# City of Tualatin

#### **TUALATIN CITY COUNCIL MEETING**

**MONDAY, JANUARY 27, 2020** 

### JUANITA POHL CENTER 8513 SW TUALATIN ROAD TUALATIN, OR 97062

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

### 5:00 PM WORK SESSION

- 5:00 p.m. (45 min) Review of Tualatin's Marijuana Regulations. At the Council meeting of October 28, 2019, current marijuana regulations and a brief history were presented to the City Council. After hearing public comments, the Council directed that staff bring back information about the buffers that are currently in place.
- 2. 5:45 p.m. (60 min) Parks Funding Polling Results. Staff presented funding options to implement the Parks and Recreation Master Plan at the November 12, 2019 Council work session. Council requested additional information, which included polling data. Campbell DeLong Resources was selected to research voter attitudes towards funding parks and recreation improvements. Staff and consultants will present the results from the parks funding research and polling.
- 6:45 p.m. (15 min) Council Meeting Agenda Review, Communications & Roundtable. Council will review the agenda for the January 27th City Council meeting and brief the Council on issues of mutual interest.

### 7:00 P.M. CITY COUNCIL MEETING

**Call to Order** 

Pledge of Allegiance

**Announcements** 

Recognition of Student Artists from Sagert Sidewalk Project

#### **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 Regular Meeting Minutes of December 9, 2019 and Work Session and Regular Minutes of January 13, 2020
- 2. Consideration of **Resolution No. 5480-20** Authorizing the City Manager to Enter into a Land Transfer Agreement with the Tualatin Development Commission
- 3. Consideration of Resolution No. 5481-20 approving the termination of the Central Urban Renewal District and Central Urban Renewal District Plan and adopting the Final Report

### Public Hearings - Legislative or Other

 Consideration of <u>Resolution No. 5482-20</u> Adopting Findings in Support of a Special Procurement and Authorizing the City Manager to Enter into a Direct Negotiation Contract with Barney & Worth, Inc. for Services for the Tualatin Moving Forward Bond Program

### Public Hearings - Quasi-Judicial

1. Consideration of <u>Ordinance No. 1430-20</u> Requesting the Annexation of Territory Located at 23620, 23740 SW Boones Ferry Road and 9185, 9335, 9415 SW Greenhill Lane (Tax Map: 2S135D Lots: 400, 401, 500, 501, 600, 800, 900) into the City of Tualatin; Annexing Portions of SW Lower Boones-Ferry Road and SW Greenhill Lane; Withdrawing the Territory from the Washington County Enhanced Sheriff Patrol District; and Annexing Territory into the Boundary of Clean Water Services (File No. ANN-19-0002)

#### **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.

 Consideration of Recommendations from the Council Committee on Advisory Appointments

#### 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 <a href="https://www.tualatinoregon.gov/council">www.tualatinoregon.gov/council</a>.

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 <a href="https://www.tvctv.org/tualatin">www.tvctv.org/tualatin</a>.

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 Staff Report

**TO:** Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

**FROM:** Aquilla Hurd-Ravich, Community Development Director

Steve Koper, AICP, Planning Manager

**DATE:** January 27, 2020

### SUBJECT:

Review of Tualatin's marijuana regulations (Development Code Chapter 80).

#### **RECOMMENDATION:**

Discussion only.

#### **EXECUTIVE SUMMARY:**

### Background:

• State Ballot Measure 91 was passed in 2014, legalizing and regulating the production, processing and sale of marijuana in Oregon. Under state law, jurisdictions are allowed to apply "time, place, and manner" restrictions to marijuana facilities. Tualatin's "time, place, and manner restrictions" were adopted in 2015 (Ordinance No. 1379-15).

### **Current Status:**

- Tualatin's "time, place, and manner" regulations on marijuana facilities are found in Chapter 80 of the Development Code.
- State law prohibits marijuana facilities within residential zones and within 1,000 feet of a school.
- Tualatin's siting standards applicable to marijuana facilities are summarized as follows:
  - Marijuana facilities (production, processing and retail sale) are limited to Industrial zoning districts (ML, MG, MBP).
  - o Marijuana sales are not currently allowed in commercial or mixed use districts.
  - Marijuana facilities on a property can be located no less than 3,000 feet (measured property to property) from:
    - A residentially zoned property or property containing residential uses;
    - A property containing a school:
    - A property containing a park; and
    - The Tualatin City Library.
  - Marijuana facilities on a property can be located no less than 2,000 feet (measured property to property) from another property containing a marijuana facility.

### **Discussion**

At the Council meeting on October 28, 2019, current marijuana regulations and a brief history were presented to the City Council. After hearing public comments, the Council directed that staff bring back information about the buffers that are currently in place. The question at the time was if the 3,000-foot buffer currently in code is reasonable. The other question raised was if the 2,000-foot buffer between marijuana facilities is reasonable. That question has a straightforward answer in that this regulation currently does not comply with state law, which regulates buffers between facilities at 1,000-feet. However, the question regarding the reasonableness of a 3,000-foot buffer is before you tonight for discussion.

#### Conclusion:

Based on tonight's discussion, does the Council desire to discuss this further, and if so, is there more information needed from staff?

### **ATTACHMENTS:**

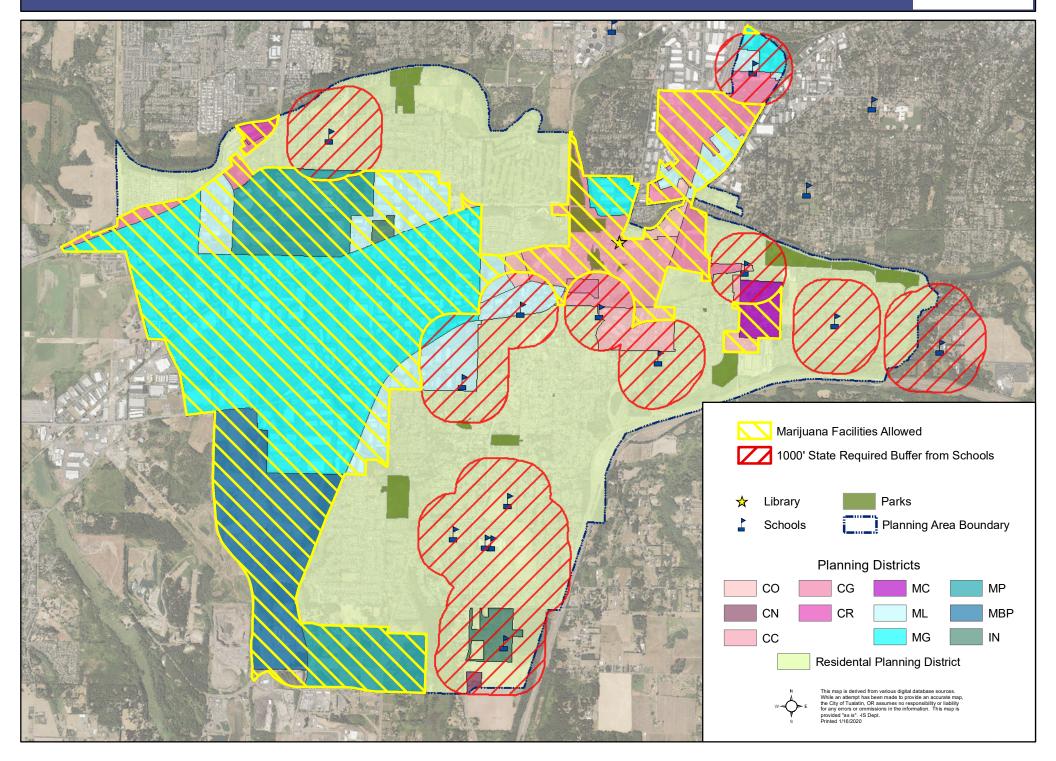
-Exhibit A: State Mandated Buffers-Exhibit B: Existing 3,000 Foot Buffers

