they estimated it to be a 250-student school. Mayor Bubenik mentioned that it is comparable to the number of units being built.

Mayor Bubenik asked about the impact of the signal installation for traffic along Boones Ferry Road. Engineer Mobley explained that it would not alleviate traffic on Boones Ferry Road but would primarily help with the traffic flow on the arterial roads.

Mayor Bubenik inquired about the difference between a level D and E level intersection. Engineer Mobley explained the difference in terms of delay at a level D and E intersection.

Mayor Bubenik asked about the Basalt Creek Bridge and how it was factored into the studies. Engineer Mobley stated the bridge was included in the studies with and without the bridge.

Mayor Bubenik asked about the importance of the exterior buffer protecting the interior trees. Arborist Prager explained that preserving the trees on the exterior is crucial as they provide protection for the interior trees.

Mayor Bubenik asked about the Core Area Renewal Project and why it was not mentioned in the reports. Director Koper stated there is not enough information on that project, and there is no criteria for comparison to it. Attorney Krawczuk added that the project is too speculative to be considered at this point.

Mayor Bubenik questioned the inclusion of a TriMet line as an amenity and pointed out that TriMet would only add service based on ridership rather than just the presence of development. Engineer Doukas stated that TriMet is a "build it and they will come" service, noting there is already an established line in the area, making it easier to establish a stop there.

Mayor Bubenik asked about the parking plan and how many parking spots are envisioned on the site. Director Koper mentioned that the city standard is one parking spot per unit, while Mr. Novak stated they are planning for 1.65 parking spots per unit.

Mayor Bubenik inquired about the reason for selecting 80% as the income threshold. Attorney Krawczuk explained that it was the Council's definition of workforce housing is.

Mayor Bubenik asked about the inclusion of apartments in the concept of multifamily/middle housing. Director Koper clarified the distinction between middle housing and moderate income housing, stating that the applicant has recognized the need for both types.

Council took a break from 9:40 to 9:53pm

Attorney Krawczuk withdrew the application and thanked the Council for their time.

Mayor Bubenik closed the hearing.

Council Communications

Councilor Brooks thanked everyone who attended the Pride Stride.

Adjournment

Mayor Bubenik adjourned the meeting at 9:58 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Frank Bubenik, Mayor



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Julie Ludemann, Recreation Manager
Sara Shepherd, Center Supervisor

DATE: June 26, 2023

SUBJECT:

Consideration of Resolution No. 5703-23 Authorizing City of Tualatin to enter into a Letter of Agreement with Washington County Disability, Aging, and Veterans Services.

RECOMMENDATION:

Staff recommends approval of Resolution 5703-23

EXECUTIVE SUMMARY:

Resolution No. 5703-23 authorizes the City to enter into a Letter of Agreement with Washington County Disability, Aging, and Veterans Services to accept grant funding throughout the year to support Juanita Pohl Center fitness programs.

One such fitness program approved for funding through Washington County is the Yoga for Veterans program held at the Juanita Pohl Center. Yoga for Veterans is a class where all veterans can come together to support each other and learn gentle stretches to help ease suffering from combat and post traumatic stress.

It is anticipated that similar grant agreements requiring signature authority granted under Resolution No. 5703-23 will occur no more than four times per fiscal year.

OUTCOMES OF DECISION:

Approval of the resolution will support all costs of the implementation of Juanita Pohl Center fitness programs supported by Washington County, including marketing, materials, and supplies, for the 2023-24 fiscal year.

FINANCIAL IMPLICATIONS:

The grant funds will cover all expenditures.

ATTACHMENTS:

1. Letter of Agreement between Washington County and City of Tualatin for Yoga for Veterans Q1
2. Resolution No. 5703-23

RESOLUTION NO. 5703-23

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE GRANT AGREEMENTS WITH WASHINGTON COUNTY FOR FITNESS PROGRAMS HOSTED BY THE JUANITA POHL CENTER FOR FY 2023-24.

WHEREAS, Washington County Disability, Aging, and Veterans Services supports fitness, health, and wellness programming for older adults; and

WHEREAS, the Juanita Pohl Center offers fitness, health, and wellness programs and events for older adults in the Tualatin community; and

WHEREAS, Washington County Disability, Aging, and Veterans Services has a desire to support Juanita Pohl Center programs and events throughout the year through grant funding;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The City Manager or designee is authorized to execute grant agreements with Washington County, for fitness programs authorized by their Disability, Aging and Veterans Services division. The City Manager is authorized to make administrative modifications to the agreement to fully implement its intent.

Section 2. This resolution is effective upon adoption.

Adopted by the City Council this 26th day of June, 2023.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder



Letter of Agreement

Date: 05/24/23
Presenter: City of Tualatin
Address: 18880 SW Martinazzi Avenue
City, State, ZIP: Tualatin, OR 97062
Presenter Email: sshepherd@tualatin.gov
Contact Person: Sara Shepherd
Phone Number: 503-691-3014

This letter serves as a formal agreement between Washington County and _____

City of Tualatin _____, Presenter, whereby Presenter
will provide a weekly Yoga class for veterans and their support person(s)
on Saturdays at 10:15 am, from 07/01/23-09/30/23.

Services will take place at Juanita Pohl Center 8513 SW Tualatin, OR 97062.
Presenter will be compensated for services provided in the amount of \$30 per week, 13wks, total \$390.

Payment will be disbursed within 30 days of receipt of invoice after completion of services.

Presenter Services shall include the following:

Veterans Weekly yoga class on Saturdays at 10:15am-11:15am. Veterans Yoga is a class where all veterans can come together to support each other and learn gentle stretches to help ease suffering from combat and post traumatic stress. Students will be guided to move and breathe to bring healing to the whole warrior. This program is for Veterans, their support folks, Vets' family members (spouses, widow/widowers, children, parents) and friends. The class will be free for veterans and their support person.

July-September billed by December 15th

Every participant must legibly include their name on the Waiver Sign In sheet, which will be forwarded to Vicki Horn at Washington County via email to: Vicki_Horn@washingtoncountyor.gov along with the invoice for payment. If it is a series activity, they are only required to include their name on the Waiver Sign In sheet one time. This form asks for an email address and is required to be completed. Washington County will send participants an email explaining our services and a copy of Stronger Together e-newsletter. Participants can opt out of the newsletter after receipt.

Washington County shall provide the following:

- Washington County Waiver Form for Participants
- DAVS Stronger Together invoice- with checklist of items needed.
- Veteran Services Flier with QR code
- Advertising of event/series in Stronger Together e-Newsletter and sending flier to multiple list serves that reach Washington County Veterans.




WASHINGTON COUNTY OREGON

Presenter shall defend, indemnify and hold harmless the County, its agents, officers, elected officials and employees from and against all claims, demands and judgments (including attorney fees) made or recovered against them including, but not limited to, damages to real or tangible property or for bodily injury or death to any person, arising out of, or in connection with the service provided, to the extent such damage, injury or death is caused or sustained in connection with the negligent performance or willful misconduct of the Presenter. The County agrees to promptly notify the Presenter in writing of any such claim or demand to indemnify and agrees to cooperate with the Presenter in a reasonable manner to facilitate the defense of such claim.

With regards to State of Oregon requirements to obtain worker’s compensation insurance under ORS Chapter 656,

Presenter certifies that they:

- Comply with ORS 656.017
- Are exempt from the requirements

DocuSigned by:


 Department Head or Division Manager Signature

6/2/2023 | 08:12 PDT

 Date

Rebecca Miller

 Department Head or Division Manager Name Printed

503-846-3080

 Phone Number

 Presenter or Authorized Signer Signature

 Date

 Presenter or Authorized Signer Name Printed

 Phone Number

 Procurement Manager or Designee

 Date

Paul Riggs

 Washington County Contact Name Printed

503-846-3057

 Phone Number

Certificate Of Completion

Envelope Id: 7F62F006AE674B8A9F36049BBC54702C

Status: Sent

Subject: Please DocuSign: Letter of Agreement with Washington County and Sara Shepherd

Source Envelope:

Document Pages: 2

Signatures: 1

Envelope Originator:

Certificate Pages: 5

Initials: 0

Yassamin Alayan

AutoNav: Enabled

155 N. First Ave, Suite 270

Enveloped Stamping: Enabled

MS28

Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Hillsboro, OR 97124-3087

yassamin_alayan@co.washington.or.us

IP Address: 192.235.66.2

Record Tracking

Status: Original

Holder: Yassamin Alayan

Location: DocuSign

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yassamin_alayan@co.washington.or.us

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Storage Appliance Status: Connected

Pool: Washington County

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Signer Events

Rebecca Miller

rebecca_miller@co.washington.or.us

Security Level: Email, Account Authentication (None), Access Code

Signature

DocuSigned by:



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Timestamp

Sent: 6/1/2023 7:08:57 PM

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Signed: 6/2/2023 8:12:14 AM

Signature Adoption: Pre-selected Style

Using IP Address: 204.147.152.5

Electronic Record and Signature Disclosure:

Accepted: 11/18/2019 10:11:58 PM

ID: 1c8e3cca-02c1-4c2c-b1a8-f01c1f215481

Sara Shepherd

sshpherd@tualatin.gov

Security Level: Email, Account Authentication (None)

Sent: 6/2/2023 8:12:15 AM

Viewed: 6/2/2023 9:03:55 AM

Electronic Record and Signature Disclosure:

Accepted: 6/2/2023 9:03:55 AM

ID: ec34cbd2-42c7-465a-b138-6fcad01bbf40

Yassamin Alayan

yassamin_alayan@co.washington.or.us

Security Level: Email, Account Authentication (None), Access Code

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Paul Riggs

paul_riggs@washingtoncountyor.gov

Security Level: Email, Account Authentication (None)

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

In Person Signer Events

Signature

Timestamp

Editor Delivery Events

Status

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Agent Delivery Events

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Intermediary Delivery Events

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| Certified Delivery Events | Status | Timestamp |
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| Carbon Copy Events | Status | Timestamp |
| Witness Events | Signature | Timestamp |
| Notary Events | Signature | Timestamp |
| Envelope Summary Events | Status | Timestamps |
| Envelope Sent | Hashed/Encrypted | 6/1/2023 7:08:57 PM |
| Payment Events | Status | Timestamps |
| Electronic Record and Signature Disclosure | | |

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If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

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If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

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Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

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City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Ross Hoover, Parks and Recreation Director
Rich Mueller, Parks Planning and Development Manager

DATE: June 26, 2023

SUBJECT:

Consideration of **Resolution No. 5704-23** Authorizing the Purchase and Replacement of Tualatin Community Park Field Lighting through a Cooperative Procurement Program.

RECOMMENDATION:

Staff recommends approval of Resolution No. 5704-23.

EXECUTIVE SUMMARY:

The recent voter approved parks bond includes replacing outdated sports field equipment due to condition issues as a priority. Tualatin Community Park sports field lighting replacement was recommended by the bond stakeholder committee, and supported by the Parks Advisory Committee. This project includes sports field lighting replacement under the terms and conditions of a Cooperative Procurement Agreement with King County Directors Association (KCDA).

OUTCOMES OF DECISION:

Safe and assessable updated sports field lighting.

Achieves Council Vision and Priorities that include:

- Inclusive Community that promotes equity, diversity and access.
- Safe, vibrant and accessible Gathering Places.
- Safe, desirable, welcoming, and sustainable Neighborhoods.
- Environmentally active, sustainable, and responsible.

FINANCIAL IMPLICATIONS:

The project is budgeted and available in the parks bond fund. The cost for Tualatin Community Park sports field lighting replacement is \$400,546.

ATTACHMENTS:

Resolution No. 5704-23

RESOLUTION NO. 5704-23

A RESOLUTION AUTHORIZING THE PURCHASE AND REPLACEMENT OF TUALATIN COMMUNITY PARK SPORTS FIELD LIGHTING THROUGH A COOPERATIVE PROCUREMENT PROGRAM

WHEREAS, the City is a member of King County Directors Association (KCDA) cooperative purchasing program;

WHEREAS, as required by ORS 279A.215, the City provided notice in the Daily Journal of Commerce on June 7, 2023 indicating its intent to award a contract through KCDA cooperative procurement;

WHEREAS, the City provided at least seven days for vendors who would otherwise be prospective bidders or proposers on the contract an opportunity to comment on the City's intent to establish a contract through a cooperative procurement;

WHEREAS, the City did not receive any comments;

WHEREAS, the procurement complied with the City's and State public contracting requirements; and

WHEREAS, the City wishes to award the contract through cooperative procurement.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The City awards authorization to Musco Sports Lighting, LLC for the purchase and replacement of sports field lighting at Tualatin Community Park for \$400,546, under the terms and conditions of a Cooperative Procurement Agreement with KCDA.

Section 2. The City Manager is authorized to execute any and all documents necessary to effectuate the procurement.

Section 3. The City Manager is authorized to execute change orders, in the amount of up to 10% of the total contract price, without the need for Council approval.

Section 4. This resolution is effective upon adoption.

Adopted by the City Council this 26 day of June, 2023.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Mike McCarthy, City Engineer

Bryce Donovan, Engineering Associate

DATE: June 26, 2023

SUBJECT:

Consideration of **Resolution No. 5705-23** Increasing the Authorization Amount of the Professional Services Agreement with AKS Engineering for the 65th Avenue / Nyberg Sewer Rehabilitation Project.

RECOMMENDATION:

Staff recommends Council approve the resolution increasing the authorized contract amount to include construction administration and inspection, in a total amount not to exceed \$350,000.

EXECUTIVE SUMMARY:

Approximately 800 feet of 18-inch pipe located south of SW Nyberg Road and west of SW 65th Avenue requires rehabilitation. In 2011, the City experienced a Sanitary Sewer Overflow (SSO) in the Nyberg wetlands due to a blockage in this sewer line. An investigation revealed that a structural defect allowed a tree root to infiltrate the line, causing the accumulation of F.O.G (fats, oil, and grease) and resulting in the blockage. Consequently, the City's Street/Sewer/Storm Division has been actively monitoring and maintaining this section every six months. Since the commencement of monitoring, City staff have identified three distinct issues with this sewer line section: a depression in the line, tree root intrusion, and stormwater erosion that has exposed a portion of the sanitary line and an adjacent manhole.

In May of 2019, the City formally solicited competitive sealed proposals from engineering consultants to provide professional services on the above-referenced project. The scoring committee determined that AKS Forestry & Engineering, LLC ("AKS Engineering") submitted the best responsive proposal. On September 9, 2019, the City Council authorized the City Manager to execute a contract with AKS Engineering in an amount not to exceed \$254,593, plus a 10% allowance for change orders. On or about January 27, 2022, the City executed Amendment #1 to the contract, bringing the total contract amount to \$279,539. The Community Development Department now recommends that Council increase the contract authorization amount to include construction administration and inspection services, which are within the original scope of the Request for Proposals, in a total amount not to exceed \$350,000.

OUTCOMES OF DECISION:

Adopting the resolution and authorizing contract execution would allow construction of this project to proceed with AKS managing and inspecting the construction on the city's behalf.

FINANCIAL IMPLICATIONS:

Funds for this project are available in the Sewer Operating Fund.

ATTACHMENTS:

Resolution No. 5705-23 Increasing the Authorization Amount of the Professional Services Agreement with AKS Engineering for the 65th Avenue / Nyberg Sewer Rehabilitation Project.

RESOLUTION NO. 5705-23

A RESOLUTION INCREASING THE AUTHORIZATION AMOUNT OF THE PROFESSIONAL SERVICES AGREEMENT WITH AKS ENGINEERING FOR THE 65TH AVENUE / NYBERG SEWER REHABILITATION PROJECT

WHEREAS, on September 9, 2019, after the City formally solicited competitive sealed proposals, the City Council authorized the City Manager to execute a contract for the above-referenced project in the amount of \$254,593 with AKS Forestry & Engineering, LLC, plus a 10% allowance for change orders;

WHEREAS, on or about January 27, 2022, the City executed Amendment #1 to the contract, bringing the total contract amount to \$279,539;

WHEREAS, the Community Development Department recommends executing an additional amendment to include construction administration and inspection services and increasing the contract authorization amount; and

WHEREAS, there are funds budgeted for this project in the Sewer Operating Fund.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The City Manager is authorized to execute further amendments to the Professional Services Agreement with AKS Forestry & Engineering, LLC, for the 65th Avenue / Nyberg Sewer Rehabilitation project, in a total amount not to exceed \$350,000.

Section 2. This resolution is effective upon adoption.

Adopted by the City Council this 26th day of June, 2023.

ATTEST:

CITY OF TUALATIN, OREGON

BY _____
City Recorder

BY _____
Mayor



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council
THROUGH: Sherilyn Lombos, City Manager
FROM: Stacy Ruthrauff, Human Resources Director
DATE: June 26, 2023

SUBJECT:

Consideration of **Resolution No. 5706-23** Authorizing Personal Services Updates for Non-Represented Employees for FY 2023-2024.

RECOMMENDATION:

Staff Recommends the City Council adopt the attached resolution authorizing non-represented employee personal services updates for FY 2023-2024.

EXECUTIVE SUMMARY:

Section 1 of the Resolution proposes that the Salary Schedules for Exempt Management, Non Exempt Management, and Exempt and Non Exempt Police Management employees shall be updated and increased by a 4% cost of living allowance effective July 1, 2023, as shown in attached Exhibits A, B, and C. Selected Police Management positions will be eligible to also participate in various programs contained in the Tualatin Police Officers Association Collective Bargaining Agreement.

Section 2 of the Resolution proposes an update to the Salary Schedules for Temporary employees in accordance with minimum wage requirements and a 4% cost of living allowance effective July 1, 2023, as shown in attached Exhibit D and E.

FINANCIAL IMPLICATIONS:

Provisions of the non-represented employee salary schedules adjustment are incorporated in the approved FY 2023-2024 budget.