-Exhibit C: 2,000 Foot Buffers -Exhibit D: 1,000 Foot Buffers

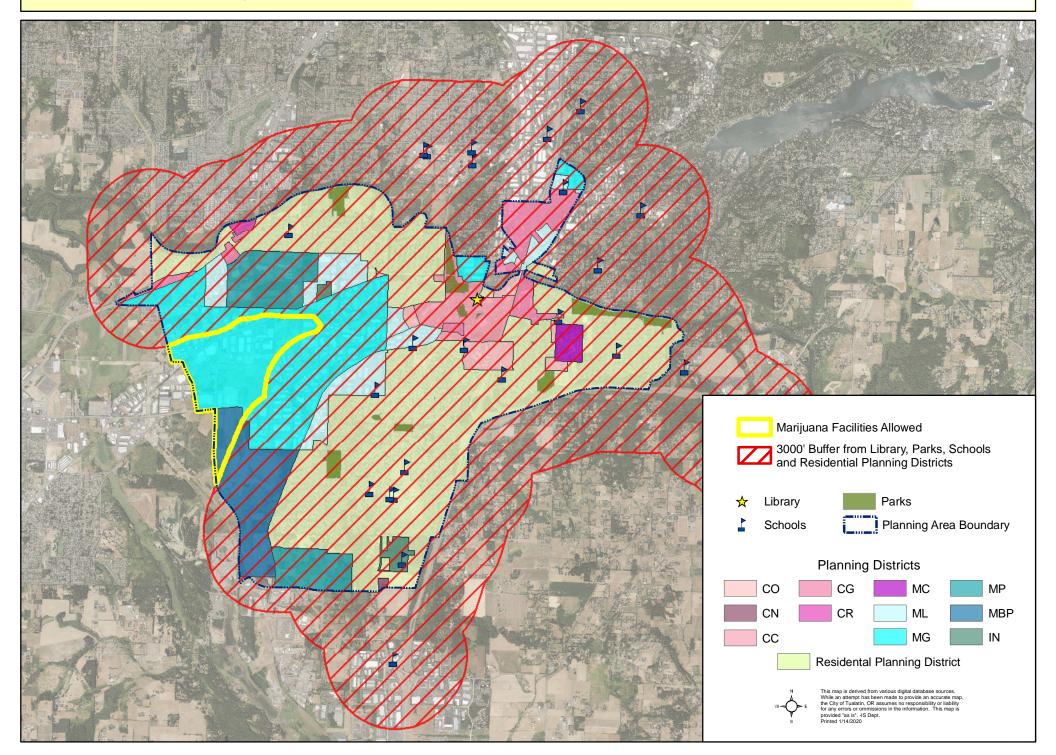
-Exhibit E: Presentation

### Marijuana Facilities Siting Standards – State Mandated Buffers

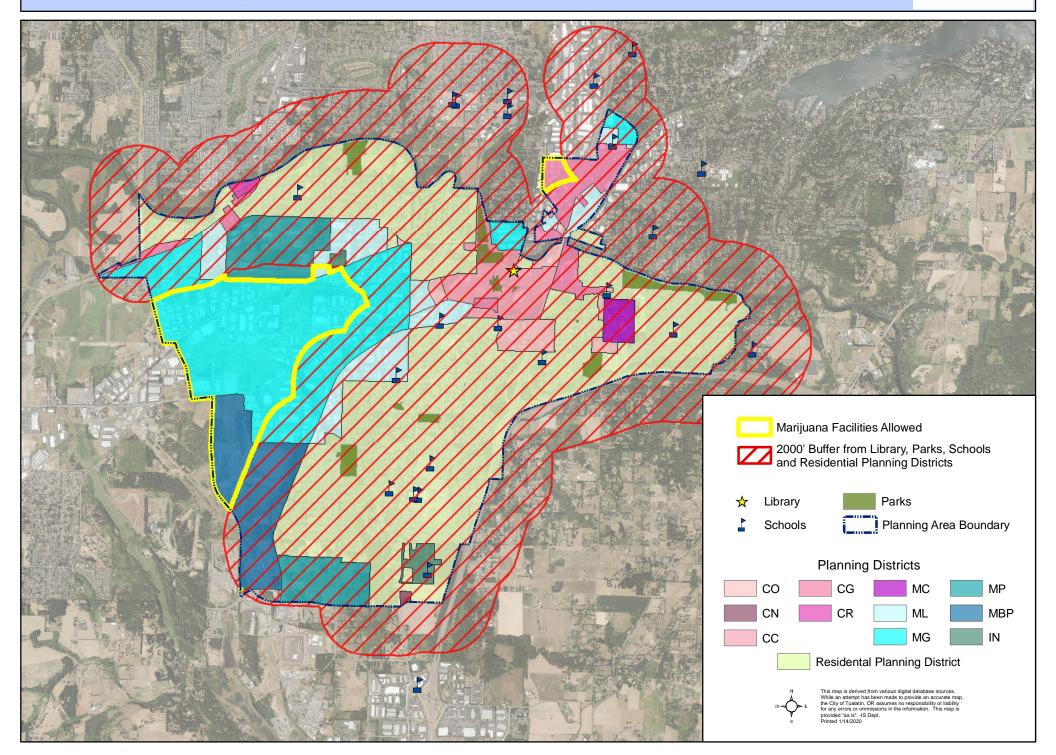




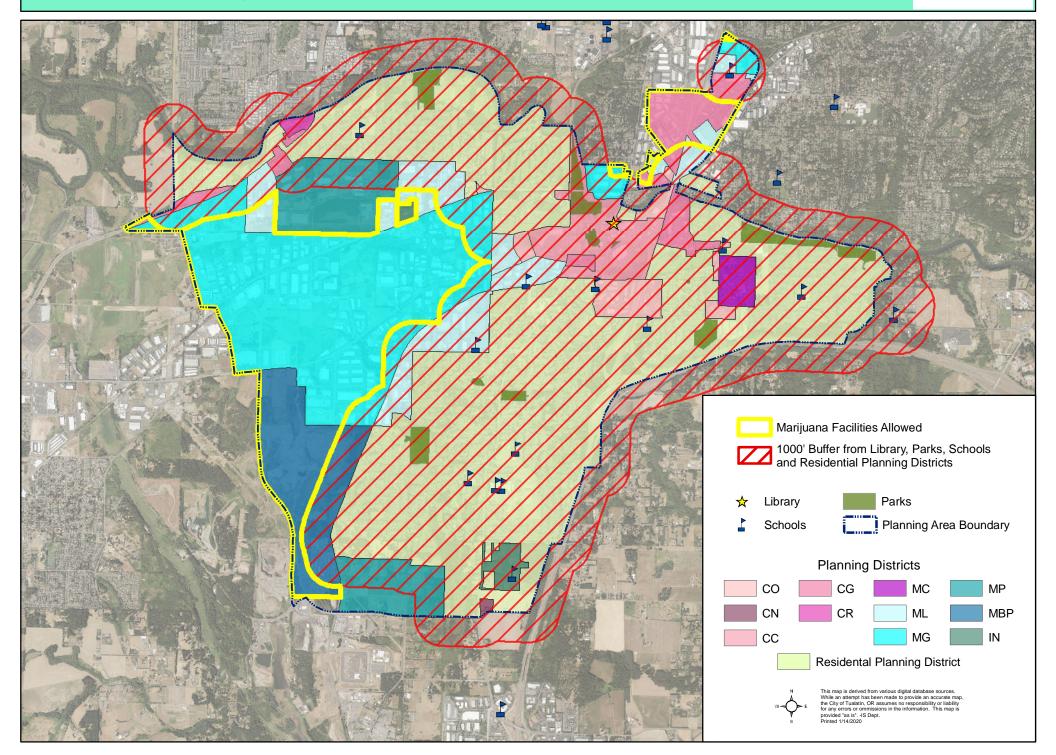












# Review of Tualatin's Marijuana Regulations

City Council Work Session January 27, 2020



## **Tonight's Review**

- Background
- Current Regulations
- Recap of Recent Discussion
- Buffers Discussion
- Next Steps
- Q&A

# Background

- State Ballot Measure 91 was passed in 2014, legalizing and regulating the production, processing and sale of marijuana in Oregon.
- Under state law, jurisdictions are allowed to apply "time, place, and manner" restrictions to marijuana
- Tualatin's "time, place, and manner restrictions" were adopted in 2015 (Ordinance No. 1379-15), and are found in Chapter 80 of the Development Code.

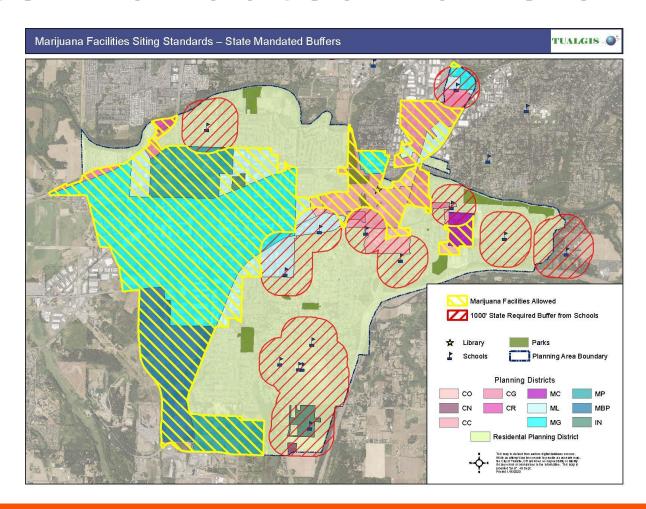
## **Current Regulations**

- Marijuana facilities (production, processing and retail sale) are limited to Industrial zoning districts (ML, MG, MBP).
- A 3,000 foot buffer from:
  - Residential zoning districts and/or residential uses
  - Schools
  - Parks
  - Library
- A 2,000 foot buffer between marijuana facilities.

## Recap of Recent Discussion

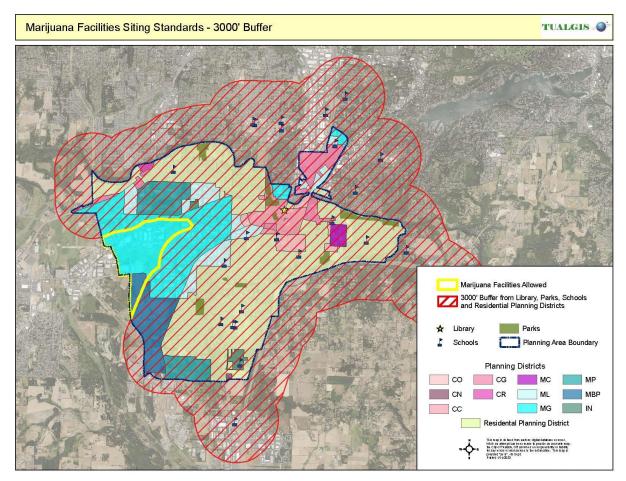
- On October 28, 2019, the Council received an overview of current marijuana regulations and a brief history from Sean Brady, City Attorney.
- After hearing public comments, the Council directed to staff to bring back information about the buffers that are currently in place.
- It was determined that the 2,000-foot buffer between marijuana facilities does not comply with state law which limits the buffer to 1,000-feet.
- For consideration tonight, is the current 3,000-foot buffer from residential zones and uses, schools, parks, and the library.

### **State Mandated Buffers**



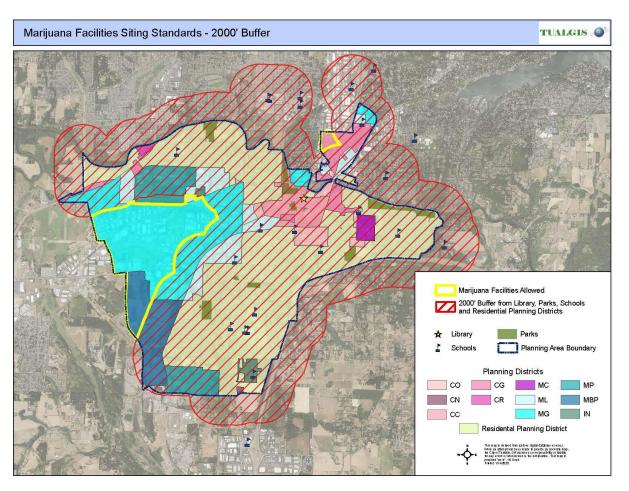


# Existing Buffers (3,000 feet)

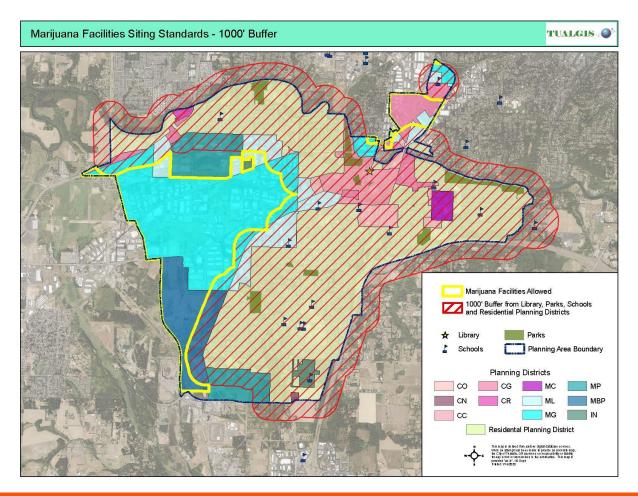




## 2,000-foot Buffers



# 1,000 Buffers





## **Next Steps**

 Based on tonight's discussion, does the Council desire to discuss this topic further, and if so, is there more information needed from staff?

## Questions and Discussion





### 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

**DATE:** January 27, 2020

#### SUBJECT:

Parks Funding Polling Results

### **EXECUTIVE SUMMARY:**

Staff presented funding options to implement the Parks and Recreation Master Plan at the November 12, 2019 Council work session. Council requested additional information, which included polling data. Campbell DeLong Resources was selected to research voter attitudes toward a possible parks and recreation bond. Staff and consultants will present the results from the parks improvement bond research and polling.

#### ATTACHMENTS:

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# 2020 Parks Improvement Bond Voter Survey

Survey research conducted January 2020



### TABLE OF CONTENTS

Methods page 1

Research Results page 4

Demographics

Reaction to parks improvement bond request

Reaction to bond facts

Information sources

Conclusions & Recommendations page 29

Appendix page 35

Questionnaire

### **METHODS**

### Objectives:

- ✓ Assess likely level of support for potential bond
- ✓ Identify how best to communicate bond's benefits
- ▶ Telephone interviews with registered voters. 62% of interviews conduct on cell phones
- List source: Registered voters in City
- Sample size: 251. Worst-case reliability ±6.2%.

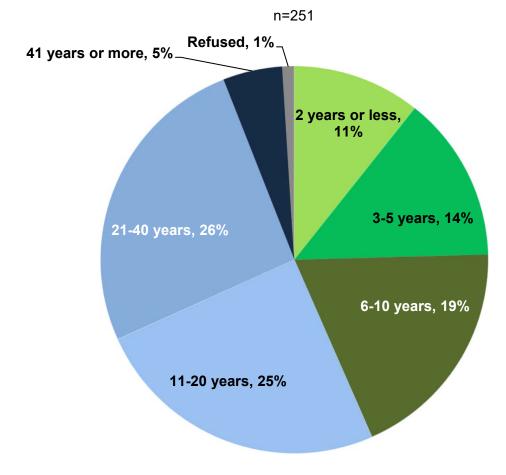
- Respondent criteria:
  - ✓ Lives in City of Tualatin
  - ✓ Self-described as voter 69% vote in every election; 23% in Primary & General; 8% Presidential only
  - ✓ Gender balanced (51%/49% male/female)
- Interviews conducted January 2-16, 2020

### **RESEARCH RESULTS**

### Respondent demographics

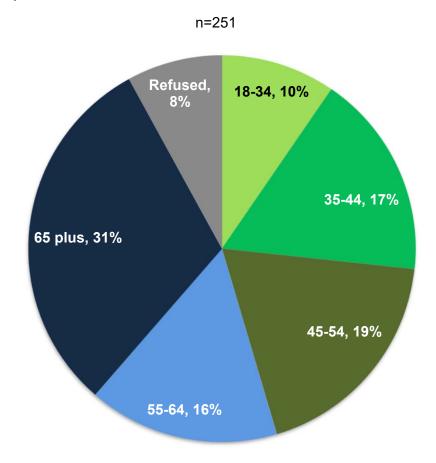
# Many voters are relatively new to Tualatin. Average is 21 years; median is 15 years

Q: How long have you lived in the City of Tualatin?



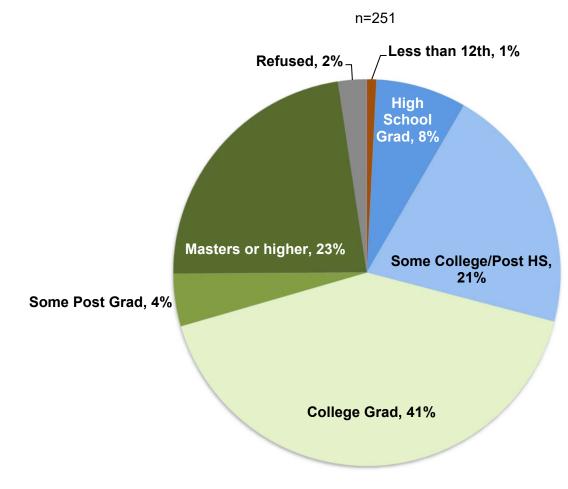
# As expected, voters are also older. Both average & median is 55 years

Q: What is your age, please?