ATTACHMENTS:

- Exhibit A, B, C, D, E

RESOLUTION NO. 5706-23

A RESOLUTION AUTHORIZING PERSONAL SERVICES UPDATES FOR NON-REPRESENTED EMPLOYEES FOR FISCAL YEAR 2023-24.

WHEREAS, the Council of the City of Tualatin is the authority in setting the compensation and benefits for City employees; and

WHEREAS, the Oregon Legislature Senate Bill 1532 established a series of annual minimum wage rate increases; and

WHEREAS, the City of Tualatin is located within the urban growth boundary and needs to comply with the minimum wage standard set forth for the Portland Metro Area;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. Effective July 1, 2023, the Salary Schedules for Exempt and Non-Exempt Management, and Exempt and Non-Exempt Police Management employees shall be updated and increased by a 4% cost of living allowance, as shown in attached Exhibits A, B, and C, with the pay rates for these employees adjusted accordingly. Selected Police Management positions will be eligible to also participate in various programs contained in the Tualatin Police Officers Association Collective Bargaining Agreement.

Section 2. Effective July 1, 2023, the Salary Schedules for Temporary employees shall be updated in accordance with state minimum wage requirements and a 4% cost of living allowance as provided in attached Exhibits D and E, with the pay rates for these employees adjusted accordingly.

Adopted by the City Council this 26th day of June, 2023.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder

FY 2023/24 SALARY SCHEDULE
EFFECTIVE 07/01/2023 - 06/30/2024

EXHIBIT A

EXEMPT MANAGEMENT

| Grade | Title | RATE | STEP 1 | STEP 2 | STEP 3 | STEP 4 | STEP 5 | STEP 6 | STEP 7 | STEP 8 | STEP 9 |
|--------------|--|-------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| M8-X | Court Administrator | Hourly | 35.24 | 36.32 | 37.36 | 38.50 | 39.67 | 40.85 | 42.09 | 43.36 | 44.63 |
| | | Annual | 73,289.22 | 75,538.94 | 77,702.14 | 80,081.66 | 82,504.45 | 84,970.50 | 87,544.70 | 90,183.81 | 92,822.91 |
| M10-X | Access Services Manager Public Services Manager | Hourly | 38.82 | 39.98 | 41.19 | 42.41 | 43.68 | 44.99 | 46.36 | 47.76 | 49.19 |
| | | Annual | 80,752.26 | 83,153.41 | 85,684.35 | 88,215.30 | 90,854.40 | 93,580.03 | 96,435.46 | 99,334.14 | 102,319.36 |
| M11-X | Maintenance Services Manager | Hourly | 39.63 | 40.82 | 42.05 | 43.33 | 44.65 | 45.96 | 47.33 | 48.76 | 50.23 |
| | | Annual | 82,435.28 | 84,909.00 | 87,471.87 | 90,123.88 | 92,865.04 | 95,606.20 | 98,436.50 | 101,422.80 | 104,475.96 |
| M12-X | <i>Assistant to the City Manager</i> <i>Senior HR & Risk Analyst</i> Recreation Manager | Hourly | 41.61 | 42.87 | 44.16 | 45.49 | 46.87 | 48.27 | 49.70 | 51.20 | 52.74 |
| | | Annual | 86,552.67 | 89,174.71 | 91,847.17 | 94,620.49 | 97,494.66 | 100,394.04 | 103,369.06 | 106,495.33 | 109,697.24 |
| M13-X | Human Resource & Risk Manager Deputy Public Works Director | Hourly | 43.72 | 45.02 | 46.38 | 47.78 | 49.23 | 50.69 | 52.20 | 53.77 | 55.40 |
| | | Annual | 90,940.93 | 93,644.93 | 96,478.72 | 99,377.41 | 102,405.89 | 105,434.37 | 108,571.01 | 111,837.44 | 115,233.66 |
| M14-X | Parks Planning & Development Manager <i>Planning Manager</i> Principal Engineer Deputy City Manager <i>Parks & Recreation Manager</i> | Hourly | 45.92 | 47.30 | 48.70 | 50.16 | 51.67 | 53.23 | 54.82 | 56.45 | 58.15 |
| | | Annual | 95,505.28 | 98,382.34 | 101,302.66 | 104,331.14 | 107,467.78 | 110,712.58 | 114,022.27 | 117,418.50 | 120,944.51 |
| M15-X | Building Official Assistant Finance Director Assistant Community Dev Director | Hourly | 49.36 | 50.82 | 52.33 | 53.92 | 55.57 | 57.22 | 58.91 | 60.67 | 62.48 |
| | | Annual | 102,665.47 | 105,715.58 | 108,852.22 | 112,161.92 | 115,579.78 | 119,019.26 | 122,523.65 | 126,201.09 | 129,965.06 |
| M16-X | City Engineer | Hourly | 53.22 | 54.85 | 56.48 | 58.16 | 59.91 | 61.72 | 63.56 | 65.45 | 67.44 |
| | | Annual | 110,705.72 | 114,084.12 | 117,487.75 | 120,967.00 | 124,622.73 | 128,379.32 | 132,211.53 | 136,144.59 | 140,279.36 |
| DM3-X | Community Development Director <i>Finance Director</i> Human Resources Director Information Services Director Library Director Parks & Recreation Director Public Works Director | Hourly | 59.99 | 61.79 | 63.65 | 65.55 | 67.54 | 69.56 | 71.64 | 73.77 | 76.00 |
| | | Annual | 124,774.02 | 128,530.58 | 132,388.02 | 136,346.29 | 140,481.05 | 144,691.47 | 149,002.69 | 153,440.00 | 158,079.00 |
| DM4-X | Assistant City Manager/Finance Director | Hourly | 61.65 | 63.48 | 65.38 | 67.33 | 69.37 | 71.47 | 73.59 | 75.79 | 78.06 |
| | | Annual | 128,228.03 | 132,035.04 | 135,993.33 | 140,052.45 | 144,288.05 | 148,649.73 | 153,061.81 | 157,650.41 | 162,365.03 |
| DM5-X | Police Chief City Attorney | Hourly | 68.07 | 70.10 | 72.21 | 74.36 | 76.59 | 78.91 | 81.26 | 83.71 | 86.21 |
| | | Annual | 141,590.37 | 145,800.78 | 150,187.67 | 154,675.38 | 159,314.40 | 164,129.87 | 169,021.00 | 174,113.82 | 179,307.48 |

* italicized positions are not filled.

FY 2023/24 SALARY SCHEDULE
EFFECTIVE 07/01/2023 - 06/30/2024

NON EXEMPT MANAGEMENT EMPLOYEES

EXHIBIT B

| GRADE | TITLE | RATE | STEP 1 | STEP 2 | STEP 3 | STEP 4 | STEP 5 | STEP 6 | STEP 7 | STEP 8 | STEP 9 |
|-------|--|--------|-----------|-----------|-----------|-----------|-----------|-----------|------------|------------|------------|
| N2 | Legal Assistant | Hourly | 26.42 | 27.19 | 28.02 | 28.84 | 29.73 | 30.61 | 31.53 | 32.46 | 33.45 |
| | | Annual | 54,953.60 | 56,555.20 | 58,281.60 | 59,987.20 | 61,838.40 | 63,668.80 | 65,582.40 | 67,516.80 | 69,576.00 |
| N3 | Vacant | Hourly | 27.80 | 28.64 | 29.50 | 30.41 | 31.29 | 32.25 | 33.20 | 34.20 | 35.24 |
| | | Annual | 57,824.00 | 59,571.20 | 61,360.00 | 63,252.80 | 65,083.20 | 67,080.00 | 69,056.00 | 71,136.00 | 73,299.20 |
| N4 | Human Resources Specialist | Hourly | 29.29 | 30.15 | 31.08 | 31.97 | 32.96 | 33.95 | 34.95 | 35.98 | 37.10 |
| | | Annual | 60,923.20 | 62,712.00 | 64,646.40 | 66,497.60 | 68,556.80 | 70,616.00 | 72,696.00 | 74,838.40 | 77,168.00 |
| N5 | <i>Recreation Coordinator</i> | Hourly | 30.45 | 31.35 | 32.30 | 33.24 | 34.25 | 35.28 | 36.35 | 37.43 | 38.54 |
| | | Annual | 63,336.00 | 65,208.00 | 67,184.00 | 69,139.20 | 71,240.00 | 73,382.40 | 75,608.00 | 77,854.40 | 80,163.20 |
| N6 | <i>Human Resources Analyst Paralegal</i> | Hourly | 31.96 | 32.95 | 33.94 | 34.94 | 35.97 | 37.08 | 38.19 | 39.32 | 40.52 |
| | | Annual | 66,476.80 | 68,536.00 | 70,595.20 | 72,675.20 | 74,817.60 | 77,126.40 | 79,435.20 | 81,785.60 | 84,281.60 |
| N7 | Vacant | Hourly | 33.53 | 34.55 | 35.59 | 36.64 | 37.74 | 38.89 | 40.04 | 41.23 | 42.46 |
| | | Annual | 69,742.40 | 71,864.00 | 74,027.20 | 76,211.20 | 78,499.20 | 80,891.20 | 83,283.20 | 85,758.40 | 88,316.80 |
| N8 | Police Services Supervisor | Hourly | 35.24 | 36.32 | 37.36 | 38.50 | 39.67 | 40.85 | 42.09 | 43.36 | 44.63 |
| | | Annual | 73,299.20 | 75,545.60 | 77,708.80 | 80,080.00 | 82,513.60 | 84,968.00 | 87,547.20 | 90,188.80 | 92,830.40 |
| N9 | Pohl Center Supervisor | Hourly | 37.01 | 38.12 | 39.27 | 40.41 | 41.63 | 42.89 | 44.17 | 45.50 | 46.87 |
| | | Annual | 76,980.80 | 79,289.60 | 81,681.60 | 84,052.80 | 86,590.40 | 89,211.20 | 91,873.60 | 94,640.00 | 97,489.60 |
| N10 | Park Maintenance Div Mgr Street and Sewer Div Mgr | Hourly | 38.82 | 39.98 | 41.19 | 42.41 | 43.68 | 44.99 | 46.36 | 47.76 | 49.19 |
| | | Annual | 80,745.60 | 83,158.40 | 85,675.20 | 88,212.80 | 90,854.40 | 93,579.20 | 96,428.80 | 99,340.80 | 102,315.20 |
| N11 | <i>Accounting Supervisor Water Division Mgr</i> | Hourly | 40.77 | 41.96 | 43.25 | 44.54 | 45.90 | 47.29 | 48.70 | 50.14 | 51.66 |
| | | Annual | 84,801.60 | 87,276.80 | 89,960.00 | 92,643.20 | 95,472.00 | 98,363.20 | 101,296.00 | 104,291.20 | 107,452.80 |

* italicized positions are not filled.

FY 2023/24 SALARY SCHEDULE
EFFECTIVE 07/01/2023 - 06/30/2024
Police Officer EFFECTIVE 07/01/2023 - 12/31/2023

SWORN SALARY SCHEDULE

EXHIBIT C

| Grade | TITLE | RATE | STEP 1 | STEP 2 | STEP 3 | STEP 4 | STEP 5 | STEP 6 | STEP 7 | STEP 8 | STEP 9 |
|--------------------------|--------------------------|--------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| 4% steps | | | | | | | | | | | |
| P1 | Police Officer | Hourly | 35.17 | 36.58 | 38.04 | 39.56 | 41.14 | 42.79 | 44.50 | n/a | n/a |
| | | Annual | 73,153.60 | 76,086.40 | 79,123.20 | 82,284.80 | 85,571.20 | 89,003.20 | 92,560.00 | n/a | n/a |
| Non-Exempt Police Mgmt | | | | | | | | | | | |
| 4% Steps | | | | | | | | | | | |
| P2 | Police Sergeant | Hourly | 44.09 | 45.85 | 47.68 | 49.59 | 51.57 | 53.63 | 55.78 | 58.01 | 60.33 |
| | | Annual | 91,707.20 | 95,368.00 | 99,174.40 | 103,147.20 | 107,265.60 | 111,550.40 | 116,022.40 | 120,663.30 | 125,489.83 |
| Exempt Police Management | | | | | | | | | | | |
| 3% Steps | | | | | | | | | | | |
| P3-X | <i>Police Lieutenant</i> | Hourly | 53.94 | 55.55 | 57.22 | 58.96 | 60.71 | 62.52 | 64.41 | 66.34 | 68.34 |
| | | Annual | 112,193.24 | 115,546.42 | 119,025.67 | 122,630.99 | 126,286.72 | 130,043.30 | 133,976.37 | 137,985.07 | 142,145.05 |
| P4-X | Police Captain | Hourly | 59.32 | 61.11 | 62.96 | 64.86 | 66.79 | 68.79 | 70.85 | 72.97 | 75.19 |
| | | Annual | 123,387.35 | 127,118.72 | 130,950.93 | 134,909.22 | 138,917.90 | 143,077.89 | 147,363.92 | 151,776.02 | 156,389.79 |
| DM5-X | Police Chief | Hourly | 68.07 | 70.10 | 72.21 | 74.36 | 76.59 | 78.91 | 81.26 | 83.71 | 86.21 |
| | | Annual | 141,590.37 | 145,800.78 | 150,187.67 | 154,675.38 | 159,314.40 | 164,129.87 | 169,021.00 | 174,113.82 | 179,307.48 |

* *italicized* positions are not filled.

**TEMPORARY EMPLOYEES - SCHEDULE A
 FY 2023/24 SALARY SCHEDULE
 EFFECTIVE 07/01/2023- 06/30/2024**

EXHIBIT D

| Grade | TITLE | RATE | MINIMUM REGULAR WAGE | MAXIMUM REGULAR WAGE |
|--------------|---|-------------|-------------------------------------|-------------------------------------|
| T4 | TEMP PARKING ENFORCE OFF | Hourly | 17.86 | 22.61 |
| T6 | TEMP LIBRARY ASST TEMP OFFICE ASST I | Hourly | 20.21 | 25.62 |
| T7 | TEMP OPERATIONS MAINT TECH | Hourly | 21.21 | 26.87 |
| T8 | TEMP OFFICE ASSISTANT II | Hourly | 22.28 | 28.24 |
| T9 | TEMP PUBLIC SERVICE ASST TEMP SPECIAL EVENTS COORD TEMP UTILITY TECH I | Hourly | 23.41 | 29.67 |
| T10 | TEMP POLICE SERVICES TECH | Hourly | 24.93 | 31.61 |
| T11 | TEMP FINANCE/ACCTG TECH TEMP OFFICE COORD TEMP PROP EVIDENCE TECH TEMP REC PROG SPEC | Hourly | 26.41 | 33.47 |
| T12 | TEMP FLEET TECH I TEMP VOLUNTEER COORD | Hourly | 27.71 | 35.10 |
| T13 | TEMP LIBRARIAN I | Hourly | 29.10 | 36.86 |
| T14 | TEMP LIBRARIAN II | Hourly | 30.89 | 39.09 |
| T16 | TEMP BLDG CONST INSPT II | Hourly | 34.41 | 43.61 |

**TEMPORARY EMPLOYEES - SCHEDULE B
 FY 2023/24 SALARY SCHEDULE
 EFFECTIVE 07/01/2023- 06/30/2024**

EXHIBIT E

| Grade | TITLE | RATE | REGULAR WAGE |
|--------------|---|-------------|---------------------|
| U1 | TEMP LIBRARY PAGE | Hourly | 15.57 |
| U5 | TEMP RECREATION LEADER I TEMP RECREATION AIDE | Hourly | 15.72 |
| U9 | TEMP HOMEWORK LEADER TEMP LIBRARY SENIOR PAGE TEMP OPS MAINT WORKER | Hourly | 17.18 |
| U10 | TEMP INTERN LIBRARY INTERN TEMP PARK RANGER TEMP RECREATION LEADER II TEMP FILE CLERK | Hourly | 18.08 |
| U12 | TEMP YOUTH LEADER SEASONAL PARKS MAINTENANCE LEAD WORKER SEASONAL PARKS WORKER | Hourly | 18.87 |
| U14 | TEMP SR YOUTH LEADER TEMP REC. COUNSELOR | Hourly | 20.29 |
| U16 | TEMP TECHNOLOGY SPEC | Hourly | 23.26 |
| J1 | JUDGE | Hourly | 130.00 |



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council
THROUGH: Sherilyn Lombos, City Manager
FROM: Stacy Ruthrauff, Human Resources Director
DATE: June 26, 2023

SUBJECT:

Consideration of **Resolution No. 5707-23** Approving and Authorizing Provision of Workers Compensation Insurance Coverage to Volunteers of the City of Tualatin

RECOMMENDATION:

Staff recommends adopting the attached Resolution.

EXECUTIVE SUMMARY:

Pursuant to ORS 656.031, the City will provide workers' compensation coverage to volunteers, which necessitates a resolution of the governing body declaring its intent to cover volunteer personnel including a description of the work to be performed by such personnel. This resolution allows the City to effectively utilize volunteers and have their work covered in the event of injury.

FINANCIAL IMPLICATIONS:

Funds to cover workers compensation premiums for volunteers are included in the FY2023-24 budget.

ATTACHMENTS:

- Resolution for Volunteer Workers Compensation Coverage
- Saif Volunteer Resolution Addendum A

RESOLUTION NO. 5707-23

A RESOLUTION AUTHORIZING THE PROVISION OF WORKERS' COMPENSATION INSURANCE COVERAGE TO VOLUNTEERS OF THE CITY OF TUALATIN.

WHEREAS, workers compensation insurance provides a benefit to injured workers and protects the City from liability;

WHEREAS, under ORS 656.031, the City may choose to extend workers compensation coverage to City volunteers;

WHEREAS, an assumed monthly wage of \$800 per month will be used for public safety volunteers;

WHEREAS, an aggregate assumed annual wage of \$2,500 will be used per volunteer board and commission for the performance of administrative duties;

WHEREAS, non-public safety volunteers will track their hours and the Oregon minimum wage will serve as the assumed wage for both premium and worker's compensation benefit calculations, and Saif Oregon Workers Compensation will assign the appropriate classification code according to the type of volunteer work being performed;

WHEREAS, volunteers at public events will be covered under workers' compensation coverage using verified hourly Oregon minimum wage as basis for premium and/or benefit calculation; and

WHEREAS, the City of Tualatin agrees to maintain verifiable rosters for all volunteers including volunteer name, date of service and hours of service and make them available at the time of a claim or audit to verify coverage; and

WHEREAS, the City is requesting the coverage, as provided by ORS 656.031, and as approved by SAIF.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. Pursuant to ORS 656.031, the City of Tualatin will provide workers' compensation coverage for the Policy Year 2023-24 to the classes of volunteer workers listed in this resolution and in Attachment A, which is attached and incorporated herein, listing volunteer assignments, noted on SAIF payroll schedule and verified at audit.

Section 2. Workers Compensation coverage under this resolution does not apply to current members of the City Council.

Section 3. This resolution is effective upon adoption.

INTRODUCED AND ADOPTED this 26th day of June, 2023.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

BY _____
City Attorney

ATTEST:

BY _____
City Recorder



City of Tualatin Volunteer Resolution

Resolution No.: 5707-23

Effective Date: 07/01/2023

A resolution extending workers' compensation coverage to volunteers of the City of Tualatin in which the City of Tualatin elects the following:

Pursuant to ORS 656.031, workers' compensation coverage will be provided to the classes of volunteers listed in this resolution, noted on SAIF payroll schedule, and verified at audit:

1. Public Safety Volunteers

Applicable _____ Non-applicable X

An assumed monthly wage of **\$800 per month** will be used for public safety volunteers in the following volunteer positions (check all that apply):

- Police reserve
- Search and rescue
- Firefighter
- Emergency medical personnel
- Ambulance drivers
- Other *[List specifically by title]*

2. Volunteer boards, and commissions for the performance of administrative duties.

Applicable X Non-applicable _____

- a. An aggregate assumed annual wage of \$2,500 will be used per each volunteer board, commission, or council for the performance of administrative duties. The covered bodies are (list each body):
 - a. Tualatin Planning Commission
 - b. Tualatin Budget Advisory Committee
 - c. Tualatin Urban Renewal Advisory Committee
 - d. Tualatin Architectural Review Board
 - e. Tualatin Library Advisory Committee
 - f. Tualatin Parks Advisory Committee

- g. Tualatin Arts Advisory Committee
- h. Tualatin Core Area Parking District Board
- i. Juanita Pohl Center Advisory Committee
- j. Inclusion, Diversity, Equity Advisory (IDEA) Group

3. Manual labor by elected officials.

Applicable _____ **Non-applicable** **X** _____

An assumed monthly wage of \$800 per month will be used for public officials for the performance of non-administrative duties other than those covered in paragraph 2 above

4. Non-public safety volunteers

Applicable **X** **Non-applicable** _____

All non-public safety volunteers listed below will track their hours and Oregon minimum wage will serve as assumed wage for both premium and benefits calculations. SAIF will assign the appropriate classification code according to the type of volunteer work being performed. (List specific non-public safety volunteers below)

- X Parks and Recreation
- X Senior Center
- X Public Works
- X Library
- X Juanita Pohl Center
- X Operations
- X Police
- X Community Development
- X Finance
- X Administration
- X Legal
- X Information Services

5. Public Events

Applicable **X** **Non-applicable** _____

Volunteers at the following public events will be covered under workers' compensation coverage using verified hourly Oregon minimum wage as basis for premium and/or benefit calculation: (List specific events)

- a. MLK Day of Service
- b. Arbor Week
- c. Blender Dash
- d. Concerts in the Park

ADDENDUM A

- e. Viva Tualatin
- f. Tualatin Youth Advisory Council Haunted House
- g. West Coast Giant Pumpkin Regatta
- h. Starry Nights and Holiday Lights
- i. Holiday Car Light Parade

6. Community Service Volunteers/Inmates

Applicable _____ Non-applicable X

7. Other Volunteers

Volunteer exposures not addressed here will have workers' compensation coverage if, prior to the onset of the work provided that the City of Tualatin:

- a. Provides at least two weeks' advance written notice to SAIF underwriting requesting the coverage
- b. SAIF approves the coverage and date of coverage
- c. SAIF provides written confirmation of coverage

The City of Tualatin agrees to maintain verifiable rosters for all volunteers including volunteer name, date of service, and hours of service and make them available at the time of a claim or audit to verify coverage.

Now, therefore, be it resolved by the City Council of the City of Tualatin, Oregon to provide workers' compensation coverage as indicated above.

Adopted by the **City of Tualatin and the City Council** this 26th day of June, 2023.

Please see the original Resolution for signatures/authority.

| | | |
|--|--------------|-------|
| | | |
| Signature of Authorized Representative | Printed Name | Title |

Attest by _____ this _____ day of _____, 20____.
Printed Name

| | |
|-----------|-------|
| | |
| Signature | Title |



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Bates Russell, Information and Maintenance Services Director
Frank Butler, Network Administrator

DATE: June 26th, 2023

SUBJECT:

Consideration of resolution no. 5708-23 authorizing the city manager to execute grant agreements for two Metro Area Communications Commission grants; and appropriating special purpose revenues in the city's general fund during the fy 2022-23 budget.

RECOMMENDATION:

Staff recommends approval of Resolution 5708-23.

EXECUTIVE SUMMARY:

In FY 2022-23, the city applied for, and received, two grants from the Metro Area Communications Commission (MACC). One grant totaled **\$33,704** and one grant for **\$45,815**, together the total grants awarded is **\$79,519**. These grants are to complete the purchase of equipment, design of, and implementation for the city network infrastructure as well as purchase licensing for a securely encrypted Virtual Private Network (VPN).

The city needs to authorize the acceptance of the unbudgeted grant through a council action. During the year the Council may authorize the acceptance of special purpose revenues, such as this, and the associated appropriations through a special purpose revenue budget adjustment resolution.

OUTCOMES OF DECISION:

Approval of Resolution No. 5708-23 authorizes the city manager to accept the grant funding, mid budget cycle, and places it into the City's general fund to be used for the network replacement.

FINANCIAL IMPLICATIONS:

This MACC grant will be bolstered by additional city funds for the total network replacement costs. These city funds are also eligible for grant funding in future grant cycles from the MACC.

ATTACHMENTS:

Resolution No. 5708-23

RESOLUTION NO. 5708-23

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT AGREEMENT FOR METRO AREA COMMUNICATIONS COMMISSION GRANTS; AND APPROPRIATING SPECIAL PURPOSE REVENUES IN THE CITY'S GENERAL FUND DURING THE FY 2022-23 BUDGET.

WHEREAS, the Metro Area Communications Commission is an intergovernmental entity formed under ORS 190;

WHEREAS, ORS 190 authorizes the City and Metro Area Communications Commission to enter into intergovernmental agreements;

WHEREAS, under ORS 294.338(2), during the year the Council may authorize the acceptance of special purpose revenues and the associated appropriations through a special purpose revenue budget adjustment resolution; and

WHEREAS, the City received two grants during the cycle, one for \$33,704 and one for \$45,815, totaling \$79,519 in special purpose revenues from the Metro Area Communications Commission for technology modifications.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The City Manager is authorized to execute the grant agreement with the MACC. The City Manager is authorized to make administrative modifications to the agreement to fully implement its intent.

Section 2. The City Manager is authorized and instructed to adjust the General Fund's budget to reflect receipt of the special purpose revenue and the associated appropriation:

General Fund Revenues: \$79,520

General Fund Expenditures, Information Services: \$79,520

Section 3. This resolution is effective upon adoption.

Adopted by the City Council this 26th day of June, 2023.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council
THROUGH: Sherilyn Lombos, City Manager
FROM: Don Hudson, Assistant City Manager/Finance Director
DATE: June 26, 2023

SUBJECT:

Consideration of **Resolution No. 5709-23**, Authorizing Changes to the FY 2022-2023 Adopted Budget.

RECOMMENDATION:

Staff recommends adopting the attached resolution.

EXECUTIVE SUMMARY:

Local Budget Law allows for transfer of appropriations within a fund when authorized by a resolution of the City Council; and allows an appropriation for pass through payments that are made to another organization to be increased by resolution, if the actual amount collected exceeds the budgeted estimate.

In the Water Operating Fund, additional overtime was required during the year for unexpected water system incidents, as well as weather related instances, necessitating a one-time increase in the personal services category from the fund's Contingency.

In the Building Fund, a vacancy in the department was filled at a slightly higher position than the one that was vacated, due to the needs of the department and a candidate that had inspections certifications that are needed for the current and upcoming workload. Additionally, with the increased development and more permits being paid for on-line with credit cards, our merchant discount fees (the fees charged by credit card processors on each transaction) have come in higher than budgeted. These changes require adjustments to the personal services and materials and services categories in the Building Fund.

A Contingency transfer is also being proposed in both the Parks Project Fund for a land acquisition that was not anticipated to be funded from the Parks Bond before the end of the current fiscal year, and the American Rescue Plan Act Fund for increased premium pay expenditures. There are sufficient contingency dollars available for both of these transfers.

Lastly, in the General Fund, three budgets require contingency transfers. First, in the City Council budget, with the beginning of in-person meetings in the Tualatin City Services Building, chairs for the City Council were purchased. Second, in the Municipal Court, a shift in the timing of court times to accommodate flow of arraignments, as well as an increased number of mail correspondence, has increased the number of hours worked by the Judge. Additionally, during the year there was an increase in the cost of court interpreter services. Lastly, in the Information Services budget, the mobile data terminals used in the Police Department, originally scheduled for replacement in fiscal year 2023-2024, needed to be moved up into the current fiscal year. Advancing the funds into fiscal year 2022-2023 will require a transfer from contingency. Again, there are sufficient funds in the General Fund Contingency account to accommodate these changes.

The budget adjustment proposed in the Sewer Development Fund falls under the pass through payments made to another organization statute. The City collects sewer system development charges for Clean Water Services (CWS), and transmits 96% of the fee to CWS. During the year, larger payments from Autumn Sunrise and Plambeck Gardens were received, exceeding the estimated revenues and corresponding pass through payment to CWS. Therefore, the materials and services budget will need to be increased for these additional payments to CWS. We will be changing the accounting method in the upcoming fiscal year, so this type of adjustment will not be needed in future years.

All proposed changes to the adopted budget are included in the attached Resolution.

FINANCIAL IMPLICATIONS:

The net effect in all funds is zero, as the resolution transfers existing appropriations from one account to another, or increases appropriations from additional revenues that were received in FY 2022-2023.

ATTACHMENTS:

- Resolution No. 5709-23

RESOLUTION NO. 5709-23

A RESOLUTION AUTHORIZING CHANGES TO THE ADOPTED 2022-2023 BUDGET

WHEREAS, an occurrence or condition arose which requires a transfer of appropriations in the adopted FY 2022-2023 budget;

WHEREAS, an occurrence or condition that was not ascertained when preparing the budget requires a change in the adopted FY 2022-2023 budget;

WHEREAS, in order to lawfully comply with the requirements of Local Budget Law, changes to the adopted 2022-2023 budget are necessary;

WHEREAS, Oregon Revised Statutes (ORS) 294.463 allows for transfers of appropriations within a fund when authorized by a resolution of the governing body;

WHEREAS, ORS 294.466 allows an appropriation for pass through payments that are made to another organization to be increased by resolution, if the actual amount collected exceeds the budgeted estimate.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The City Council wishes to comply with Local Budget Law, and authorize the transfer of appropriations, and an increase in pass through payment appropriation.

Section 2. The purpose of the appropriation resolution is to adjust the Parks Project Fund for increased capital outlay expenditures, as well as the City Council, Municipal Court, Information Services, Building, American Rescue Plan Act and Water Operating budgets for unexpected expenditures.

Section 3. The increase of expenses in the Sewer Development Fund for pass through payments to Clean Water Services for additional sewer system development charges received.

Section 4. Adjustments to the adopted 2022-2023 budget should be made as follows:

| | | | |
|--|------------|-------------|--------------|
| <u>General Fund</u> | | | |
| City Council | \$ 3,200 | Contingency | \$ (77,100) |
| Municipal Court | \$ 3,900 | | |
| Information Services | \$ 70,000 | | |
| <u>Building Fund</u> | | | |
| Personal Services | \$ 3,000 | Contingency | \$ (8,000) |
| Materials and Services | \$ 5,000 | | |
| <u>Water Operating Fund:</u> | | | |
| Personal Services | \$ 6,000 | Contingency | \$ (6,000) |
| <u>Sewer Development Fund:</u> | | | |
| Materials and Services | \$ 700,000 | SDC Revenue | \$ 700,000 |
| <u>Parks Project Fund</u> | | | |
| Capital Outlay | \$ 810,000 | Contingency | \$ (810,000) |
| <u>American Rescue Plan Act Fund</u> | | | |
| Personal Services | \$ 12,700 | Contingency | \$ (12,700) |

Section 5. This resolution is effective upon adoption.

INTRODUCED AND ADOPTED this 26th day of June, 2023.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM:

ATTEST:

BY _____
City Attorney

BY _____
City Recorder



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council
THROUGH: Sherilyn Lombos, City Manager
FROM: Don Hudson, Assistant City Manager/Finance Director
DATE: June 26, 2023

SUBJECT:

Consideration of **Resolution No. 5710-23** Amending Water, Sewer, Stormwater, Road and Parks Utility Fee Rates Inside the City of Tualatin and Rescinding Resolutions 5629-22.

RECOMMENDATION:

Staff recommends adopting the attached Resolution.

EXECUTIVE SUMMARY:

Water rates are increasing as determined in the Water Master Plan, with the consumption rate increasing from \$3.48 per 100 cubic ft. (CCF) to \$3.90 per CCF, the service charge increasing from \$4.94 per month to \$5.53 per month, and the facilities charge increasing per the schedule in Section 5 of the attached resolution.

The Road Utility Fee was created for the purpose of maintenance of City streets, which includes repairing sidewalks under a sidewalk maintenance program, landscape enhancements along the rights-of-way, street tree replacement, and for paying the operating cost of street lights. The pavement maintenance and street light portion of the fee was created in April 1990, with the sidewalk/street tree portion added in July 1991. New rates were established in July 2017, and an indexing of the rate was updated using a formula utilized by Washington County for the Transportation Development Tax each year. The three-pronged index was recently approved by the Washington County Board of Commissioners at 6.01%. The attached resolution increases the Road Utility and Sidewalk/Street Tree Fees by this index.

Sewer and Stormwater rates are composed of two separate components; a regional rate set by Clean Water Services (CWS) and a local rate adopted by the City Council. The CWS board has adopted an increase changing the regional base rate from \$27.29 per Equivalent Dwelling Unit (EDU) to \$28.38 per EDU, and the sewer usage rate from \$1.81 per CCF to \$1.88 per CCF. The City Council is asked to set the local rate as recommended in the Sewer Master Plan. This increase will raise the local base rate from \$8.19 per EDU to \$8.93 per EDU and the local usage rate from \$0.557 per CCF to \$0.607 per CCF. Stormwater rates increase from \$11.11 per Equivalent Surface Unit (ESU) to \$11.47 per ESU, with a regional rate of \$2.63 per ESU and a local share of \$8.84 per ESU.

Sewer and Stormwater System Development Charges (SDC) were also adopted by Clean Water Services and are included in the attached resolution. The City retains 4% of the Sewer SDC for local capital needs. The Stormwater SDC rate is adopted by CWS and is 100% retained by the City.

On April 26, 2021, the City Council adopted a Parks Utility Fee rate of \$5 per dwelling unit. The rate was effective July 1, 2021 and remains unchanged for fiscal year 2023/2024.

The impact of the rate increases detailed above will increase the average residential utility bill, using 8 CCF per month, for these services by \$8.04.

Also included in the attached resolution is a proposed new fee under Section 9, Temporary Water Services, Bulk Water, and Hydrant Fees. Staff is proposing to add a Temporary Water Service, per fill Fee of \$20, to cover the cost of staff being available to fill the tank of those coming in for temporary water service.

OUTCOMES OF DECISION:

Adoption of the attached resolution sets new rates effective July 1, 2023.

FINANCIAL IMPLICATIONS:

With the new rates, the average monthly Tualatin residential utility bill will increase from \$114.44 to \$122.48.

ATTACHMENTS:

- Resolution No. 5710-23

RESOLUTION NO. 5710-23

A RESOLUTION AMENDING WATER, SEWER, STORMWATER, ROAD AND PARKS UTILITY FEE RATES INSIDE THE CITY OF TUALATIN AND RESCINDING RESOLUTION 5629-22

WHEREAS, under TMC 2-6, the City established System Development Charges; and

WHEREAS, under TMC 3-2, 3-3, 3-4 and 3-7, the Council established rates for water, sewer, stormwater (also known as "surface water" and "storm sewer"), road and parks utility fees;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. Water, Sewer, and Stormwater System Development Charges.