# Voters are well-educated — most have at least some post-secondary education

Q: What is the last year of education you had the opportunity to complete?

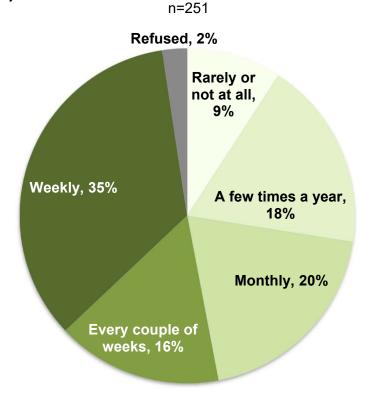


# Other demographics: About half have a dog, a third children at home & 8 in 10 are homeowners

- ► Homeownership: 81% own home
- ▶ Children under 18: 34% have children in home
- Dog ownership: 45% have a dog

# Half of voters indicate household visits to a City park at least every couple of weeks

Q: In the last year, how often has anyone in your household visited a City of Tualatin park or recreation facility?



### **Reaction to bond request**

### INITIAL "ASK" WORDING

Now I am going to ask some questions about a parksimprovement bond the City of Tualatin is considering placing on the ballot this year. The \$30 million, 20-year bond would fund city-wide improvements to Tualatin's parks, playing fields, community trails, and river-access.

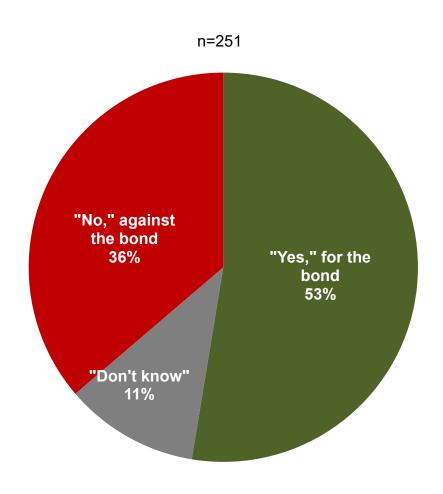
A "yes" vote would result in a property tax rate of 40¢ per thousand of assessed value, *not market value*. For property assessed at \$250,000, the cost would be \$100 per year.

If the bonds are approved, they will be payable from taxes on property ownership that are not subject to the limits of sections 11 and 11B in Article 11 of the Oregon Constitution.

### THREE VOTING QUESTIONS

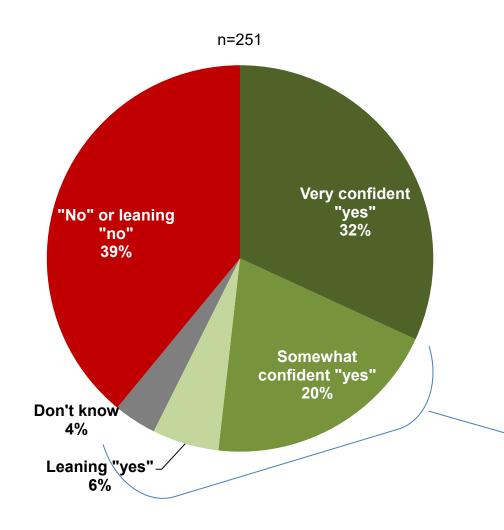
- If the election were held today, would you vote "yes" for the City of Tualatin's parks improvement bond or "no" against the bond?
- If "don't know:" If you had to make a decision today, would you say you are leaning toward voting for or against the City of Tualatin's parks improvement bond?
- ▶ If "yes:" The bond measure would be on the ballot in May of 2020 at the earliest and other funding measures may be on the ballot. How strong is your support for the City of Tualatin's parks improvement bond?

## Initial support by only 53% of voters (actual "yes" almost always lower than "initial yes")



- Voter segments more likely to initially indicate they would vote "yes:"
  - ✓ Visited a park at least every couple of weeks in last year. 65% "yes" if visit regularly compared to 42% "yes" if fewer visits
  - ✓ Younger voters. 60% "yes" among voters under 65 compared to 47% "yes" if 65+
  - ✓ Children in the household. Of those with a child under 18 at home, 62% "yes"
  - ✓ No difference based on gender, dog ownership, or level of education.

## 3 in 10 are "very confident" they will support the bond in May; 3 in 10 are Fence Sitters



Fence Sitters are Voters who may support the bond but are not firmly committed to a "yes" vote, so may change mind. Getting information to Fence Sitters typically key to success

Fence Sitters = 29%
Somewhat confident (19.9%) +
Leaning "yes" (5.6%) +
Don't know (3.6%)

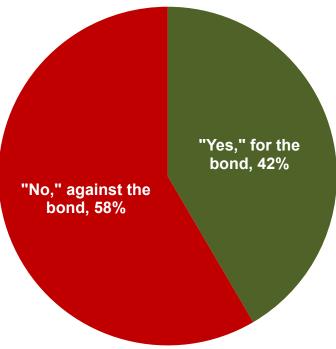
- Only demographic segment more likely to be "very confident yes" are those who have visited a park at least every couple of weeks in last year:
  - √68% of "yes voters" who are regular park visitors indicate they are "very confident" of their "yes" vote, compare to just 48% of "yes voters" who are less frequent park visitors.

# Projection indicates 40¢ parks bond will be difficult to pass

## **Projection Assumptions:**

√All "very confident" voters (32%) will vote "yes"

 $\sqrt{1/3}$  of Fence Sitters (10%) will vote "yes"



## **Reaction to bond facts**

Now I am going to read you a series of factual statements regarding the City of Tualatin's parks improvement bond. Regardless of how you currently believe you will vote, please rate how useful the information seems to you in clarifying whether or not you will vote for the bond. For each statement please tell me whether it is very useful, somewhat useful, not especially useful information regarding the bond.

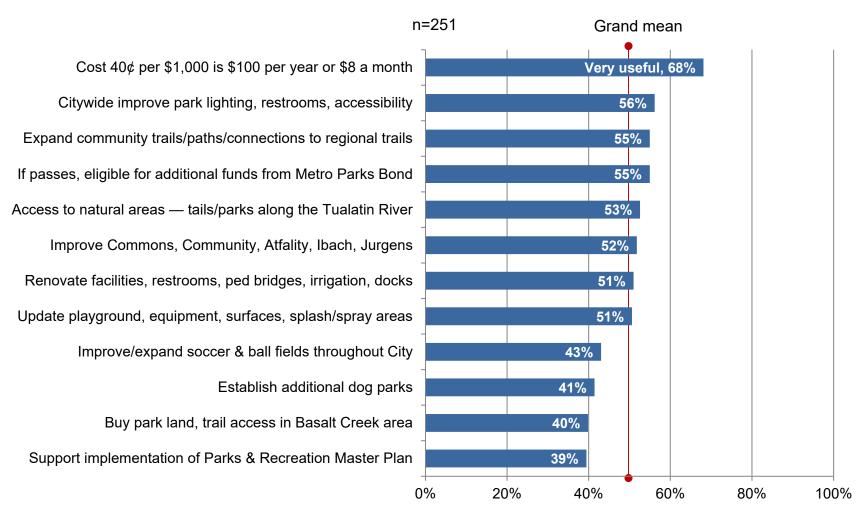
(Abbreviated statements shown in charts. For complete context, see full text of fact statements.)

#### **Full Text of Bond Statements**

[The order of statements was randomized during the survey — that is, statements were not read in the same order each time. For reporting purposes, the order shown below matches the order shown on the following graphic and bold emphasis has been added.]