- (a) The schedule for the Water System Development Charges, as set effective February 1, 2023, are as follows:

| Meter Size | Meter Unit Equivalent | System Development Charge* |
|--|------------------------------|-----------------------------------|
| 5/8" x 3/4" | 1 | \$ 5,566 |
| 3/4" x 3/4" | 1.5 | \$ 8,348 |
| 1" | 2.5 | \$ 13,912 |
| 1 1/2" | 5 | \$ 27,827 |
| 2" | 8 | \$ 44,522 |
| 3" | 15 | \$ 89,044 |
| 4" | 25 | \$ 139,133 |
| 6" | 50 | \$ 278,264 |
| 8" | 80 | \$ 445,221 |
| 10" | 115 | \$ 640,007 |
| * The SDC payment for a single-family residence will be based on the meter size required for domestic water service and irrigation service. If a larger meter is required only for residential fire sprinkler service, the higher fee will not be charged. | | |

- (b) On February 1st of each year, the Water SDC fees shall automatically increase. The amount of increase shall be the change in Engineering News Record (ENR) Construction Cost Index (CCI) for Seattle, WA. This increase will not require further action by the City Council
- (c) The schedule for the Sewer System Development Charges, per Equivalent Dwelling Unit (EDU), as of July 1, 2023, is as follows:

| | System Development Charge |
|-------------------|----------------------------------|
| Regional Rate | \$ 6,552.24 |
| Local Rate | \$ 271.76 |
| Total Rate | \$ 6,824.00 |

- (d) The Stormwater System Development Charges, per Equivalent Service Unit (ESU), as of July 1, 2023, is \$660.00

Section 2. In Lieu Tax Payments. Where the City provides water service to properties outside of the City, which are not subject to bond taxes levied by the City for water system improvements, properties served by the City shall pay in lieu tax payment to the City as follows:

Annually within ninety (90) days after the true cash values are fixed by the tax assessing authority for those properties located outside of the City that are served by City water, the City will compute the "In Lieu Tax Payment" applying the City's tax rate for water system improvements for that year to the taxable value furnished to the City. Payment of the obligation of the "In Lieu Tax Payment" will be made to the City within thirty (30) days of the bill being presented from the City to the property receiving City water service.

Section 3. Service Line Installation Charges.

- (a) Prior to installation of the requested service line, the customer will make a deposit to the City based on an estimate of the actual costs plus 15%.
- (b) When the installation is completed, the customer will pay the balance or be refunded the amount of the deposit not used.

Section 4. Meter Installation Charges.

- (a) Deposits for installation of new water meters are as follows:

| METER METHOD | |
|-------------------------------|----------------------------|
| Meter Size (in inches) | Installation Charge |
| 5/8 x 3/4, Drop-in meter | \$140 |
| 1, Drop-in meter | \$300 |
| 1½, Drop-in meter | \$540 |
| 2, Drop-in meter | \$790 |
| 3, drop-in meter | Cost plus 15% |
| 4, drop-in meter | Cost plus 15% |
| 6, drop-in meter | Cost plus 15% |
| 8, drop-in meter | Cost plus 15% |
| 10, drop-in meter | Cost plus 15% |
| 12, drop-in meter | Cost plus 15% |

- (b) Prior to the installation of the requested meter, the customer will make a deposit to the City based on an estimate of the actual cost. When the installation is completed the customer will pay the balance, or be given a refund of the amount of deposit not used.

- (c) For Meters requiring a new or larger service line, please reference Section 3. (Service Line Installation) above.

Section 5. Monthly Rates for Water, Sewer, Stormwater, Road and Parks Utility.

- (a) The schedule of monthly Water rates is amended as follows:

| METER SIZE | FACILITIES CHARGE | | SERVICE CHARGE | WATER CHARGE PER 100 CUBIC FT |
|-------------|-------------------|-----------|----------------|-------------------------------|
| | CLASS 1 | CLASS 2 | | |
| 5/8" x 3/4" | \$ 5.47 | \$ 5.47 | \$ 5.53 | \$ 3.90 |
| 1" | \$ 13.73 | \$ 13.73 | \$ 5.53 | \$ 3.90 |
| 1 1/2" | \$ 27.38 | \$ 27.38 | \$ 5.53 | \$ 3.90 |
| 2" | \$ 43.78 | \$ 43.78 | \$ 5.53 | \$ 3.90 |
| 3" | --- | \$ 59.95 | \$ 5.53 | \$ 3.90 |
| 4" | --- | \$ 102.65 | \$ 5.53 | \$ 3.90 |
| 6" | --- | \$ 222.41 | \$ 5.53 | \$ 3.90 |
| 8" | --- | \$ 427.80 | \$ 5.53 | \$ 3.90 |

The customer classes are:

- Class 1: All single-residential dwellings, duplexes and triplexes; and
- Class 2: All other services not included in Class 1.

- (b) The schedule of monthly Sewer rates are as follows:

| | BASE CHARGE (per Dwelling Unit, or EDU) | USE CHARGE Per CCF (hundred cubic feet), winter average |
|---------------|---|---|
| Regional Rate | \$ 28.38 | \$ 1.8800 |
| Local Rate | \$ 8.93 | \$ 0.6070 |

- (c) The schedule of monthly Stormwater rates are as follows, per ESU:

| | BASE CHARGE |
|---------------|-------------|
| Regional Rate | \$ 2.63 |
| Local Rate | \$ 8.84 |

- (d) The schedule of monthly Road Utility Fee rates for Residential Customer Groups are as follows:

| Customer Group | Per Unit |
|---------------------------|----------|
| Single Family Residential | \$ 6.60 |
| Multi-Family Residential | \$ 5.97 |

- (e) The schedule of monthly Road Utility Fee rates for Non-Residential Customer Groups are as follows:

| Customer Group | Per Thousand Square Feet | Flat Fee |
|-------------------------|--------------------------|----------|
| Non-Residential Group 1 | \$ 1.63 | \$ 4.09 |
| Non-Residential Group 2 | \$ 2.82 | \$ 4.09 |
| Non-Residential Group 3 | \$ 7.01 | \$ 4.09 |
| Non-Residential Group 4 | \$ 15.80 | \$ 4.09 |
| Non-Residential Group 5 | \$ 45.12 | \$ 4.09 |
| Non-Residential Group 6 | \$ 107.78 | \$ 4.09 |
| Non-Residential Group 7 | \$ 12.53 | \$ 4.09 |

(f) The schedule of monthly Parks Utility Fee rates are as follows:

| Customer Group | Per Dwelling Unit |
|------------------------------|-------------------|
| Residential | \$ 5.00 |
| Non-Residential ¹ | \$ 5.00 |

¹ Each non-residential property is one equivalent dwelling unit.

Section 6. Water Wheeling Agreements. The Council may enter into water wheeling agreements with other jurisdictions. These agreements will contain specific water rates and charges for each individual agreement.

Section 7. Charges for Fire Protection Service. The monthly charges for standby fire protection service are as follows:

| Service Size | Rate |
|--------------|-----------|
| 4" | \$ 19.44 |
| 6" | \$ 42.07 |
| 8" | \$ 81.44 |
| 10" | \$ 129.44 |

Section 8. Miscellaneous Charges. The following charges are imposed for service restoration, service termination and for account delinquencies:

(a) **Restoration Charge.**

(1) Where service has been terminated for delinquent bills or other violations, the charge for restoration of service shall be \$30.00.

(2) Water shall only be restored between 7:00 a.m. and 4:00 p.m., Monday through Friday, excluding holidays.

(b) **Shut-Off or Turn-On.** When requested by a customer, the City will perform shut-off or turn-on service for the following fee:

| <u>REQUEST</u> | <u>CHARGE</u> |
|--|--|
| During office hours | \$50.00 |
| After office hours | Cost of labor and materials incurred by the city to preform service. |
| Office Hours are 7:00 a.m. – 4:00 p.m., Monday-Friday, excluding holidays. | |

(c) **Delinquency Notification Charge.** Whenever a utility account remains delinquent ten (10) days after the date of the mailed delinquent notice, a charge of \$10.00 may be assessed to the account to cover the costs of handling the delinquent account.

(d) **Restore Meter Removed by City Due to Violation of TMC 3-3-200 Charge.**

When the City finds that one or more provisions of TMC 3-3-200 have been violated, the City may remove the meter and assess to the account a restoration charge of \$50.

Section 9. Temporary Water Services, Bulk Water, and Hydrant Fees.

(a) The charge for the hydrant meters and accessory equipment, temporary water services, water use, and hydrant flow tests are as follows:

| Item | Charge |
|---|--------------------------------|
| Temporary Water Service Application Fee | \$175 |
| Temporary Water Service, per fill Fee | \$ 20 |
| Hydrant Service Fees and Deposits | |
| 3 inch hydrant meter deposit | \$1,500 |
| Daily rental fee 3 inch hydrant meter | \$5 |
| Hydrant meter installation and removal | \$100 |
| Hydrant meter relocation (per occurrence) | \$100 |
| Hydrant chapman valve deposit | \$250 |
| Hydrant wrench deposit | \$30 |
| Backflow device deposit | \$175 |
| Repair hydrant, equipment, or water system damage | Time & Materials |
| Temporary Service Fees and Deposit | |
| 5/8 x 3/4 inch water meter deposit | \$140 |
| 1 inch temporary water meter deposit | \$300 |
| 1.5 inch temporary water meter deposit | \$600 |
| 2 inch temporary water meter deposit | \$900 |
| Meter installation and removal fee | \$180 |
| Temporary Service Water Rates | |
| Water Rate per CCF (with existing service) | Current residential rate |
| Water Rate per CCF (construction/ no existing service) | Current residential rate +50% |
| Water Rate per CCF (all other uses including mobile businesses or for use outside Tualatin) | Current residential rate +100% |

| Miscellaneous Fees | |
|---------------------------|-------|
| Hydrant flow test | \$250 |

- (b) Only temporary water obtained at the current residential rate +100% can be used outside Tualatin city limits.
- (c) Hydrant meter permits expire after six months. At that time, the permit is expired and the meter will be removed.
- (d) Temporary water service permits are valid for up to one (1) year.
- (e) Water use is billed at the current rate at the time the meter is returned.

Section 10. Prior Resolutions Rescinded. Resolution 5629-22 is rescinded effective July 1, 2023.

Section 11. Effective Date. The effective date of this resolution is July 1, 2023, for service after June 30, 2023.

INTRODUCED AND ADOPTED this 26th day of June 2023.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM:

ATTEST:

BY _____
City Attorney

BY _____
City Recorder



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Lisa Thorpe, Management Analyst II
Don Hudson, Assistant City Manager/Finance Director

DATE: June 26, 2023

SUBJECT:

Consideration of Resolution No. 5712-23 Amending the City of Tualatin Fee Schedule and Rescinding Resolution No. 5627-22.

RECOMMENDATION:

Staff recommends adoption of the attached resolution amending the City of Tualatin Fee Schedule and rescinding Resolution No. 5627-22

EXECUTIVE SUMMARY:

The City of Tualatin Fee Schedule is updated every year, and staff considers cost recovery when reviewing fees, considering changes in technology, changes in practice and the costs to provide the service.

This year, Community Development is updating their erosion control fees to reflect increases from Clean Water Services (CWS). Parks and Recreation increased their rental fees by 5%, the Tree for a Fee cost increased from \$225 to \$250, and Court is adding a Payment Plan Fee. Other fees were reviewed for cost recovery and adjusted accordingly.

Attached is the updated Fee Schedule with their recommended fees. All other fees will remain the same.

ATTACHMENTS:

- Resolution No. 5712-23

RESOLUTION NO. 5712-23

A RESOLUTION AMENDING THE CITY OF TUALATIN FEE SCHEDULE AND RESCINDING RESOLUTION NO. 5627-22

WHEREAS, the Council has the authority to set fees for materials and services provided by the City; and

WHEREAS, the Council previously adopted the fee schedule by Resolution No. 5627-22; and

WHEREAS, fees were reviewed for cost recovery and adjusted accordingly.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The City of Tualatin fee schedule is established and adopted as set forth in "Exhibit A," which is attached and incorporated by reference.

Section 2. This resolution is effective July 1, 2023.

Section 3. Resolution No. 5627-22 is rescinded effective July 1, 2023.

INTRODUCED AND ADOPTED this 26th Day of June, 2023.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder

City of Tualatin Fee Schedule

Fees Effective July 1, 2023

| General Administrative Fees | |
|--|------------------------|
| Agenda Packet | same as photocopy rate |
| Ordinances or Portions Thereof | same as photocopy rate |
| Photocopies: | |
| Per page/side (up to 8.5"x14") | 0.32 |
| Per page/side (11"x17") | 0.63 |
| Color - per page/side (up to 8.5"x14") | 1.15 |
| Color - per page/side (11"x17") | 1.65 |
| Certified Copies - per document | \$5.50 plus postage |
| Copies of Audio CDs | 22.00 including CD |
| Copies of Video CDs | 22.00 including CD |
| Copies of Photographs on CD | 22.00 including CD |
| Thumb Drive (2 GB) | 11.00 |
| Storage Retrieval Fee | 32.80 |
| Staff Time: | |
| -Up to 30 minutes | no charge |
| -Over 30 minutes | employee cost |

| Development Fees | |
|---|-------------------------------------|
| Addressing Fees: | |
| Change of existing address | 236.25 |
| Assign single family | 59.05 + 7.70 per lot |
| Multi-Family - less than 50 units | 72.20 + 7.70 per unit |
| Multi-family - 50+ units | 72.20 + 4.40 per unit |
| Non-residential (suite assignment) | 72.20 for address + 48.30 per suite |
| Amendment to Comprehensive Plan Map | 2,541.00 |
| Amendment to Comprehensive Plan Text/Landmark Designation/Removal of Landmark Designation | 2,541.00 |
| Annexation | 1,732.50 |
| Appeal Proceeding to Council | 163.80 |
| Appeal Expedited Process to Referee, Deposit per ORS 197.375 | 367.50 |
| Architectural Review Application, Nonexpedited Process: | |
| Estimated Project Value: | |
| Under \$5,000 | 141.75 |
| \$5,000 - \$24,999.99 | 666.75 |
| \$25,000 - \$99,999.99 | 1,207.50 |
| \$100,000 - 499,999.99 | 1,995.00 |
| \$500,000 and greater | 2,924.25 |
| Architectural Review, Minor | 115.50 |
| Architectural Review, Single-family Level I (Clear & Objective) | 115.50 |
| Architectural Review, Single-family Level II (Discretionary) | 887.25 |
| Architectural Review, Accessory Dwelling Unit (ADU) | 115.50 |

City of Tualatin Fee Schedule

Fees Effective July 1, 2023

| Development Fees (continued) | |
|---|---|
| Conditional Use Permit | 1,732.50 |
| Conditional Use Permit Renewal | 1,732.50 |
| Extension Request Reviewed by Staff | 246.75 |
| Extension Request Reviewed by Architectural Review Board | 1,396.50 |
| Interpretation of Development Code | 115.50 |
| Industrial Master Plans | 2,210.25 |
| Landmark Alteration/New Construction Review | 136.50 |
| Central Urban Renewal Master Plan | 2,210.25 |
| Driveway Approach Permit | 330.75 |
| Engineering Copies: | |
| 18" x 24" | 3.35 |
| 24" x 36" | 4.40 |
| 36" x 48" | 5.45 |
| Erosion Control (EC) Fees: | |
| 1. Inspection Fees | |
| a. Non-Site Development | |
| 1. New construction | 475.00 |
| 2. Additions, remodels and demolitions disturbing less than 1,000 s.f. | 155.00 |
| b. Development Sites without infrastructure or vegetated corridor improvements (EC Only) | 475.00 plus 475.00 prorated for each acre over 1/2 acre |
| c. Subsequent Site Development (Early EC Inspection Fee) | 475.00 or 1/2 of the EC only Fee, whichever is greater |
| d. Site Development Inspection Fee | \$950 plus \$950 for each acre over a half-acre |
| e. Stormwater Inspection Fee (other than site development) | \$155 per project |
| f. Line Tap and Lateral Inspection Fee | \$155 per line tap |
| g. Disconnection Inspection Fee | \$155 per disconnection |
| h. Re-inspection | 85.00/hr with a minimum of 170.00 |
| i. Warranty Period Reinspection Fee for Proprietary Treatment System | \$85/hr with a minimum of \$170 per proprietary catch basin |
| j. Extended Warranty Inspection Fee | \$155 for each 6-month extension |
| k. Reconnection Inspection Fee | \$155 per reconnection |
| l. Special Investigation Fee | \$85/hr; minimum of \$170 |
| m. Inspection Overtime Fee | \$125/hour, minimum of \$250 |
| n. DEQ 1200-C and 1200-CN Erosion Control Permit Fee | DEQ pass-through fee |
| 2. Plan check fee | |
| a. commercial, industrial, multi-family or large homesites not in an existing subdivision | 1400.00 |
| Hydraulic Modeling for Commerical/Industrial Retail and Multi-family units | 525.00/bldg |
| Hydraulic Modeling for New Subdivisions with 50 or more lots | 1,575.00 |
| Landmark Demolition Review | 152.25 |
| Landmark Relocation Review | 68.25 |
| License to Keep Chickens | 57.75 |
| Mobile Food Unit Permit | 110.25 |
| Partition,* Nonexpedited & Expedited Processes | 483.00 |

City of Tualatin Fee Schedule

Fees Effective July 1, 2023

| Development Fees (continued) | |
|---|---|
| Partition,* Nonexpedited & Expedited Extension/Modification | 162.75 |
| Partition,* Nonexpedited, Appeal Proceeding to Council | 162.75 |
| Partition,* Expedited, Appeal to Referee, Deposit per ORS 197.375 | 357.00 |
| Partition,* Minor Variance included & primary use is a single family dwelling & not in RL or RML | Add 168.00 |
| Partition,* Minor Variance included & primary use is not a single family dwelling & not in RL or RM | Add 252.00 |
| Pre-Application Meeting | 252.00 |
| Property Line Adjustment,* primary use is a single family dwelling in RL or RML | 84.80 |
| Property Line Adjustment,* Minor Variance included & primary use is a single family dwelling in RL or RML | Add 168.00 |
| Property Line Adjustment,* primary use is not a single family dwelling in RL or RML | 367.50 |
| Property Line Adjustment,* Minor Variance included & primary use is not a single family dwelling in RL or RML | Add 169.00 |
| Property Line Adjustment,* Appeal Proceeding to Council | 168.00 |
| Public Works Construction Permit Deposit | 5% of est. value of work but not less than 500.00 |
| Public Works Construction Code | 63.00 + postage |
| Reinstatement of Nonconforming Use | 1,732.50 |
| Request for Council Rehearing | 204.75 |
| Sidewalk Permit | 168.00 |
| Sign Ordinance | 9.45 |
| Sign Code Variance | 824.25 |
| Sign Permit: | |
| New Sign or Structural Change to Existing Sign | 231.00 |
| Temporary Sign or Each Face Change to Existing Sign | 115.50 |
| Street Name Change | 168.00 |
| Street Vacation Application Deposit | 396.90 |
| Subdivision,* Nonexpedited and Expedited Processes | 3,281.25 |
| Subdivision,* Variance included & primary use is a single family dwelling in RL or RML | Add 330.75 |
| Subdivision,* Variance included & primary use is not a single family dwelling in RL or RML | Add 414.75 |
| Subdivision,* Minor Variance included & primary use is a single family dwelling in RL or RML | Add 168.00 |
| Subdivision,* Minor Variance included & primary use is not a single family dwelling in RL or RML | Add 252.00 |
| Subdivision,* Nonexpedited, Extension/Modification By Council | 750.75 |
| Subdivision,* Expedited, Extension/Modification By City Engineer | 194.25 |
| Subdivision,* Nonexpedited, Appeal Proceeding to Council | 168.00 |
| Subdivision,* Expedited Appeal to Referee, Deposit per ORS 197.375 | 367.50 |
| Temporary Certificate of Occupancy | 110.25 |
| Temporary Uses: | |
| 1 - 3 days | 60.40 |
| 4 - 180 days | 60.40 + 1.60/day |
| Over 3 days | not to exceed 200.00 total |
| Transportation Development Tax | Indexed annually per Washington County Code, Section 3.17 |
| Tree Removal Permit, 1 tree | 341.25 |
| each additional tree, \$10.00 not to exceed a total of | 372.75 |

City of Tualatin Fee Schedule

Fees Effective July 1, 2023

| Development Fees (continued) | |
|---|---|
| Variance: | |
| When primary use is a single family dwelling in RL or RML | 351.75 |
| When primary use is not a single family dwelling in RL or RML | 1,732.50 |
| Variance, Minor: | |
| When primary use is a single family dwelling in RL or RML | 351.75 |
| When primary use is not a single family dwelling in RL or RML | 1,186.50 |
| Water Quality Permit Deposit | 5% of est. value of work but not less than 500.00 |
| Zone of Benefit Application Fee | 820.60 |
| All Other Development Actions | Cost Recovery |

| Core Area Parking District | |
|---------------------------------------|--------|
| Core Area Parking District Tax Appeal | 152.25 |

| Finance Department | |
|--|--------|
| L.I.D. Assessment Apportionment Fee | 120.75 |
| Lien Search Fee (per tax lot) | 38.00 |
| Recovery Charge Installment Payment Plan Application Fee | 246.75 |
| Returned Checks (per check for processing NSF check) | 36.75 |
| Zone of Benefit Recovery Charge Administration Fee | 131.25 |
| Social Gaming License | |
| Application Fee | 105.00 |
| Annual Renewal Fee | 105.00 |

| Geographic Information System | |
|-----------------------------------|----------|
| Citywide aerial photo, 36" x 42" | 42.00 |
| Subdivision street map, 34" x 36" | 26.25 |
| Street map, 22" x 22" | 15.75 |
| Planning Districts, 34" x 44" | 26.25 |
| Planning Districts, 18" x 24" | 15.75 |
| Custom Mapping | 68.25/hr |
| Mailing Lists | 36.75 |

| Legal Services Department | |
|---|--|
| Printed copies of the new Municipal or Development Code with tabs | 136.50 each + postage |
| 3-post expandable binders with stamping | 76.60 |
| 3-ring vinyl binders | 21.90 |
| Electronic media options for Code of Ordinances (sent via download) | |
| WORD (DOCX) | 168.00 initially then 81.90 per update |
| Adobe PDF of the code | 168.00 initially then 81.90 per update |
| Adobe PDF of each supplement | 168.00 initially then 81.90 per update |

City of Tualatin Fee Schedule

Fees Effective July 1, 2023

| Municipal Court | |
|---|-----------------------|
| Traffic School and Compliance Program Fees: | |
| Class A | 288.75 |
| Class B | 168.00 |
| Class C | 131.25 |
| Class D | 105.00 |
| Seat Belt Class | 73.50 |
| Vehicle Compliance Program | 36.75 |
| Collection Fee | 25% of ordered amount |
| License Restatement Fee | 73.50 |
| Overdue Payment Letter Fee | 10.50 |
| Failure to Appear – Arraignments | 42.00 |
| Failure to Appear – Trials | 105.00 |
| Payment Plan Fee | 50.00 |

| Picnic Shelters | | | | | |
|-------------------------------|----------------|-------------|---------|----------|--------------|
| Area | Time | Class 1 & 2 | Class 3 | Class 4 | |
| | | | | Resident | Non-Resident |
| Rustic | 4 hours | 0.00 | 16.00 | 32.00 | 69.00 |
| Patio | 4 hours | 0.00 | 16.00 | 32.00 | 69.00 |
| Main-South | 4 hours | 0.00 | 16.00 | 32.00 | 69.00 |
| Main-North | 4 hours | 0.00 | 16.00 | 32.00 | 69.00 |
| Main-Full | 4 hours | 0.00 | 32.00 | 63.00 | 137.00 |
| Trestle | 4 hours | 0.00 | 16.00 | 32.00 | 69.00 |
| Jurgens Park Large Shelter | 4 hours | 0.00 | 16.00 | 32.00 | 69.00 |
| Ibach Park West Large Shelter | 4 hours | 0.00 | 16.00 | 32.00 | 69.00 |
| Alcohol Permit: | Group | | | 27.00 | 53.00 |
| | Special Events | | | 27.00 | 105.00 |

\$10.00 handling fee for cancellations

Classification of Users

For the purpose of scheduling reservations and determining fees, groups will be classified as shown below:

Class 1: Activities sponsored by the City of Tualatin.

Class 2: Activities co-sponsored by the City of Tualatin.

Class 3: Non-profit organizations and public agencies serving the youth of Tualatin.

Class 4: All other groups, organizations and individuals are categorized by resident or non-resident for the purpose of determining fees.

| Sports Fields | | | | | | |
|------------------------------|--------|------------------|--------------------------|----------|--------------|------------|
| Area | Time | City of Tualatin | Youth Serving Non-Profit | Resident | Non-Resident | Commercial |
| Sports Fields | 1 hour | 0.00 | 0.00 | 11.00 | 24.00 | 53.00 |
| Sports Fields Lights | 1 hour | 0.00 | 0.00 | 11.00 | 24.00 | 53.00 |
| Artificial Turf Fields | 1 hour | 0.00 | 0.00 | 21.00 | 42.00 | 84.00 |
| Artificial Turf Field Lights | 1 hour | 0.00 | 0.00 | 42.00 | 42.00 | 42.00 |

City of Tualatin Fee Schedule

Fees Effective July 1, 2023

| Juanita Pohl Center | | | | | |
|----------------------------|----------------|-------------|---------|-----------------|---------------------|
| Area | Time | Class 1 & 2 | Class 3 | Class 4 | |
| | | | | Resident | Non-Resident |
| East or West Dining Room | 1hour | 0.00 | 16.00 | 32.00 | 79.00 |
| Full Dining Room | 1 hour | 0.00 | 21.00 | 42.00 | 100.00 |
| Large Classroom | 1 hour | 0.00 | 16.00 | 27.00 | 69.00 |
| Small Classroom | 1 hour | 0.00 | 6.00 | 11.00 | 21.00 |
| Alcohol Permit: | Group | | | 27.00 | 53.00 |
| | Special Events | | | 53.00 | 105.00 |

Reservations must be made for a minimum of two (2) hours. \$10.00 handling fee for cancellations. Late departing groups will be charged \$10.00 for every 5 minutes after the designated rental period ends.

Classification of Users

For the purpose of scheduling reservations and determining fees, groups will be classified as shown below:

Class 1: Activities sponsored by the City of Tualatin, City of Durham official meetings, and Meals on Wheels People, for official center functions.

Class 2: Activities co-sponsored by the City of Tualatin.

Class 3: Non-profit organizations and public agencies serving the youth and general public of Tualatin. Rosters of organization members and 501c3 information required.

Class 4: All other groups, including religious and political organizations and individuals are categorized by resident/non-resident for the purpose of determining fees.

| Cleaning & Security Deposit - Juanita Pohl Community Center | |
|--|--------|
| Meetings - Large Classroom | 50.00 |
| Meetings only (no food) in Dining Room | 100.00 |
| Dining Room (with food) | 285.00 |

The Parks and Recreation Director will determine the amount of the cleaning/security deposit to be refunded based on the building monitor's report.

| Tualatin Library Community Room | | | | |
|--|--------|---------|-----------------|---------------------|
| Area | Time | Class 3 | Class 4 | |
| | | | Resident | Non-Resident |
| Community Room | 1 hour | 15.00 | 25.00 | 50.00 |

Class 1 & 2 - No Charge

\$10.00 handling fee for cancellations

Classification of Users

For the purpose of scheduling reservations and determining fees, groups will be given classified as shown below.

Class 1: Activities sponsored by the Tualatin Public Library and/or City of Tualatin

Class 2: Activities co-sponsored by the Tualatin Public Library and/or City of Tualatin

Class 3: Non-profit organizations

Class 4: All other orgs, including religious and political groups, are categorized by resident/nonresident for purpose of determining fees.

City of Tualatin Fee Schedule

Fees Effective July 1, 2023

| Parks Maintenance | |
|---|--------|
| Street Tree and Installation (Single Family Only) | 250.00 |
| Street Tree Removal (excluding Stump Grinding) | 395.00 |
| Street Tree Stump Grinding | 210.00 |
| New Tree Grates – Full set of 2 halves | 420.00 |
| New Tree Grates – Half set | 210.00 |
| Tree Grates – Leveling Stone and fastening hardware | 26.25 |
| Tree Grates Improvements | 183.75 |

| Police | |
|--|-------------------------|
| Copies of Police Reports (no charge to victims): | |
| 1 - 10 pages | 11.00 |
| plus each page over 10 | 0.25 |
| Alarm Permits: | |
| Initial Application | 26.25 |
| Annual Renewal | 26.25 |
| 1st False Alarm | No charge |
| 2nd False Alarm | No charge |
| 3rd False Alarm | 95.00 |
| 4th False Alarm | 125.00 |
| 5th False Alarm | 185.00 |
| 6 th and More False Alarms | 250.00 per alarm |
| 10 or more False Alarms | 525.00 Civil Infraction |
| Late payment of renewal (after 60 days) | 80.00 |
| Expired, reinstatement fee, once revoked (after 90 days) | 105.00 |
| Failure to obtain alarm permit (within 60 days of installation) | 80.00 |
| Failure to report changes to alarm permit application within 10 days | 26.25 |
| Non-permitted or revoked alarm permit | 525.00 |
| Release of Towed (impounded) Vehicles | 105.00 |
| Fingerprinting cards | 26.25 |
| Each additional card | 2.10 |
| Good Conduct Letter | 10.50 |

City of Tualatin Fee Schedule

Fees Effective July 1, 2023

| Utilities in the Right-of-Way | |
|--|--|
| Annual Rights-of-Way Fee: Electric Natural Gas Communication Any Utility Operator that does not earn Gross Revenues within the City of Tualatin (Based on total Linear Feet of Utility Facilities in the Rights-of-Way): Up to 5,000 5,001 to 10,000 10,001 to 20,000 More than 20,000 * "Gross Revenue" means any and all revenue, of any kind, nature or form, without deduction for expenses, less net uncollectibles, derived from the operation of utility facilities in the City of Tualatin, subject to all applicable limitations in federal or state law. | 3.5% of Gross Revenue * 5.0% of Gross Revenue * 5.0% of Gross Revenue * 5,470.50 8,205.75 10,940.00 16,410.00 |
| Rights-of-Way License Application Fee (per TMC 3-6-205) | 280.00 |
| Rights-of-Way License Renewal Application Fee (per TMC 3-6-260) | 170.00 |
| Rights-of-Way Attachment Fees/Small Cell, DAS, etc. (TMC 3-6-120) Attachment Application Fees: Attachment Application Fee (one-time) Expedited Application Fee (voluntary one-time fee for expedited review; City may take of up to 30 days) Consultant Fee for Processing Application * Fee would be applied in the event the City does not have the capacity to process applications within the legally required timeframe Annual Attachment Fee The Rights-of-Way Attachment Fees do not apply to Utility Operators subject to and paying the Annual Rights-of-Way Fees in TMC 3-6-100 | 725.00 per attachment 1,270.00 per attachment Actual Cost, plus 25% for administration* 690.00 per attachment, per year |
| Water, Sewer, Surface Water Management, Road Utility and Parks Utility Fees | Resolution No. 5710-23 |



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council
THROUGH: Sherilyn Lombos, City Manager
FROM: Mike McCarthy, City Engineer
DATE: June 26, 2023

SUBJECT:

Consideration of **Resolution No. 5713-23** Awarding a Contract for Construction of the Sandalwood Water Quality Swale Retrofit

RECOMMENDATION:

Staff recommends that Council approve the resolution awarding and allowing the City Manager to execute a contract with JQ Construction, Inc. to construct the Sandalwood Water Quality Swale Retrofit in the amount of \$274,268.

EXECUTIVE SUMMARY:

The City plans to transform an open conveyance ditch into a water quality swale at the Sandalwood Village Condominiums on SW Shenandoah Way. Currently, a stormwater pipe discharges into a grassy area without any cover, leading to a scour pool and a narrow ditch with steep side slopes. The channel shows signs of erosion, and the ditch inlet has previously experienced debris blockage and flooding. The City was seeking a regional water quality project to offset dispersed water quality impacts of new and redeveloped impervious area created by the Tualatin Moving Forward (TMF) Bond Program projects. Since the area draining to the Sandalwood Village site is comparable in size to the impervious area impacts associated with the TMF projects, the City asked Otak, Inc. to prepare a conceptual design to convert the conveyance ditch to a water quality swale. This swale provides required stormwater quality treatment to offset the increased impervious area of the other Tualatin Moving Forward program projects while improving an existing drainage way for the condominiums.

The construction contract was advertised in the Daily Journal of Commerce on May 17 & 19, 2023 and the Business Tribune on May 16 & 19, 2023. 1 bid was received before the bid period closed on June 13, 2023. JQ Construction, Inc. submitted the lowest responsible bid for the project in the amount of \$274,268..

OUTCOMES OF DECISION:

Adopting the resolution and authorizing contract execution would allow construction of this project to proceed.

FINANCIAL IMPLICATIONS:

Funds for this project are available in the Transportation Project Fund.

ATTACHMENTS:

Resolution No. 5713-23 Awarding Contract

RESOLUTION NO. 5713-23

A RESOLUTION AWARDING A CONTRACT FOR CONSTRUCTION OF THE SANDALWOOD WATER QUALITY SWALE RETROFIT

WHEREAS, the above-referenced project was posted on May 17 & 19, 2023 in the *Daily Journal of Commerce* and on May 16 & 19, 2023 in the *Business Tribune* and the City requested competitive sealed bids as part of its capital improvement program;

WHEREAS, 1 bid was received prior to the close of the bid period on June 13, 2023;

WHEREAS, JQ Construction, Inc. submitted the lowest responsible bid for the project in the amount of \$274,268; and

WHEREAS, there are funds budgeted for this project in the Transportation Project Fund.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. JQ Construction, Inc. is hereby awarded a contract for the Sandalwood Water Quality Swale Retrofit.

Section 2. The City Manager is authorized to execute a contract with JQ Construction, Inc. in the amount of \$274,268.

Section 3. The City Manager, or the City Manager's designee, is authorized to execute Change Orders totaling up to 10% of the original contract amount.

Section 4. This resolution is effective upon adoption.

Adopted by the City Council this 26th day of June, 2023.

ATTEST:

CITY OF TUALATIN, OREGON

BY _____
City Recorder

BY _____
Mayor



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Bates Russell, Information and Maintenance Services Director
Frank Butler, Network Administrator

DATE: June 26th, 2023

SUBJECT:

Consideration of resolution no. 5714-23 authorizing the city manager to execute grant agreements for a State Homeland Security Program (SHSP) Grant.

RECOMMENDATION:

Staff recommends approval of Resolution 5714-23.

EXECUTIVE SUMMARY:

The city applied for, and received, a State Homeland Security Program (SHSP) Grant. The grant totals \$76,154.00 and will provide for the upgrade, purchase, installation, and support of a keyless access control system for the Tualatin Police Department building and allow control of possible additional future badge access control systems across all city facilities.

OUTCOMES OF DECISION:

Approval of Resolution No. 5714-23 authorizes the city manager to accept the grant funding.

FINANCIAL IMPLICATIONS:

This SHSP grant will be bolstered by additional city funds for the total implementation replacement costs. These city funds are also eligible for grant funding in future grant cycles from the SHSP Grant process.

ATTACHMENTS:

Resolution No. 5714-23

RESOLUTION NO. 5714-23

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE GRANT AGREEMENTS FOR A STATE HOMELAND SECURITY PROGRAM (SHSP) GRANT.