- If approved, the bonds would result in a property tax rate of **40¢ per thousand of assessed value**, *not market value*. For property assessed at \$250,000, the cost would be \$100 per year or about \$8 a month.
- Bond funds would pay for updates and improvements to existing parks citywide, including adding lighting, renovating restrooms, and improving accessibility for all residents.
- ▶ Bond funds would be used to expand **Tualatin's community trails and multi-use paths** and to complete connections to regional trail systems such as the Tualatin River Greenway Trail and the Ice Age Tonquin Trail.
- If the Bond passes, the City would be eligible for additional **funds from the recently passed Metro Parks Bond**, increasing funding from Metro for park improvements in Tualatin.
- ▶ Bond funds would be used to improve access to natural areas, such as trail and park access along the Tualatin River.
- If the bond passes, equipment and facility improvements are anticipated at parks throughout the City, including Tualatin Commons and Community, Atfality, Ibach, and Jurgens Parks.
- Funds from the bond would be used to **replace or renovate aging infrastructure** including facilities, restrooms, pedestrian bridges, irrigation systems, and boat docks.
- ▶ Bond funds would pay for renovations and updates to **children's playgrounds**, including new equipment, safety surfaces, and splash-pads or spray areas.
- ▶ Bond funds would allow the City to improve and expand available soccer and ball fields throughout the City.
- Funds from the bond would allow the City to establish additional **dog parks**.
- ▶ Bond funds would help pay for the purchase of park land and community trail access in the **Basalt Creek area**.
- Based on extensive community input, the City has adopted a Parks and Recreation Master Plan. Bond funds would be used to support implementation of this plan.

# Most useful fact relates to cost, followed by basic improvements, trails, & Metro funds

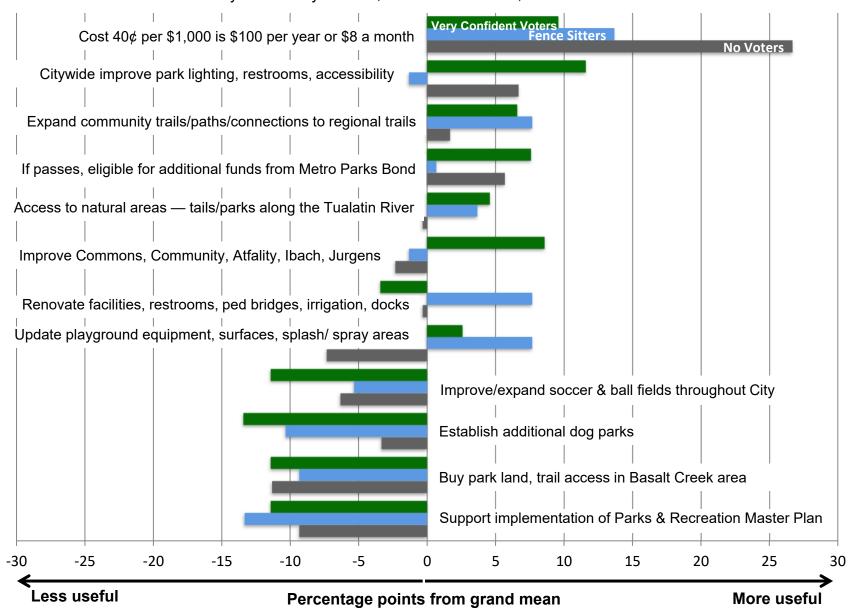


## Normalize data to identify key messages

- Tendency for individuals or groups to rate all items higher or lower. Grand mean of very useful ratings by segment:
  - ✓ Very Confident (71%), Fence Sitters (54%), No (30%)
- ▶ To address issue, normalize data. 2 steps:
  - ✓ Determine "grand mean" average of averages for each segment
  - ✓ Determine how far above or below each statement's rating is from grand mean
- Higher above grand mean, more important to communicate.

## Opinions by voter segments

Very confident yes n=80; Fence sitters n=73; No voters n=98



- Overall, it is rare to see the cost statement so high on the list of "very useful" ratings for all segments
  - ✓ The benefits described do not resonate with enough voters as a good value for the cost anticipated.

- Not surprisingly, regular park users more likely to rate all statements "very useful"
- Statement on cost of bond to property taxpayers especially useful to those:
  - ✓ With children under 18 (80% very useful)
  - ✓ Under 65 (75%)
  - ✓ With a college degree (73%)
- ▶ Those with children more interested in playgrounds (65% very important) than soccer & ball fields (45%).

Statements improve "yes" voter confidence, change opinion of some "unsure" or "no" voters

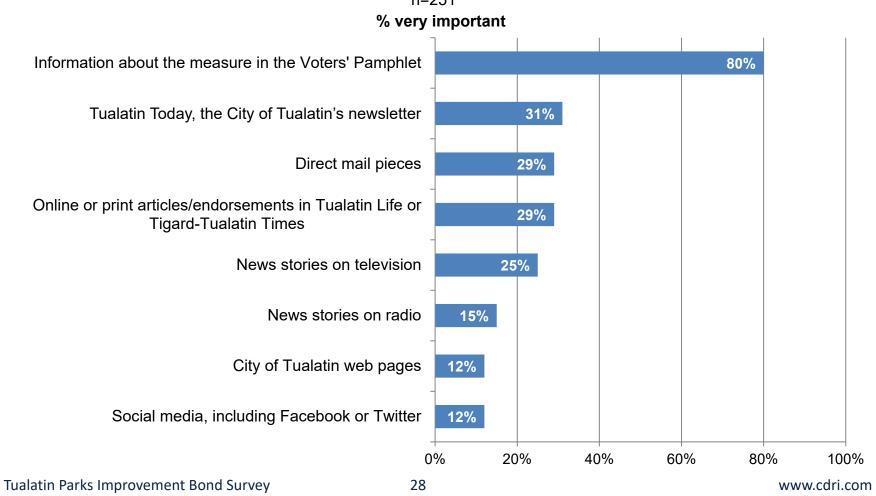
After bond statements read...

- ▶ Some who initially said "no" or "unsure" change to saying "yes" — a theoretic 8-point swing toward initial "yes" overall (from 53% to 61%)
- Percentage of respondents who are "very confident" of "yes" vote rises from 32% to 43%
- Real-world change likely to be less because not all voters will receive all information.

## **Information sources**

## Voters' Pamphlet key information source

Q: Now I want you to think specifically about how you learn about local elections. I am going to read you a list of possible sources of information. Please tell me if each source of information is very, somewhat, or not important when you are deciding how to vote on a local ballot measure  $_{n=251}$ 



CONCL	LISIONS	2	RECOMMEND	<b>ATIONS</b>
CONCL		CX	VECOMINEME	AIIOIIO

- ▶ A 40¢ per thousand Parks Improvement Bond will be difficult to pass
  - ✓Only a third of voters are very confident they would support the Bond
  - ✓Older voters, who are most likely to vote, are less supportive
  - ✓ Not enough voters perceive a benefit worth the cost. All segments place cost statement at or near top of their "very useful" ratings — not typical of better-supported money measures.

- Moving forward, remember that voters make decisions about supporting money measures based on 3 factors:
  - ✓ Perceived community benefit of intended purpose
  - ✓ Trust in funded organization to use tax dollars wisely
  - ✓ Degree of personal economic optimism.

- Before referring money measure to voters, revise based on research & other analysis to focus community benefit, adjust cost
  - ✓ Dog parks, sports fields, land acquisition, not valued as much as community trails, multi-use paths, lighting, & other tested improvements
  - ✓ The combination of added clarity in benefit & lower cost may offer better chance of passage
  - ✓ Plan on spending up to a year prior to the vote communicating vision/benefit to voters.

- In putting together a communications plan, remember that passage of any money measure is more likely if efforts include:
  - ✓ Clear description of key benefits on ballot title & explanatory statement in Voters' Pamphlet
  - ✓ Presentations on facts about the measure to all possible local forums, including service clubs, homeowner associations, senior services
  - ✓ Proactive meetings with local media about the money measure
  - ✓ Mailings describing useful facts about the proposal to all voters.

# For answers to questions or more information, contact:

Campbell DeLong Resources, Inc.