WHEREAS, the State of Oregon, acting by and through the Oregon Military Department, Office of Emergency Management, is an intergovernmental entity formed under ORS 190;

WHEREAS, ORS 190 authorizes the City and the Oregon Military Department, Office of Emergency Management, to enter into intergovernmental agreements;

WHEREAS, the City received a \$76,155.00 grant in special purpose revenues from the State Homeland Security Grant Program for Tualatin Infrastructure Access Control.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The City Manager is authorized to execute a grant agreement with the Oregon Military Department, Office of Emergency Management, Homeland Security Grant Program. The City Manager is authorized to make administrative modifications to the agreements to fully implement their intent.

Section 2. This resolution is effective upon adoption.

Adopted by the City Council this 26th day of June, 2023.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council
THROUGH: Sherilyn Lombos, City Manager
FROM: Don Hudson, Assistant City Manager/Finance Director
DATE: June 26, 2023

SUBJECT:

Consideration of **Resolution No. 5711-23** Adopting the City of Tualatin Budget for the Fiscal Year Commencing July 1, 2023, Making Appropriations, Levying Ad-Valorem Taxes, and Categorizing the Levies

RECOMMENDATION:

Staff recommends adoption of the attached resolution, which includes the Budget Committee Approved Fiscal Year 2023-2024 Budget.

EXECUTIVE SUMMARY:

Council will consider adoption of the Fiscal Year 2023-2024 Budget, after conducting a public hearing to consider public input on the Fiscal Year 2023-2024 Budget. The City of Tualatin Budget Advisory Committee approved the proposed budget on May 30, 2023. The total of the Fiscal Year 2023-2024 Budget is \$153,629,340 as approved by the Budget Advisory Committee and amended by the City Council.

The tax rate for general government would be approved at \$2.2665 per \$1,000 taxable assessed value, with \$4,764,595 to be levied for bonded debt. The bond levy is excluded from limitation for local government operations.

Oregon State law requires the City Council adopt a budget prior to July 1, 2023.

The City of Tualatin budget is made up of 22 funds, divided among five different categories: General Fund, Special Revenue Funds, Debt Service Funds, Capital Projects Funds and Enterprise Funds. Urban Renewal Funds are presented in the Tualatin Development Commission budget, which will be heard in a separate public hearing later this evening.

The General Fund is the primary operating fund of the City and supports general government services. Special Revenue Funds account for the proceeds of specific revenue sources that are legally restricted to expenditure for specific purposes, including the Building Fund, street funds, Parks Utility Fund, American Rescue Plan Fund, Core Area Parking Fund and the Tualatin Science and Technology Scholarship Fund. Debt Service Funds record revenues and expenditures for our general obligation bond and other city debt obligations. Capital Project Funds record capital projects that are funded from restricted funds. The Enterprise Funds include all funds related to the following systems: Water, Sewer and Stormwater. These funds account for the infrastructure systems covering water, sewer and stormwater and their revenues are derived from sources that are specifically earmarked, or restricted for these specific purposes.

The City's revenues remain stable, with some categories decreasing due to one-time anomalies in fiscal year 2022/2023. Property tax revenues are increasing due to projected increases in assessed value, and

the addition of an increase in the bond levy, due to the sale of parks general obligation bonds in April 2023. Increased development occurring in fiscal year 2023/2024 is responsible for increases in Fees and Charges and Charges for Service. The expenditure budget will enable us to maintain our high quality services levels, with increases in personal services costs due to contractual obligations and the addition of a project manager for the parks bond projects funded through the approved bonds. Materials and services are staying flat, through the hard work of city department staff in managing their budgets. Capital Outlay budgets are increasing as the City closes out projects from a past transportation bond and adding projects funded by the recent parks bond sale and the American Rescue Plan Act funds received by the City. A change in the accounting method of pass-through revenues to Clean Water Services impacts the total revenue and expenditure budgets.

In addition to the budget approved by the budget committee, the City Council has the ability to change the approved budget in each fund by no more than 10% of the total budget. Staff is proposing the following changes to the Budget Committee approved budget in the General Fund.

When the budget for Fiscal Year 2023-2024 budget was prepared, staff anticipated that purchases or projects planned for in the 2022-2023 budget would be received or completed before June 30, 2023. There are two instances where this has not occurred and we are asking the Council to add the funds to the 2023-2024 budget to pay for them when received. The first is in the Information Services budget for computer network parts. Staff proposes to add \$25,000 to the Information Services budget for these items, with a corresponding increase to General Fund Beginning Fund Balance.

The other carry over is in the Stormwater Operating Fund Budget for water quality facilities maintenance that we have been unable to complete due to the wet conditions in the facilities. We are asking the Council to appropriate an additional \$32,000 for this project, with an increase to the Beginning Fund Balance in this fund.

An additional change to the budget is for a Federal Grant received by Information Services for an infrastructure access control upgrade. The addition to the Information Services budget of \$76,155 is offset by an addition to the Other Grants – Federal revenue line item in the General Fund.

Staff is also asking Council to reduce the contingency amount in the Water Development Fund from \$560 to \$0 and increase the Reserve balance in this fund by \$560. Since there are not any capital outlay dollars budgeted in this fund, the fund cannot have an operating contingency. A previous adjustment in this fund inadvertently left a small amount in this account, so the amount will need to be moved from Contingency to the Reserve account.

OUTCOMES OF DECISION:

By adopting the budget before July 1st, the City will be able to operate, expend money and incur liabilities for fiscal year 2023-2024.

ATTACHMENTS:

- Resolution No. 5711-23

RESOLUTION NO. 5711-23

A RESOLUTION ADOPTING THE CITY OF TUALATIN'S BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2023, MAKING APPROPRIATIONS, LEVYING AD VALOREM TAXES, AND CATEGORIZING THE LEVIES

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The City Council of the City of Tualatin hereby adopts the Budget as approved by the Budget Committee and adjusted by the Council. The total sum of the budget is \$139,439,565 (including \$23,177,765 of unappropriated fund balance and reserves) and is now on file at the City Offices.

Section 2. The amounts for the fiscal year beginning July 1, 2023, and for the purposes shown below, are hereby appropriated as follows:

GENERAL FUND

| | | | |
|-----------------------------------|----|------------------|----------------------|
| City Council | \$ | 124,255 | |
| Administration | \$ | 1,807,040 | |
| Finance | \$ | 1,379,475 | |
| Municipal Court | \$ | 525,295 | |
| Legal | \$ | 540,500 | |
| Information Systems | \$ | 1,714,600 | |
| Community Development | \$ | 1,218,235 | |
| Engineering | \$ | 1,020,490 | |
| Police | \$ | 9,497,635 | |
| Parks and Recreation | \$ | 2,753,920 | |
| Library | \$ | 2,594,530 | |
| Maintenance Services | \$ | 2,851,720 | |
| Parks Maintenance | \$ | 1,767,895 | |
| Non-Departmental | \$ | 1,604,570 | |
| Contingency | \$ | <u>4,410,020</u> | |
| Total GENERAL FUND Appropriations | | | \$ 33,810,180 |
| Reserves | \$ | 1,187,375 | |
| Unappropriated | \$ | <u>7,877,330</u> | |
| Total GENERAL FUND | | | <u>\$ 42,874,885</u> |

BUILDING FUND

| | | | |
|------------------------------------|----|----------------|---------------------|
| Personal Services | \$ | 1,167,340 | |
| Material & Services | \$ | 93,250 | |
| Capital Outlay | \$ | - | |
| Transfers | \$ | 545,500 | |
| Contingency | \$ | <u>270,915</u> | |
| Total BUILDING FUND Appropriations | | | \$ 2,077,005 |
| Reserves | \$ | <u>109,355</u> | |
| Total BUILDING FUND | | | <u>\$ 2,186,360</u> |

WATER OPERATING FUND

| | | | |
|---|----|------------------|----------------------|
| Personal Services | \$ | 1,029,780 | |
| Material & Services | \$ | 4,546,355 | |
| Capital Outlay | \$ | 3,935,560 | |
| Transfers | \$ | 1,704,600 | |
| Contingency | \$ | <u>1,413,400</u> | |
| Total WATER OPERATING FUND Appropriations | | | \$ 12,629,695 |
| Reserves | \$ | <u>6,726,870</u> | |
| Total WATER OPERATING FUND | | | <u>\$ 19,356,565</u> |

SEWER OPERATING FUND

| | | | |
|---|----|------------------|---------------------|
| Personal Services | \$ | 581,920 | |
| Material & Services | \$ | 572,875 | |
| Capital Outlay | \$ | 3,450,000 | |
| Transfers | \$ | 1,043,870 | |
| Contingency | \$ | <u>690,035</u> | |
| Total SEWER OPERATING FUND Appropriations | | | \$ 6,338,700 |
| Reserves | \$ | <u>2,573,575</u> | |
| Total SEWER OPERATING FUND | | | <u>\$ 8,912,275</u> |

STORMWATER OPERATING FUND

| | | | |
|--------------------------------------|----|------------------|---------------------|
| Material & Services | \$ | 946,455 | |
| Capital Outlay | \$ | 1,110,000 | |
| Transfers | \$ | 1,064,470 | |
| Contingency | \$ | <u>468,140</u> | |
| Total STORMWATER FUND Appropriations | | | \$ 3,589,065 |
| Reserves | \$ | <u>5,974,855</u> | |
| Total STORMWATER OPERATING FUND | | | <u>\$ 9,563,920</u> |

ROAD UTILITY FEE FUND

| | | | |
|--|----|------------------|---------------------|
| Material & Services | \$ | 1,905,160 | |
| Transfers | \$ | 442,070 | |
| Contingency | \$ | <u>285,775</u> | |
| Total ROAD UTILITY FEE FUND Appropriations | | | \$ 2,633,005 |
| Reserves | \$ | <u>1,157,330</u> | |
| Total ROAD UTILITY FEE FUND | | | <u>\$ 3,790,335</u> |

ROAD OPERATING FUND

| | | | |
|--|----|------------------|---------------------|
| Personal Services | \$ | 685,450 | |
| Material & Services | \$ | 1,212,565 | |
| Capital Outlay | \$ | 800,000 | |
| Transfers | \$ | 1,438,060 | |
| Contingency | \$ | <u>596,200</u> | |
| Total ROAD OPERATING FUND Appropriations | | | \$ 4,732,275 |
| Reserves | \$ | <u>1,982,260</u> | |
| Total ROAD OPERATING FUND | | | <u>\$ 6,714,535</u> |

CORE AREA PARKING DISTRICT FUND

| | | | |
|--|----|----------------|-------------------|
| Material & Services | \$ | 29,400 | |
| Capital Outlay | \$ | 70,000 | |
| Transfers | \$ | 37,360 | |
| Contingency | \$ | <u>15,810</u> | |
| Total CORE AREA PARKING DISTRICT FUND Appropriations | | | \$ 152,570 |
| Reserves | \$ | <u>185,930</u> | |
| Total CORE AREA PARKING DISTRICT FUND | | | <u>\$ 338,500</u> |

TUALATIN SCIENCE AND TECHNOLOGY SCHOLARSHIP FUND

| | | | |
|--|----|---------------|------------------|
| Material & Services | \$ | <u>1,000</u> | |
| Total TUALATIN SCHOLARSHIP FUND Appropriations | | | \$ 1,000 |
| Reserves | \$ | <u>51,750</u> | |
| Total TUALATIN SCHOLARSHIP FUND | | | <u>\$ 52,750</u> |

PARKS UTILITY FUND

| | | | |
|--------------------------|----|----------|---------------------|
| Material & Services | \$ | 9,600 | |
| Capital Outlay | \$ | 945,160 | |
| Transfers | \$ | 77,180 | |
| Contingency | \$ | <u>-</u> | |
| Total PARKS UTILITY FUND | | | <u>\$ 1,031,940</u> |

GENERAL OBLIGATION BOND FUND

| | | | |
|--|----|------------------|---------------------|
| Debt Service | \$ | <u>4,723,250</u> | |
| Total GO BOND DEBT FUND Appropriations | | | \$ 4,723,250 |
| Reserves | \$ | <u>100,000</u> | |
| Total GO BOND DEBT FUND | | | <u>\$ 4,823,250</u> |

ENTERPRISE BOND FUND

| | | | |
|---|----|---------|---------------------|
| Material & Services | \$ | 495 | |
| Debt Service | \$ | 990,055 | |
| Total ENTERPRISE BOND FUND Appropriations | | | \$ 990,550 |
| Reserves | \$ | 330,430 | |
| Total ENTERPRISE BOND FUND | | | <u>\$ 1,320,980</u> |

WATER DEVELOPMENT FUND

| | | | |
|---|----|-----------|---------------------|
| Transfers | \$ | 1,543,380 | |
| Total WATER DEVELOPMENT FUND Appropriations | | | \$ 1,543,380 |
| Reserves | \$ | 58,430 | |
| Total WATER DEVELOPMENT FUND | | | <u>\$ 1,601,810</u> |

SEWER DEVELOPMENT FUND

| | | | |
|---|----|-----------|---------------------|
| Transfers | \$ | 16,250 | |
| Total SEWER DEVELOPMENT FUND Appropriations | | | \$ 16,250 |
| Reserves | \$ | 3,648,050 | |
| Total SEWER DEVELOPMENT FUND | | | <u>\$ 3,664,300</u> |

STORMWATER DEVELOPMENT FUND

| | | | |
|-----------------------------------|----|---------|-------------------|
| Capital Outlay | \$ | 200,000 | |
| Transfers | \$ | 39,930 | |
| Contingency | \$ | 347,610 | |
| Total STORMWATER DEVELOPMENT FUND | | | <u>\$ 587,540</u> |

PARK DEVELOPMENT FUND

| | | | |
|--|----|-----------|---------------------|
| Material & Services | \$ | 4,000 | |
| Capital Outlay | \$ | 2,744,510 | |
| Transfers | \$ | 74,450 | |
| Total PARK DEVELOPMENT FUND Appropriations | | | \$ 2,822,960 |
| Reserves | \$ | - | |
| Total PARK DEVELOPMENT FUND | | | <u>\$ 2,822,960</u> |

PARKS PROJECT FUND

| | | | |
|---|----|-----------|----------------------|
| Personal Services | \$ | 126,005 | |
| Material & Services | \$ | 6,000 | |
| Capital Outlay | \$ | 5,825,250 | |
| Transfers | \$ | 124,270 | |
| Total PARKS PROJECT FUND Appropriations | | | \$ 6,081,525 |
| Reserves | \$ | 9,784,470 | |
| Total PARKS PROJECT FUND | | | <u>\$ 15,865,995</u> |

TRANSPORTATION PROJECT FUND

| | | | |
|-----------------------------------|----|-----------|---------------------|
| Material & Services | \$ | 5,700 | |
| Capital Outlay | \$ | 3,306,000 | |
| Transfers | \$ | 279,160 | |
| Contingency | \$ | 211,640 | |
| Total TRANSPORTATION PROJECT FUND | | | <u>\$ 3,802,500</u> |

TUALATIN CITY SERVICES BUILDING FUND

| | | | |
|------------------------------------|----|---------|-------------------|
| Capital Outlay | \$ | 300,000 | |
| Total TUALATIN SERVICE CENTER FUND | | | <u>\$ 300,000</u> |

VEHICLE REPLACEMENT FUND

| | | | |
|---|----|-----------|---------------------|
| Capital Outlay | \$ | 1,043,500 | |
| Total VEHICLE REPLACEMENT FUND Appropriations | | | \$ 1,043,500 |
| Reserves | \$ | 1,632,745 | |
| Total VEHICLE REPLACEMENT FUND | | | <u>\$ 2,676,245</u> |

TRANSPORTATION DEVELOPMENT TAX FUND

| | | | |
|---------------------------------------|----|------------|----------------------|
| Capital Outlay | \$ | 4,790,000 | |
| Transfers | \$ | 276,310 | |
| Contingency | \$ | 10,249,660 | |
| Total TRANSPORTATION DEVELOP TAX FUND | | | <u>\$ 15,315,970</u> |

AMERICAN RESCUE PLAN FUND

| | | | |
|---------------------------------|----|-----------|---------------------|
| Material & Services | \$ | 205,065 | |
| Capital Outlay | \$ | 5,000,000 | |
| Transfers | \$ | 70,330 | |
| Contingency | \$ | 750,330 | |
| Total AMERICAN RESCUE PLAN FUND | | | <u>\$ 6,025,725</u> |

| | | | |
|----------------------------------|--|--|------------------------------|
| TOTAL APPROPRIATED - ALL FUNDS | | | \$ 110,248,585 |
| TOTAL RESERVES | | | \$ 35,503,425 |
| TOTAL UNAPPROPRIATED - ALL FUNDS | | | <u>\$ 7,877,330</u> |
| TOTAL BUDGET | | | <u>\$ 153,629,340</u> |

Section 3. The City Council of the City of Tualatin hereby imposes the taxes provided for in the adopted budget at the rate of \$2.2665 per \$1,000 assessed value for operations and in the amount of \$4,764,595 for bonds; and that these taxes are hereby imposed and categorized for tax year 2023-24 upon the assessed value of all taxable property within the district.

General Government Limitation
General Fund...\$2.2665/\$1,000

Excluded from Limitation
Debt Service Fund...\$4,764,595

Section 4. The Finance Director shall certify to the County Assessors of Washington County and Clackamas County, Oregon, the tax levy made by this resolution; and file with the County Clerks a true copy of the Budget as finally adopted.

INTRODUCED AND ADOPTED this 26th day of June, 2023.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM:

ATTEST:

BY _____
City Attorney

BY _____
City Recorder



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council
THROUGH: Sherilyn Lombos, City Manager
FROM: Megan George, Deputy City Manager
DATE: June 26, 2023

SUBJECT:

Consideration of Ordinance No. 1475-23 Prohibiting and Regulating Camping in the City of Tualatin

RECOMMENDATION:

Staff recommends the City Council approve Ordinance No. 1475-23 prohibiting and regulating camping in the City of Tualatin.

EXECUTIVE SUMMARY:

Staff reviewed background information and a draft ordinance with the City Council during the work session meeting on June 12, 2023. During that meeting, the City Council directed staff to return on June 26, 2023, with an updated version of the ordinance. Desired updates included:

- Prohibiting camping in “Wetland Protected Areas”; and
- Prohibiting camping within 10 feet of another campsite.

Those changes have been incorporated into Ordinance No. 1475-23. A summary of the time, place, and manner regulations is included below.

Time

- Camping prohibited between 7am and 7pm.

Place

Camping prohibited in:

- City-owned or maintained parking lots.
- Within 500 feet of schools, freeway entrances/exits.
- Within 20 feet of a building.
- Natural Resource Protection Overlay, Wetland Protected Areas, Natural Areas, greenways, and landscaped areas.
- Public right-of-way and railroad right-of-way.
- Municipal grounds and the Library Plaza.
- City Parks.

Manner

- May not accumulate, discard, or leave behind trash, etc.
- May not dig, excavate, erect/install fixtures, harm vegetation.
- May not obstruct or attach camp materials to public infrastructure or private property structures.
- Campsite is limited to 12x12 feet and may not be within 10 feet of another campsite.
- No unauthorized connections to electrical outlets or other utilities.
- May not start or maintain a fire.
- May not create a physical impairment to emergency ingress or egress.

BACKGROUND:

Two recent decisions out of the Ninth Circuit Court of Appeals (*Martin v. Boise* and *Johnson v. City of Grants Pass*) held that a governmental entity cannot “criminalize conduct that is an unavoidable consequence of being homeless – namely sitting, lying, or sleeping” under the Eighth Amendment to the Constitution. In addition, individuals similarly must be permitted to take minimal measures to keep warm and dry while sleeping.

In 2021, the Oregon Legislature passed HB 3115 (codified as ORS 195.530), which requires any regulation of sitting, lying, sleeping, or keeping warm and dry outdoors on public property that is open to the public to be objectively reasonable as to time, place, and manner prior to July 1, 2023.

Tualatin Municipal Code Chapter 6-12-030 states “No person shall camp in or upon any sidewalk, street, alley, lane, or public right-of-way, park or any other publicly owned property or under any bridge or viaduct, unless otherwise specifically authorized by this code or by declaration of the Mayor in emergency circumstances or authorized by a City permit for a special event.” Tualatin’s ordinance does not comply with HB 3115.

Homelessness is a significant issue affecting many communities in Oregon, including Tualatin. This update to Tualatin’s camping ordinance is narrow and does not address many related issues. Staff will continue to coordinate with regional partners and service providers on issues related to provision of services, shelter, and long-term housing opportunities, as the ultimate goal is to transition people into stable housing.

In drafting the attached ordinance, staff prioritized:

- Compliance with HB 3115;
- Providing clarity to City staff implementing and enforcing the time, place, and manner regulations;
- Consistency, where possible, with nearby jurisdictions; and
- Balancing the intended use of properties with compassion for people experiencing homelessness.

OUTCOMES OF DECISION:

Upon adoption of Ordinance No. 1475-23, Tualatin Municipal Code Chapter 6-12-030 will be immediately repealed and replaced and Tualatin Municipal Code Chapter 6-12-010 will be amended. These steps will bring the City of Tualatin into compliance with HB 3115.

Following adoption of the ordinance, staff will begin implementation, which includes development of public information materials and training for staff.

FINANCIAL IMPLICATIONS:

City staff, particularly in the Police Department and Parks Maintenance Division, currently engage

with people camping on public property on a day-to-day basis. At this time, we do not expect a significant increase to workload related to enforcement of time, place, and manner restrictions.

Related to clean-up of established campsites, earlier this year, the City entered into an Intergovernmental Agreement with Metro for “Regional Illegal Dumping (RID) Patrol”. Under this agreement, Metro is responsible for cleaning up established campsites and all costs incurred. In addition, the Police Department has already developed procedures to comply with HB 3124, passed by the Oregon Legislature in 2021. Under HB 3124, property removed from an established campsite must be managed in specific ways.

ATTACHMENTS:

- Staff Report
- Ordinance No. 1475-23
- Exhibit A – Tualatin Municipal Code Chapter 6-12-030
- Exhibit B – Tualatin Municipal Code Chapter 6-12-010 Amendments

Prohibition and Regulation of Camping on Public Property

City Council Meeting | June 26, 2023



Outline

- ▲ Background
- ▲ Ordinance No. 1475-23
- ▲ Next Steps

Background

Case Law

- **Martin v. Boise**
 - Cities cannot punish a person who is experiencing homelessness for sitting, sleeping, or lying on public property when that person has no place else to go;
 - Cities are not required to build or provide shelters for persons experiencing homelessness;
 - Cities can continue to impose traditional sit, sleep, and lie prohibitions and regulations on persons who do have access to shelter; and
 - Cities are allowed to build or provide shelters for persons experiencing homelessness.
- **Johnson v. City of Grants Pass**
 - Whether a city's prohibition is a civil or criminal violation is irrelevant. If the prohibition punishes an unavoidable consequence of one's status as a person experiencing homelessness, then the prohibition, regardless of its form, is unconstitutional;
 - Persons experiencing homelessness who must sleep outside are entitled to take necessary minimal measures to keep themselves warm and dry while they are sleeping; and
 - The case defined when someone does not have access to shelter.

Oregon Law: HB 3115

- Any city or county law regulating the acts of sitting, lying, sleeping or keeping warm and dry outside on public property must be “objectively reasonable” based on the totality of the circumstances as applied to all stakeholders, including persons experiencing homelessness.
- Deadline of July 1, 2023.

Tualatin's Current Ordinance

Tualatin Municipal Code Chapter 6-12-030

No person shall camp in our upon any sidewalk, street, alley, lane, or public right-of-way, park or any other publicly owned property or under any bridge or viaduct, unless otherwise specifically authorized by this code or by declaration of the Mayor in emergency circumstances or authorized by a City permit for a special event.

Tualatin's ordinance is not in compliance with HB 3115 and must be repealed or modified.

Ordinance No. 1475-23

Ordinance Goals

- Compliance with HB 3115;
- Clarity for City staff implementing and enforcing the time, place, and manner regulations;
- Consistency, where possible, with nearby jurisdictions; and
- Balance between the intended use of properties and compassion for people experiencing homelessness.

Ordinance No. 1475-23

(1) Camping Prohibited.

It is unlawful for any person to camp in or upon any public right-of-way or City property, unless specifically authorized.

- (a) By City Code.
- (b) In a declaration of a local emergency or disaster.
- (c) By the City Manager or designee when deemed necessary to serve the public interest.

Ordinance No. 1475-23

(2) Time, Place, and Manner Regulations.

- (a) A person without available shelter may camp on outdoor City property that is open to the public if all of the following time, place, and manner regulations are followed.
- (b) Time Regulations. A person without available shelter may camp on City property as permitted by subsection (2)(a) only if the person complies with all of the following time restrictions.
 - (i) A person may only camp between the hours of 7pm and 7am. After 7am, a person without available shelter must dismantle the campsite and remove all personal property and camp materials from the campsite.

Ordinance No. 1475-23

- (c) Place Regulations. A person without available shelter may not camp in the following places at any time.
- (i) Within any City-owned or maintained parking lot.
 - (ii) Within 500 feet from a public or private elementary school, secondary school, or career school attended primarily by minors.
 - (iii) Within 500 feet from an egress or ingress to a freeway.
 - (iv) Within 20 feet of a building, including but not limited to, residences, commercial buildings, and City buildings.
 - (v) Within the Natural Resource Protection Overlay, **Wetland Protected Areas**, Natural Areas identified in the Parks and Recreation Master Plan, greenways, and landscaped areas on publicly owned land.
 - (vi) In areas underneath roadways or bridges and publicly owned property that is not open to the public.
 - (vii) In the public right-of-way and railroad right-of-way.
 - (viii) Within City Parks.
 - (ix) Within municipal grounds and the Library Plaza.

Ordinance No. 1475-23

- (d) Manner Regulations. A person without available shelter may camp on City property as permitted by subsection (2)(a) if the person complies with all of the following manner regulations.
- (i) A person may not accumulate, discard, or leave behind in or around a campsite any rubbish, trash, garbage, debris, or other refuse, unsanitary or hazardous materials, or any animal or human urine and feces.
 - (ii) Digging, excavating, terracing of soil or other alteration of City property, or causing environmental damage or damage to vegetation or trees is prohibited.
 - (iii) Obstruction or attachment of camp materials to public infrastructure or private property structures, including bridges or bridge infrastructure, fire hydrants, utility poles, streetlights, traffic signals, signs, fences, trees, vegetation, vehicles, or buildings is prohibited.
 - (iv) Erecting, installing, placing, leaving, or setting up any type of permanent or temporary fixture or structure of any material or materials in or around a campsite is prohibited. For purposes of this section, a “permanent or temporary fixture or structure” does not include a tent, tarpaulin, or other similar item used for shelter that is readily portable.

Ordinance No. 1475-23

- (v) A campsite must be limited within a spatial footprint of 12 feet by 12 feet, or 144 square feet, **and a campsite may not be within 10 feet of another campsite**. Multiple persons may camp together in a single campsite, subject to the limitations of this subsection.
- (vi) Unauthorized connections or taps to electrical or other utilities, or violations of building, fire, or other relevant codes or standards are prohibited.
- (vii) Dumping of gray water (i.e. wastewater from bathwater, sinks and cooking) or black water (sewage) on City property is prohibited.
- (viii) Open flames, recreational fires, burning of garbage, and bonfires are prohibited except as specified in Chapter 5-2-040.
- (ix) Camping materials may not create a physical impairment to emergency ingress or egress or emergency response including within 10 feet of any fire hydrant, utility pole, or other utility, fire gate/bollards, or public infrastructure used for emergency response.

Ordinance No. 1475-23

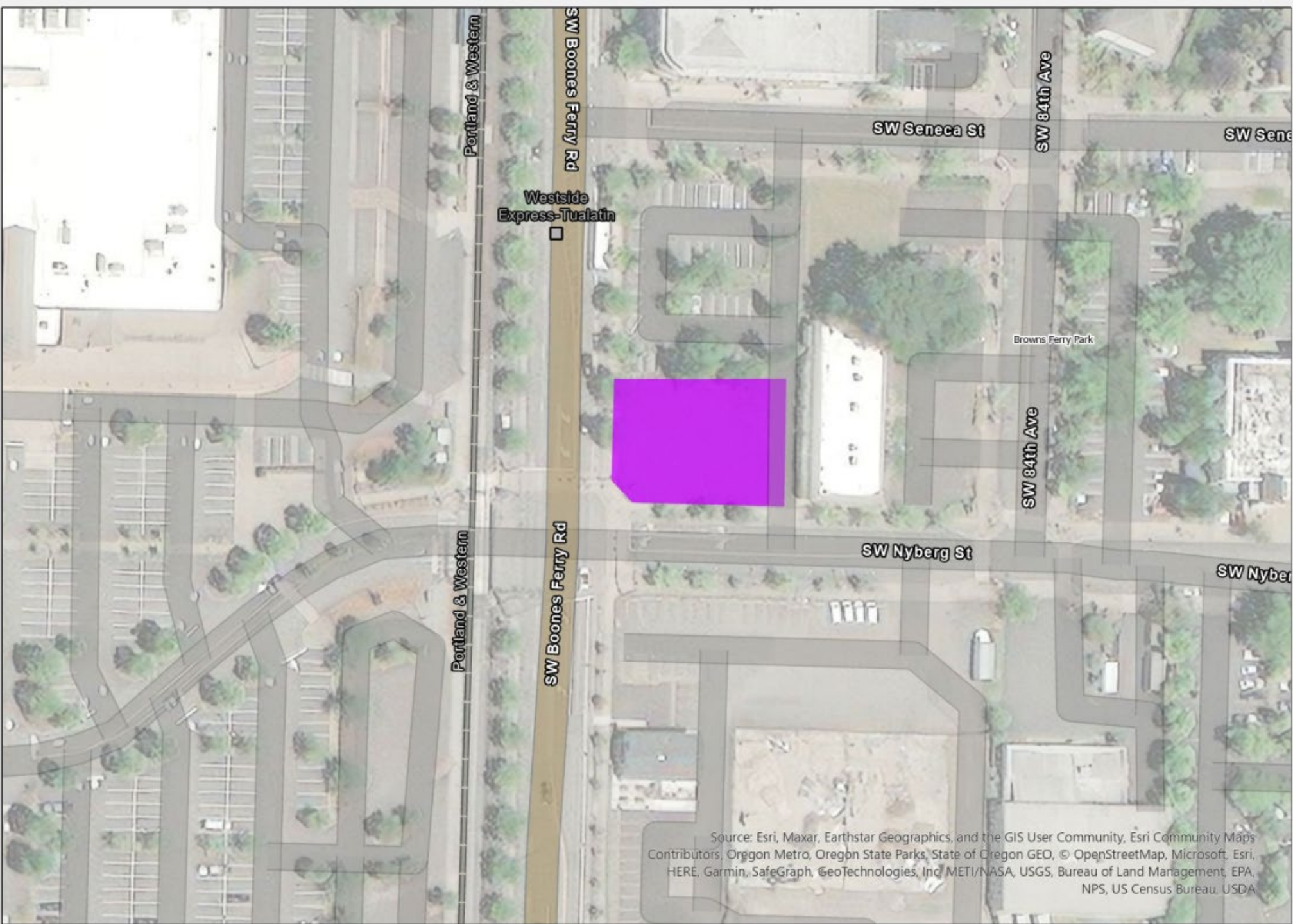
(3) Violation.

- (a) A violation of this Chapter is punishable as follows:
 - (i) Civil Infraction, punishable by a fee of \$35;
 - (ii) Citation in lieu of arrest for criminal trespass in the second degree; or
 - (iii) Arrest for criminal trespass in the second degree.
- (b) A civil infraction or citation in lieu of arrest issued pursuant to section (3)(a)(i-ii) (above) may be accompanied by an order of exclusion for up to 60 days.
- (c) An arrest for criminal trespass pursuant to section (3)(a)(iii) (above) may be accompanied by an order of exclusion for not more than 180 days.
- (d) Nothing in this Section is intended to prescribe any particular order of violation or penalty. A police officer has discretion to impose a violation tailored to the circumstances and necessary to maintain the health and safety of persons experiencing homelessness and the community.



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, Esri Community Maps Contributors, Oregon Metro, Oregon State Parks, State of Oregon GEO, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census-Bureau, USDA





Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, Esri Community Maps Contributors, Oregon Metro, Oregon State Parks, State of Oregon GEO, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA



Next Steps

- Adopt Ordinance No. 1475-23
- Ordinance takes effect immediately on its passage
- Check-In with City Council on Implementation in January 2024 (or before)

CITY OF TUALATIN
ORDINANCE NO. 1475-23
AN ORDINANCE PROHIBITING AND REGULATING CAMPING IN THE CITY OF TUALATIN

WHEREAS, the court decisions *Martin v Boise* and *Johnson v Grants Pass* held that prohibiting camping in the absence of available shelter violates a person’s Eighth Amendment rights against cruel and unusual punishment, but that a municipality may adopt reasonable time, place, and manner regulations; and

WHEREAS, Oregon House Bill 3115 (2021) codified the *Martin v Boise* decision and required all local government regulation of sitting, lying, sleeping, or keeping warm and dry outdoors on public property that is open to the public must be objectively reasonable as to time, place, and manner prior to July 1, 2023; and

WHEREAS, the intent of this ordinance is to enhance the livability, including health and safety, for all community members as well as to protect the environment, community assets, and infrastructure of Tualatin; and

WHEREAS, camping in certain sensitive or high-risk areas creates a danger to the environment, the public, and the persons experiencing homelessness; and

WHEREAS, camping in certain locations or infrastructure prevents the public’s ability to use those locations for their intended purpose and may result in imminent threats to life safety; and

WHEREAS, when shelter is not available, this ordinance allows a person to sleep protected from the elements and maintain the essentials for living, while still allowing others to use public spaces in a safe way, as designed and intended.

NOW THEREFORE, THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

- SECTION 1: Tualatin Municipal Code Chapter 6-12-030, Camping Prohibited on Public Property, is hereby repealed in its entirety and replaced with the attached Exhibit A.
- SECTION 2: Tualatin Municipal Code Chapter 6-12-010, Definitions, is hereby amended as provided in Exhibit B.
- SECTION 3: If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity does not affect the other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion therefore and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

SECTION 4: This ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this ordinance takes effect immediately on its passage.

ADOPTED by the City Council this ____ day of June, 2023.

CITY OF TUALATIN, OREGON

By _____

Mayor

ATTEST:

By _____

City Recorder

Exhibit A

Tualatin Municipal Code Chapter 6-12-030

Camping Prohibited on Public Property

(1) Camping Prohibited.

It is unlawful for any person to camp in or upon any public right-of-way or City property, unless specifically authorized.

(a) By City Code.

(b) In a declaration of a local emergency or disaster.

(c) By the City Manager or designee when deemed necessary to serve the public interest.

(2) Time, Place, and Manner Regulations.

(a) A person without available shelter may camp on outdoor City property that is open to the public if all of the following time, place, and manner regulations are followed.

(b) Time Regulations. A person without available shelter may camp on City property as permitted by subsection (2)(a) only if the person complies with all of the following time restrictions.

(i) A person may only camp between the hours of 7pm and 7am. After 7am, a person without available shelter must dismantle the campsite and remove all personal property and camp materials from the campsite.