Martha DeLong, MarthaD@cdri.com
John Campbell, John@cdri.com
(503) 221-2005

## **APPENDIX**

## CITY OF TUALATIN 2020 PARKS IMPROVEMENT BOND RESEARCH 895

DATE
PHONE NUMBER
RESPONDENT NAME
INTERVIEWER
REASONS FOR TERMINATION
Gender quotaQ1
Does not live in City of Tualatin
Not a registered voterQ3
Rarely votesQ4
INTRODUCTION
(TO RANDOM HOUSEHOLD RESPONDENT:) Hello, I'm (FIRST AND LAST NAME) from Campbell DeLong Resources. We are conducting a brief study on <i>local</i> government. May I please speak with a (male/female) household member who is a registered voter? (IF NECESSARY: The survey will take no more than 12 minutes to complete.) IF NOT AVAILABLE, MAKE CALLBACK APPOINTMENT FOR FIRST POSSIBLE TIME.
<b>AS NECESSARY:</b> This is strictly research. We are not selling anything, and your name will not be associated with your comments.
<b>IF ASKING FOR MALE RESPONDENT:</b> I need to speak to a male in the household because we need to interview an equal number of men and women and we have already reached our quota for women.
<b>(TO NEW HOUSEHOLD RESPONDENT:)</b> Hello, I'm ( <b>FIRST AND LAST NAME</b> ) from Campbell DeLong Resources. We are conducting a brief study on <i>local</i> government. ( <b>IF NECESSARY:</b> The survey will take no more than 12 minutes to complete.)
<b>As NECESSARY:</b> This is strictly research. We are not selling anything, and your name will not be associated with your comments.
SCREENING
First, I have just a couple of questions to determine if you are the appropriate person to talk with.
1. GENDER. RECORD. DO NOT ASK. CHECK QUOTAS. AN APPROXIMATE 50/50 MALE/FEMALE QUOTA
Male1 <b>CONTINUE</b>
Female

Unable to determine......3

**CONTINUE** 

2.	What is your ZIP code? <b>RECORD. CONFIRM SAME AS VOTER REGISTRATION LIST.</b> 970621
	Other ZIP code, specify
	ZIP CODE PROVIDED MUST MATCH ZIP CODE IN VOTER REGISTRATION LIST OR BE ZIP CODE LISTED ABOVE
	<b>IF REFUSES ZIP CODE SAY:</b> We need this information just to confirm that you live in a specific area. This information is strictly confidential and will not be associated with your name or provided to other organizations. <b>IF CONTINUES TO REFUSE, POLITELY DISCONTINUE.</b>
3.	Are you registered to vote in Oregon? RECORD ONE ONLY.
	Yes1 <b>CONTINUE</b>
	No
	DO NOT READ: Don't know
4.	Which one of the following statements <i>best</i> describes how often you typically vote. <b>READ CATEGORIES IN ORDER. RECORD ONE ONLY.</b>
	Every election, including all off-year May and November elections, no matter what's on the ballot 1 CONTINUE
	Consistently in major May primaries and November general elections and sometimes in others2 <b>CONTINUE</b>
	In Presidential general elections, but less frequently in others
	Rarely in any election4 POLITELY DISCONTINUE
	DO NOT READ: Don't know

#### ATTITUDES TOWARD BOND

Now I am going to ask some questions about a parks improvement bond the City of Tualatin is considering placing on the ballot this year. The \$30 million, 20-year bond would fund city-wide improvements to Tualatin's parks, playing fields, community trails, and river-access.

A "yes" vote would result in a property tax rate of 40¢ per thousand of assessed value, *not market value*. For property assessed at \$250,000, the cost would be \$100 per year.

If the bonds are approved, they will be payable from taxes on property ownership that are not subject to the limits of sections 11 and 11B in Article 11 of the Oregon Constitution.

[Only if respondent asks for meaning of the preceding sentence: What I can tell you is that the statement is required to appear on every bond measure placed on a ballot in Oregon, so that language would appear with the ballot description.]

5A. If the election were held today, would you vote "yes" for the City of Tualatin's parks improvement bond or "no" against the bond? **RECORD ONE ONLY.** 

Yes, for the bond1	SKIP TO 5C
No, against the bond2	SKIP TO 6
DO NOT READ: Don't know9	ASK 5B

5B. IF DON'T KNOW IN 5A: If you had to make a decision today, would you say you are leaning toward voting for or against the City of Tualatin's parks improvement bond? RECORD ONE ONLY.

Leaning toward yes	1
Leaning toward no	2
DO NOT READ: Don't kn	ow9

#### GO TO Q6

5c. IF YES IN 5A: The bond measure would be on the ballot in May of 2020 at the earliest and other funding measures may be on the ballot. How strong is your support for the City of Tualatin's parks improvement bond? Would you say you are *very* confident, *somewhat* confident, or *not* confident that you will vote for this bond? **RECORD ONE ONLY.** 

Very confident1	Not confident 3
Somewhat confident	DO NOT READ: Don't know

#### **USEFULNESS OF INFORMATION**

6. **ASK ALL:** Now I am going to read you a series of factual statements regarding the City of Tualatin's parks improvement bond. Regardless of how you currently believe you will vote, please rate how *useful the information seems to you* in clarifying whether or not you will vote for the bond. For each statement please tell me whether it is *very useful*, *somewhat useful*, *not especially useful* information regarding the bond. **READ**, **RANDOMIZE LIST** 

## VERY SOMEWHAT NOT DK

a.	If approved, the bonds would result in a property tax rate of 40¢ per thousand of assessed value, not market value. For property assessed at \$250,000, the cost would be \$100 per year or about \$8 a month	1	2	3	9
b.	Bond funds would help pay for the purchase of park land and community trail access in the Basalt Creek area	1	2	3	9
C.	Bond funds would pay for updates and improvements to existing parks citywide, including adding lighting, renovating restrooms, and improving accessibility for all residents	1	2	3	9
d.	Bond funds would pay for renovations and updates to children's playgrounds, including new equipment, safety surfaces, and splash-pads or spray areas	1	2	3	9
e.	If the Bond passes, the City would be eligible for additional funds from the recently passed Metro Parks Bond, increasing funding from Metro for park improvements in Tualatin	1	2	3	9
f.	Bond funds would allow the City to improve and expand available soccer and ball fields throughout the City				
g.	Bond funds would be used to expand Tualatin's community trails and multi-use paths and to complete connections to regional trail systems such as the Tualatin River Greenway Trail and the Ice Age Tonquin Trail	1	2	3	9
h.	Bond funds would be used to improve access to natural areas, such as trail and park access along the Tualatin River	1	2	3	9
i.	Based on extensive community input, the City has adopted a Parks and Recreation Master Plan. Bond funds would be used to support implementation of this plan	1	2	3	9
j.	Funds from the bond would allow the City to establish additional dog parks	1	2	3	9
k.	If the bond passes, equipment and facility improvements are anticipated at parks throughout the City, including Tualatin Commons and Community, Atfality, Ibach, and Jurgens Parks	1	2	3	9
l.	Funds from the bond would be used to replace or renovate aging infrastructure including facilities, restrooms, pedestrian bridges, irrigation systems, and boat docks	1	2	3	9

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7b.	ha pa	"YES" IN 5A: As I noted before, all of the statements have been provided with this information, how strong is yourks improvement bond? Would you say you are very of confident that you will vote for this bond? RECORD ON	ur support for the City of Tualatin's confident, somewhat confident, or
			onfident 3
		Somewhat confident	OT READ: Don't know 9
		INFORMATION SOURCE	S
8. Now I want you to think specifically about how you learn about local elections. I am going to read you a list of possible sources of information. Please tell me if each source of information is very, somewhat, or not important when you are deciding how to vote on a local ballot measure. READ AND ROTATE LIST.			
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## **DEMOGRAPHICS**

Now I have a few final questions to help classify your responses.

9.	In the last year, how often has anyone in your household visited a City of Tualatin park or recreation facility? Would you say weekly, every couple of weeks, monthly, a few times a year, or less than that?
	Weekly1
	Every couple of weeks2
	Monthly3
	Few times a year4
	Less than a few times a year5
	Don't know/don't remember9
10.	How long have you lived in the City of Tualatin? RECORD IN YEARS. (IF LESS THAN ONE YEAR, RECORD AS "LESS THAN ONE YEAR.")
	YEARS
	LESS THAN ONE YEAR98
	DO NOT READ: Don't remember/don't know/refused 99
11.	Do you own or rent your current home?
	Own1
	Rent2
	Refused9
12.	Do you have any children under the age of 18 currently living in your home?
	Yes1
	No
	Refused9
13.	Do you currently have a dog?
	Yes1
	No
	Refused9

14.	What is your age, please? <b>RECORD.</b>
	YEARS
15.	And what is the last year of education you had the opportunity to complete? <b>RECORD. REAL</b> LIST ONLY IF NECESSARY.
	Less than 12th grade (not a high school graduate) 1 High school graduate
	Master's degree or higher6  Refused9

**VERIFY AND RECORD RESPONDENT FIRST NAME AND PHONE NUMBER.** Thank you very much for participating in this survey.

## **Tualatin Moving Forward Art Contest**

## Calling all artists who live, work, learn, or play in Tualatin!

As part of the Tualatin Moving Forward transportation bond program, we are enhancing neighborhood safety and access to schools by installing new sidewalks throughout the city. At many of these installations, we will stamp community-created art on the wet concrete, leaving a lasting impression for all to enjoy. The Tualatin Arts Committee will select a range of drawings from volunteer artists of all ages. The Tualatin Library's Makerspace team will turn these drawings into stamps that we will use to print on freshly poured concrete!

### **Artwork Submission Instructions**

All materials must be submitted by February 20, 2020.

- Line drawings are the best kind of artwork for creating stamps. Minor adjustments may be necessary to convert the drawing into a stamp.
- The art should be approximately 8" x 10", so it can fit on the concrete stamp.
- Submissions may be on paper or high resolution digital files with a resolution of at least 600dpi. The file must be under 5MB.

You can submit your art in one of three ways:

- 1) Drop it off at the Tualatin Public Library
- 2) Mail it to:

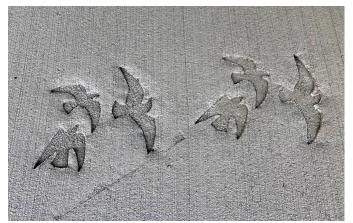
Megan George Administration Department, City of Tualatin 18880 SW Martinazzi Ave. Tualatin, OR 97062

3) Email it to mgeorge@tualatin.gov

In your submission, please include your drawing and the submission form included on the back of this flyer.

#### **Selection Process**

The committee will review all submissions and select art for each of the identified locations. Artists will be notified following the committee's meeting in February 2020, and selected art may be installed between 2020 and 2023. Artists will be recognized at various city events.



"Doves" by artist Arturo Villaseñor can be seen at the Sagert St/Wampanoag intersection.



Uma poses with another Sagert Street sidewalk artwork "Mammoths" by David Damian Jaimes.



## **Tualatin Moving Forward Art Submission Form**

Artist's name:
Do you live, work, go to school or the library, or play in Tualatin?
Artists' contact information (phone, email, address, or other way to contact you):

## Please read and sign this volunteer artist agreement:

I/we, the undersigned, (hereafter "Artist") represent that the Art Entry submitted is an original work of authorship personally created by Artist. In consideration of City's acceptance of the Art Entry, Artist grants the City the right to publicly display the Art Entry, if it is selected for display, in accordance with the rules of the Art Competition, and utilize the Art Entry in a sidewalk art display. Artist grants the City, its officers, employees, and agents, the right to reproduce the Art Entry for any non-commercial purpose. Artist expressly grants the City the right, and City reserves the right, to relocate or put in storage the Art Entry, and any and all reproductions in whatever form, without the written permission of Artist, as well as the right to deaccession the Art Entry in accordance with City procedures. With respect to the City's usage of the Art Entry, Artist hereby waives the rights of integrity and attribution conferred by Section 106A (a), paragraphs (2) and (3) of Title 17 of the U.S. Code, and any other rights of the same nature granted by federal, state, or international laws.

Artist releases the City, its officers, employees, and agents from any and all liability for damage, loss, or misappropriation of the Art Entry during and subsequent to the Art Competition. Artist agrees to indemnify, hold harmless and defend the City, its officers, employees, and agents against any and all claims of any nature whatsoever, including, but not limited to, claims of copyright infringement, by any party whatsoever, arising out of or in any way related to the submission of the Art Entry in the Art Competition.

Artist, or Parent/Guardian of the Artist if under 18, please sign and date here:

SIGNATURE DATE





## **Concurso Tualatin Hacia Adelante**

## ¡Convocamos a todas y todos los artistas que residan, trabajen o visiten la ciudad de Tualatin!

La ciudad de Tualatin, como parte del programa Tualatin hacia adelante, va a construir nuevas banquetas. El objetivo de estas banquetas es mejorar el acceso a las escuelas y la seguridad vial de nuestra ciudad. Las nuevas banquetas incluirán estampados permanentes en el concreto basados en los mejores diseños presentados en este concurso. ¡Los diseños ganadores serán disfrutados por muchas generaciones por venir! El Comité Artístico de Tualatin seleccionará los mejores dibujos presentados y el equipo de arte de la Biblioteca de Tualatin se encargará de crear los moldes para estampar el concreto. ¡Todos los artistas, sin importar su edad, están cordialmente invitados a presentar su diseño!

## Instrucciones de entrega:

Fecha límite de entrega: Todos los materiales tienen que ser entregados el 20 de febrero de 2020 o antes.

- Los diseños basados en líneas y curvas son preferidos desde que son más fáciles de instalar. Algunos diseños tendrán que ser mínimamente modificados para que puedan ser instalados.
- Los diseños tienen que tener dimensiones aproximadas de 8"X 10" (pulgadas) para que puedan caber en los moldes para estampar el concreto.
- Los diseños tienen que ser entregados en papel o como una imagen digital con una resolución mínima de 600 dpi. Entre más resolución mejor, pero tenga en cuenta que la imagen digital tiene que ser de 5 Megabytes o menor.

Los materiales pueden ser entregados usando uno de estos 3 métodos:

- 1) Entréguelos directamente en la Biblioteca de Tualatin
- Mándelos por correo por tierra a: Megan George Administration Department, City of Tualatin 18880 SW Martinazzi Ave. Tualatin, OR 97062
- 3) Por correo electrónico a: mgeorge@tualatin.gov

Por favor incluya en su entrega:

- El dibujo
- La forma de entrega (detrás de este folleto)

#### Proceso de Selección

El Comité Artístico de Tualatin seleccionará un estampado diferente para cada una de las ubicaciones previamente identificadas. El comité seleccionará los estampados ganadores en su junta general de febrero de 2020 y los ganadores serán notificados poco después. Los artistas ganadores serán reconocidos en varios eventos públicos y sus diseños serán instalados entre los años de 2020 y 2023.



"Palomas" por Arturo Villaseñor ubicado en la intersección de las calles Sagert y Wampanoag



Uma posando a lado del estampado "Mamuts" por David Damian Jaimes en la calle Sagert.



## Forma de entrega

Nombre del artista:
¿Ud. reside, trabaja o visita Tualatin frecuentemente?
Información de contacto (teléfono, correo electrónico, dirección o cualquier otra forma de contacto que podamos utilizar):

## Por favor lea y firme esta forma de artista voluntario:

Yo, el firmante de esta forma (de ahora en adelante "El Artista") afirmo que el diseño presentado es una obra de arte original creada por mí, el artista y autor. Si un diseño es seccionado por el Comité Artístico de Tualatin el artista cederá todos los derechos necesarios para que la ciudad de Tualatin pueda exhibir públicamente el diseño seleccionado de acuerdo con las reglas de este concurso. El artista, en caso de que su diseño sea seleccionado, también cederá todos los derechos necesarios para que su diseño sea estampado en la banqueta. El artista cederá todos los derechos necesarios para que la ciudad, sus empleados, sus agentes y representantes puedan usar el diseño seleccionado sin fines de lucro. La Ciudad de Tualatin se reserva el derecho de reubicar o almacenar el diseño original o cualquiera de sus reproducciones sin importar su forma. La Ciudad de Tualatin se reserva el derecho de ejecutar estas acciones sin permiso del artista. Adicionalmente la ciudad de reserva el derecho de eliminar de sus archivos el diseño entregado por el artista en cualquier momento.

El artista cederá sus derechos de integridad y atribución sobre su diseño conferidos por la Sección 106(a) párrafos (2) y (3) del Título 17 del código de los EEUU, así como cualquier otro derecho conferido por leyes federales, estatales e internacionales. El artista libera a la Ciudad, sus empleados, sus agentes y sus representantes de cualquier responsabilidad relacionada con el daño, pérdida o robo del diseño durante y después del concurso. El artista asume la responsabilidad de indemnificar, liberar de sus responsabilidades y defender a la Ciudad, sus empleados, sus representantes y sus agentes contra cualquier demanda relacionada o instigada de cualquier forma por este concurso. Incluyendo, pero no limitándose a, demandas relacionadas a la propiedad intelectual de cualquier individuo u organización.

Artista o Padre de Familia/Tutor por favor firme aquí:

Firma Fecha (mes/día/año)





## 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:** January 27, 2020

### SUBJECT:

Consideration of Approval of the Regular Meeting Minutes of December 9, 2019 and Work Session and Regular Minutes of January 13, 2020

### **RECOMMENDATION:**

Staff respectfully recommends the Council adopt the attached minutes.