(c) Place Regulations. A person without available shelter may not camp in the following places at any time.

(i) Within any City-owned or maintained parking lot.

(ii) Within 500 feet from a public or private elementary school, secondary school, or career school attended primarily by minors.

(iii) Within 500 feet from an egress or ingress to a freeway.

(iv) Within 20 feet of a building, including but not limited to, residences, commercial buildings and City buildings.

(v) Within the Natural Resource Protection Overlay, Wetland Protected Areas, Natural Areas identified in the Parks and Recreation Master Plan, greenways, and landscaped areas on publicly owned land.

(vi) In areas underneath roadways or bridges and publicly owned property that is not open to the public.

(vii) In the public right-of-way and railroad right-of-way.

(viii) Within City Parks.

(ix) Within municipal grounds and the Library Plaza.

(d) Manner Regulations. A person without available shelter may camp on City property as permitted by subsection (2)(a) if the person complies with all of the following manner regulations.

(i) A person may not accumulate, discard, or leave behind in or around a campsite any rubbish, trash, garbage, debris, or other refuse, unsanitary or hazardous materials, or any animal or human urine and feces.

(ii) Digging, excavating, terracing of soil or other alteration of City property, or causing environmental damage or damage to vegetation or trees is prohibited.

(iii) Obstruction or attachment of camp materials to public infrastructure or private property structures, including bridges or bridge infrastructure, fire hydrants, utility poles, streetlights, traffic signals, signs, fences, trees, vegetation, vehicles, or buildings is prohibited.

(iv) Erecting, installing, placing, leaving, or setting up any type of permanent or temporary fixture or structure of any material or materials in or around a campsite is prohibited. For purposes of this section, a “permanent or temporary fixture or structure” does not include a tent, tarpaulin, or other similar item used for shelter that is readily portable.

(v) A campsite must be limited within a spatial footprint of 12 feet by 12 feet, or 144 square feet, and a campsite may not be within 10 feet of another campsite. Multiple persons may camp together in a single campsite, subject to the limitations of this subsection.

(vi) Unauthorized connections or taps to electrical or other utilities, or violations of building, fire, or other relevant codes or standards are prohibited.

(vii) Dumping of gray water (i.e. wastewater from bathwater, sinks and cooking) or black water (sewage) on City property is prohibited.

(viii) Open flames, recreational fires, burning of garbage, and bonfires are prohibited except as specified in Chapter 5-2-040.

(ix) Camping materials may not create a physical impairment to emergency ingress or egress or emergency response including within 10 feet of any fire hydrant, utility pole, or other utility, fire gate/bollards, or public infrastructure used for emergency response.

(3) Violation.

(a) A violation of this Chapter is punishable as follows:

(i) Civil Infraction, punishable by a fee of \$35;

(ii) Citation in lieu of arrest for criminal trespass in the second degree; or

(iii) Arrest for criminal trespass in the second degree.

(b) A civil infraction or citation in lieu of arrest issued pursuant to section (3)(a)(i-ii) (above) may be accompanied by an order of exclusion for up to 60 days.

(c) An arrest for criminal trespass pursuant to section (3)(a)(iii) (above) may be accompanied by an order of exclusion for not more than 180 days.

(d) Nothing in this Section is intended to prescribe any particular order of violation or penalty. A police officer has discretion to impose a violation tailored to the circumstances and necessary to maintain the health and safety of persons experiencing homelessness and the community.

Exhibit B

Tualatin Municipal Code Chapter 6-12

PROHIBITED PUBLIC BEHAVIORS

6-12-010 Definitions.

Alcoholic Beverage includes beer, wine, ales, alcoholic liquors and all beverages containing alcohol.

Available shelter is a shelter that is able to be used or at a person's disposal based on the individual facts and circumstances of that particular person. A shelter is considered not available to a person if, based on the individual facts and circumstances of that particular person, the shelter cannot be accessed or utilized for sitting, sleeping, and keeping warm and dry. Such situations include, but are not limited, to a shelter that:

1. Requires payment and the individual does not have money to pay for the shelter;
2. Has a maximum stay rule or temporal requirement or deadline the person has exceeded or not met;
3. Has excluded the person from the shelter for any lawful reason;
4. Cannot reasonably accommodate the person's mental health or physical needs;
5. Is unavailable due to the person's family status, age, gender, gender identity, sexual orientation, or other status;
6. Has excluding general rules that prohibit alcohol or drug use in the shelter or on shelter grounds or is unavailable to the person because the shelter has rules about alcohol or drug use that the person does not meet;
7. May prohibit a minor child to be housed in the same facility with at least one parent or legal guardian;
8. Requires participation in religious activity or receipt of religious information or religious teaching the person does not wish to participate in or receive; or
9. Requires a person to leave their pet(s) unattended in order to stay at the shelter. This section does not apply to service animals under the Americans with Disabilities Act.

Camp or Camping means to pitch, erect, create, use or occupy camp materials for the purpose of establishing or maintaining a permanent or temporary place to live.

Camp materials include, but are not limited to, tents, huts, awnings, lean-tos, chairs, tarps or tarpaulins, cots, beds, sleeping bags, blankets, mattresses, sleeping or bedding materials, food or food storage items, or similar items that are or appear to be used as living or sleeping accommodations, or to assist with living or sleeping activities. *Campsite* means any place established or maintained for the purpose of camping.

City property means any real property or structures owned, leased, or managed by the City.

Downtown Area means the area bounded on the north beginning at 90th and Tualatin Road along the north right-of-way to the access road by the Tualatin Country Club back to the Tualatin River then extending to include the incorporated portion of the City of Tualatin that lies north of the Tualatin River

down to the intersection of the railroad tracks with the Interstate Highway 5 right-of-way; on the East by the east side of the Interstate Highway 5 right-of-way; on the South by the south side of the right-of-way of Nyberg Street through its connection with and along Tualatin-Sherwood Road to 90th; and on the West by the west side of the right-of-way of 90th Street up to its intersection with Tualatin Road. (See Map.)

Freeway means a highway for through traffic where access to the highway is fully controlled except as may be allowed at designated interchanges and includes Interstate 5, Interstate 205, and Highway 99W.

Open to the public shall mean City properties where members of the public are not prohibited from being by law, rule, regulation, or custom including, but not limited to the properties being closed due to hour restrictions, physical barriers, or because they are temporarily being used for another purpose. Examples of properties that are not open to the public include properties being used for City water facilities such as reservoirs, parks that are closed overnight, properties that are under repair, or properties for which a permit has been issued for an event.

Parking lot means all developed or undeveloped areas or facilities owned, maintained, and/or leased by the City and are designated for the parking of vehicles.

Right-of-way means an area that allows for the passage of people, goods, or utilities. Right-of-way may include freeways, pedestrian connections, and streets. A right-of-way may be dedicated or deeded to the public for the public use or owned by the City or other public body.

Shelter means a place an individual may access for the purposes of sitting, sleeping, and keeping warm and dry, which may include but is not limited to a residence, hotel, motel, or a public or private facility developed or legally established for people experiencing homelessness that does not charge for services.

Megan George

From: Chris Balmes PC <chris@chrisbalmes.com>
Sent: Friday, June 16, 2023 9:59 AM
To: Megan George; council@tualatin.gov
Subject: Homeless Site Locations

Good morning: I own two businesses and a home in Tualatin. Our two businesses are located behind the proposed site on Boones Ferry and my home is located one block up in Villas on the Lake.

My professional opinion about the Boones Ferry site is that it is right in the middle of a residential area and the lake commons area where many events take place, where the fountain provides hours and hours of enjoyment and play time for families with children and where people dine outside in the restaurants which are located around the commons. It seems to me that the homeless who are only allowed to stay from 7-7 will have no where to go during the day nor anywhere to store their belongings which they will worry will be stolen, etc. My guess is that they will gravitate to the commons area where there is a lot of lawn space, restrooms, water in the fountain and lake, leftover food in garbage cans, etc. Our HOA president's husband already picks up human waste regularly outside of our condo area which is located near the lake. I have great concern for health and safety because of how close the new camping site would be to all of this area which is busy all of the time with residents/visitors who walk, run, bicycle and enjoy the outdoors. I would question bringing my children into an area where there may now be excrement, needles, people sleeping on the ground, screaming and yelling, etc. We also can already here all of the screaming/loud talking going on from our bedrooms which face 84th and Boones Ferry during the late night/early morning. I also feel that area is extremely close to Tualatin Park which will probably see an influx of these homeless in the off hours. There are many young teenagers in the skate park etc. who I feel would be at risk with being approached for drugs, money, etc.

I feel the police station location would be a better choice. I feel the police would then have better control over them with regards to fires, etc. I do know that when we used to dine downtown PDX, we would see fires on the sidewalks, etc. in the evening with firetrucks coming and going quite often.

I also question why a site further away from the middle of town wouldn't be more attractive to both the homeless and to property owners/business owners. I understand that the city must own the land; however, it might also be possible for a company such as Kaiser to donate some land that they have which is at the other end of town; or perhaps Tualatin has land in other locations. I would like to know that the City is investigating sites not in the middle of town – where the “hub” is of our city. The realtor/property manager business side of me knows that this is going to decrease property values in this immediate area of Tualatin, but also all of Tualatin if this site is in plain site of people traveling around the city. I know that a party who has a purchase pending in Villas on the Lake is talking of pulling their offer which is was to close next week because of the campsite. The father of the first time home buyers has been stopping into residences and mainly businesses (including ours) which back up to the site complaining and asking questions and expressing severe concern about health issues.

Our HOA President who was a Deputy/Sheriff for years and then worked for the State for years and she interprets the ruling differently. She does not feel that each city is required to have a campsite. She interprets it that the city can't turn down allowing someone to camp somewhere in the city. When she called the City and asked why “two spots” were being considered she was told by the woman that she talked to that “the city doesn't know how many will be coming”. It seems that we are inviting people to come and camp and I don't like that thought at all. I believe two spots is totally overreaching and being way too open to all who want to come. Let's see what we end up prior to designating multiple camping sites.

Please take these thoughts into consideration. Thank you.

Chris Balmes PC
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2018 MANAGING BROKER OF THE YEAR

From: gproberts1950@comcast.net
To: [Nicole J. Morris](#)
Subject: House Bill 3115
Date: Monday, June 19, 2023 3:46:30 PM



Hello – I recently attended the June 12th Work Session where City Council members reviewed proposed revisions to the local ordinance related to camping by homeless citizens on public property, and am pleased to see that several of the issues discussed at the Work Session have been included in the latest/revised draft, which will be reviewed again on June 26th. As the now-retired Superintendent of the Oregon State Hospital, where many patients were homeless prior to their admission, and having worked as an administrator of State psychiatric hospitals for 45 years (in New Jersey and in Oregon), I feel that I am very familiar with the relevant issues at hand. I have the following comments/recommendations that I hope the Council will consider:

While two sites were identified as permissible locations for campers, I would recommend that only one site (the larger of the two) be made available at first. I think it's important to concentrate local resources in one location until we gain some experience with the camping "program" – while the Police Chief described Tualatin's experience to date with few homeless campers, I believe that once more people camp on the identified property (likely 50 to 100?), the experience will be very different.

Before opening two sites, let's see what kinds of issues/problems we experience with a larger group on one site. Will there be a trash problem? How often will a Police/Fire/First Aid response be necessary? Will the campers abide by the stated requirements (e.g., no digging/excavation, no obstruction of public infrastructure or private property, etc.)? Will illegal drug use become a problem? Where will the campers store their belongings after 7 a.m., and where will they spend their day? What type of social services will campers require, and how will those services be provided?

Simply stated, I recommend that we proceed slowly, and that a second location not be made available until we feel confident in our ability to satisfactorily address all of the issues/problems that arise from the first location.

Thank you.

Greg Roberts
19050 SW Mobile Place
Tualatin

Megan George

From: Maria Reyes
Sent: Monday, June 19, 2023 10:13 AM
To: Jerry Rousselle; Megan George; Sherilyn Lombos
Subject: Re: Time Manner and Place... City Camping Ordinance

Thank you for your email, Mr. Rousselle.

Respectfully yours,

Maria

Councilor Maria A. Reyes
City of Tualatin
503-454-6551 (text/call)

From: Jerry Rousselle <j_rous@frontier.com>
Sent: Saturday, June 17, 2023 11:20:47 AM
To: Maria Reyes <mreyes@tualatin.gov>
Subject: Time Manner and Place... City Camping Ordinance

Dear Councilor Reyes,

I am writing to you not only as a 36-year resident of Tualatin, but also as the parent of one of two of Tualatin's soon-to-be newest homeowners, my youngest daughter, Hayley and her newlywed husband, Jason. In addition, the concerns and questions expressed in this email are also of keen concern to my oldest daughter, Ashleigh, and her husband, Matthew, who have been homeowners here in Tualatin since 2020.

For context, just this past Memorial Day, Hayley and Jason made an offer on a condominium located on SW Seneca Street. Their offer was accepted and they were over the moon with excitement. Both Hayley and Jason are in their mid-20's and early in their professional careers. They, as many in their generation, were both resigned to only being able to rent for the foreseeable future...with the dream of home ownership being a distant goal many years down the road. The opportunity to purchase this condominium seemed to them to be a dream come true. It's literally in the heart of downtown Tualatin, with all the restaurants, shops, banks, and the Commons Lake Plaza right out their front door. A seemingly amazing opportunity for them to own their own home in the community in which they both grew up and that both of their families still reside. Hayley's sister and brother-in-law would actually be nearby neighbors—as they own a sister condominium located just behind them. It all seemed too good to be true.

Then, just a few days ago, they felt that the rug had been pulled out from underneath them when they learned of the pending outdoor camping ordinance that the City Council will be voting on during the upcoming June 26th council meeting - - the night before Hayley and Jason's closing date on the condo. What they learned through a Fox Hills neighborhood Facebook post is that one of two proposed campsite locations for houseless people would be an open gravel lot located approximately 500 feet from their condominium complex. In addition, they learned that the second proposed location is a grassy field located adjacent to the Tualatin Police Department. They immediately began scouring the City of Tualatin website for more details. They found links to the June 12th City Council Meeting and the earlier 5pm Work Session. They downloaded the informational "packets," they hopped on a Zoom call for a Tualatin Park Advisory Committee Meeting (which two committee members popped on to let the public know that the meeting had been canceled last-minute but that was going to be rescheduled--now scheduled for June 20th). These two committee members stayed on the Zoom meeting and provided them, myself and one other Commons area resident with a few more details regarding the proposed ordinance — but still left us wanting and needing more information and clarification.

Hayley and Jason have been thinking critically and empathetically about the situation, but admittedly are still surprised by the proposed number of 120 campsites between the two locations being considered. With each campsite possibly hosting as many as five individuals, it seems as though the city is anticipating as many as 600 homeless people camping

overnight within a few blocks of their dream first home. Understandably, this has left Hayley and Jason with many concerns. Would their soon-to-be new neighborhood be turned into a less than desirable place to live? Would the value of their new home plummet? Would it remain a safe place to walk around the Commons Plaza and Commons Lake at night? Would this be a neighborhood in which they could raise children in a few years?

At this point, Hayley and Jason are both weighing if they want to proceed with their purchase of the condominium and, yes, both losing out on their dream of home ownership and forfeiting the expenses they have already incurred toward their closing on the financing and purchase of this property. Obviously, Hayley's sister and brother-in-law share many of these same concerns. In addition, my wife and I share these same concerns about the livability, condition and safety of our two daughters and their husbands living in the heart of downtown Tualatin and out into the surrounding neighborhoods and parks of our wonderful city. According to at least one national media publication Tualatin currently ranks as the fourth "best places to live for families" in the entire country.

Here are some questions:

1.) From my speaking with a Tualatin Police Department representative the known homeless population for the past 5 to 7 years has been and continues to be in the range of 10 to 15 individuals. Is the current Tualatin homeless population estimate of 10 to 15 individuals (as provided to me by the Tualatin Police Department) accurate? What is the City's belief of what net effect this new camping ordinance will have on the homeless population within the city of Tualatin?

2.) Does HB 3115 require more than one designated location for camping? If only one designated camping location is required, will the Council consider approving just one of the two proposed sites? And if so, is there a preference of one site over the other? Because the field adjacent to the Police Department has a greater capacity that currently far exceeds what appears to be needed at this time (and would be able to accommodate many more homeless camping spaces should the need arise in the future) doesn't it make sense to have this one location be the designated camping location? Having only one location would limit the police to only having to "actively" monitor one site and for only one site to be cleaned up should any homeless individuals utilizing the field not adhere to the requirements for them to clean up after themselves.

3.) How committed is the City (both leaders and the Police Department) to maintaining the livability, appearance, condition of property and safety to the residents (both homeowners & renters), businesses and their employees in this compact area of the heart of downtown Tualatin? The potential exists for negatively affecting property values (to these relatively few homeowners) and possible losing businesses should things begin to spiral as either a result of an influx of homeless individuals or inappropriate behavior and/or activity carried out by one or more individuals. What steps will the City take to ensure that this does not happen and that our city remains a clean, safe and desirable place for all of its citizens?

I greatly appreciate your time in reviewing my concerns and questions. I will be attending the upcoming Work Session and City Council Meetings.

Jerry Rousselle
(503) 709-4570 cell

From: [Thor Thorson](#)
To: [Nicole J. Morris](#)
Subject: Ordinance No. 1475-23
Date: Saturday, June 17, 2023 10:58:42 AM

This email is to provide my support for Ordinance No. 1475-23 as drafted in the agenda and information packet for the 6/26/2023 City Council meeting.

I have read the following material for consideration of Ordinance No. 1475-23;

- staff report
- presentation
- ordinance No. 1475-23
- exhibit A
- exhibit B

Thor Thorson
Resident of Tualatin

Sent from my iPhone