### **ATTACHMENTS:**

- -City Council Regular Meeting Minutes of December 9, 2019
- -City Council Work Session Minutes of January 13, 2020
- -City Council Regular Meeting Minutes of January 13, 2020



## OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR DECEMBER 9, 2019

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

#### Call to Order

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

## Pledge of Allegiance

#### **Announcements**

1. Tualatin Youth Advisory Council 2019 Year in Review

Members of the Youth Advisory Committee (YAC) presented their year in review and mission statement: 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. They will work to achieve their mission through advocacy, activities, and education.

2. New Employee Introduction- Hector Aguilar, Police Officer

Police Chief Bill Steele introduced Police Officer Hector Aguilar. The Council welcomed him.

#### **Public Comment**

None.

### **Consent Agenda**

Motion to adopt the consent agenda as amended made by Councilor Kellogg, Seconded by Council President Grimes.

Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Pratt, Councilor Reyes

#### MOTION PASSED

- 1. Consideration of the System Development Charge Annual Reports for Fiscal Year 2018-19.
- 2. Consideration of Approval of a New Liquor License Application for Tualatin Station Bar and Grill

#### **General Business**

 Consideration of <u>Resolution No. 5479-19</u> Accepting the Tualatin 2040 Work Including the Policy Priorities, Housing Needs Analysis, Housing Strategy, Economic Opportunities Analysis, and Economic Development Strategy Community Development Director Aquilla Hurd-Ravich, Planning Manager Steve Koper, and Senior Planner Karen Fox presented the Tualatin 2040 plan. At the November 25 meeting, the Planning Commission recommended the Council accept the Tualatin 2040 work. The Council accepted the recommendation and directed staff to draft a Resolution for their review and approval.

#### PUBLIC COMMENT

None.

#### DISCUSSION

Councilor Morrison noted the Clackamas County Coordinating Committee is working on a housing needs assessment, which encompasses a study of 12 cities. He stated only two of those cities have completed their needs assessment thus far.

Motion to adopt Resolution 5479-19 accepting the Tualatin 2040 work including the Policy Priorities, Housing Needs Analysis, Housing Strategy, Economic Opportunities Analysis, and Economic Development Strategy made by Councilor Kellogg, seconded by Council President Grimes.

Roll Call Vote Yea: Mayor Frank Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Pratt, Councilor Reyes

#### MOTION PASSED

 Consideration of <u>Ordinance 1429-19</u> Relating to Building Codes; Amending Tualatin Municipal Code 4-1-010 To Adopt State Building Code Updates; Adding New Provisions; And Declaring An Emergency

Community Development Director Aquilla Hurd-Ravich and Building Official Chris Ragland presented an overview of the ordinance. This ordinance is an amendment to adopt the most recent state building codes into the municipal code, specifically the Oregon structural code, mechanical code, and energy code. This ordinance is considered an emergency as it will become effective on January 1. The State issued a grace period from October 1-January 1 to adopt these changes.

#### **PUBLIC COMMENT**

None.

#### DISCUSSION

Council President Grimes asked if any of the updates are related to seismic retrofitting. Official Ragland stated the State is no longer regulating seismic upgrades and are instead empowering local governments to adopt those locally. He will plan to bring additional updates to the council at an upcoming meeting that will include seismic requirements.

Councilor Brooks asked for clarification on what the code changes included. Official Ragland stated changes would be made to the commercial structural code, commercial mechanical code, and energy code. Councilor Brooks asked what changes are being made to the energy code. Official Ragland stated instead of adopting model code, Oregon adopted a unique zero energy code.

Councilor Morrison asked what would happen if the city did not adopt the ordinance. City Attorney Sean Brady responded the state may choose to take away the authority delegated to the City with respect to enforcing the state building code.

Mayor Bubenik asked if someone is currently working on a project, would that builder be under the old rules and if they took out a new project after January 1, they would be under the new rules. Official Ragland indicated yes.

Mayor Bubenik asked if the building community, such as the Home Buildings Association (HBA), commercial builders and commercial realtors, are aware of these changes. Official Ragland stated many conversations have occurred with the organizations through several state agencies.

Councilor Grimes asked if there is a strategy to help people through the changes. Official Ragland said codes have been online since October. He does not foresee longer plan review times or permit turnaround times. He noted the changes primarily apply to design and enforcement.

Councilor Grimes asked if we could be proactive with the business development community and make more staff available. Director Hurd-Ravich shared the transition should happen naturally as we educate ourselves and our customers.

Motion for first reading by title only of Ordinance 1429-19 relating to building codes; amending Tualatin Municipal Code 4-1-010 to adopt State Building Code updates; adding new provisions; and declaring an emergency made by Councilor Kellogg, Seconded by Council President Grimes. Voting Yea: Mayor Frank Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Reyes, Councilor Pratt MOTION PASSED

Motion for second reading by title only of Ordinance 1429-19 relating to building codes; amending Tualatin Municipal Code 4-1-010 to adopt State Building Code updates; adding new provisions; and declaring an emergency made by Councilor Kellogg, Seconded by Council President Grimes. Voting Yea: Mayor Frank Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Reyes, Councilor Pratt MOTION PASSED

Motion to adopt Ordinance 1429-19 relating to building codes; amending Tualatin Municipal Code 4-1-010 to adopt State Building Code updates; adding new provisions; and declaring an emergency made by Councilor Kellogg, Seconded by Council President Grimes Voting Yea: Mayor Frank Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Pratt, Councilor Reyes MOTION PASSED

## **Items Removed from Consent Agenda**

 Consideration of Resolution No. 5478-19 Amending the City of Tualatin Fee Schedule and Rescinding Resolution No. 5471-19

Parks and Recreation Director Ross Hoover and Recreation Manager Julie Ludemann presented. Over the last year, staff has met with all the sports groups in Tualatin about their experience with Tualatin's sports fields including the level of service and reservation system process. Through these conversations, staff learned field users want a higher level of service (i.e., bathroom

cleanliness and field maintenance) and that there is more demand for field space than there is available. The Parks Department wants to be responsive and proactive in these areas. Currently there is no tracking if a group uses a field or not when reserved. The City can better manage field use with a fee as it creates a commitment to use. The additional revenue will also allow the Parks Department to increase the level of service provided. After conversations with sports groups and additional research staff is recommending a flat fee of \$5/hour.

**Public Comment** 

None.

Council Discussion

Council President Grimes asked what the average cost would be for a little league game. Director Hoover answered \$10 to \$15. If there is a rainout, they would not pay. Non-residents and other groups would pay higher rates. He noted youth sport groups would have priority booking.

Councilor Morrison commented because of this proposal the Tualatin Youth Baseball league plans to increase their fee \$50. He added girls' softball also plans to increase fees by \$50-\$75 and Tualatin soccer plans to raise fees by \$12. All expect fewer participants. In his conversations, all acknowledge a need for increased maintenance, but there is confusion about the potential of a levy. Councilor Morrison proposed the council defer action on the sports fees until a decision is made about the operating levy.

Councilor Reyes commented the biggest issues she is aware of is from her work with the Diversity Taskforce and people not knowing how to access the form they need to fill out, cost, and availability of fields. She asked Parks staff to include the Spanish-speaking community in these conversations.

Council President Grimes asked for additional information on how the youth programs calculated their fee increases based on staff's proposed \$5/hour rate. Manager Ludemann stated fields were booked for 1,686 hours with approximately 166 players last year which amounts to \$8,430 based on \$5/hour fees using last year's reservations, which are inflated. The \$5/hour fee is the average of data collected from other communities like Hillsboro, Wilsonville, West Linn, Lake Oswego, Tigard, and Sherwood; the average cost came to \$5.21/hour.

Mayor Bubenik shared he would also like to defer action until the city makes a decision about the levy. He does not want to put a barrier up that we might not have to.

Councilor Pratt ran in to several parents with children in programs. She received positive response about the ability to pay but negative response about the quality of the field.

Councilor Brooks does not want cost to be a barrier but likes the fee-based structures so those who are using the fields are investing in the quality of the fields.

MOTION to adopt Resolution No. 5478-19 Amending the City of Tualatin Fee Schedule and Rescinding Resolution No. 5471-19 made by Councilor Morrison, Seconded by Council President Grimes

Yea: Mayor Bubenik, Council President Grimes, Councilor Kellogg, Councilor Morrison, Councilor Pratt, Councilor Reyes

Voting Nay: Councilor Brooks

#### MOTION PASSED

#### **Council Communications**

Councilor Morrison attended the Transit Town Hall. His sense was that Interstate 205 was well on the way to being funded. He also attended the R1 meeting where ODOT made a presentation on tolling for the future and his impression was they felt they had funding and were planning on starting work in 2022. He stated he attended the C4 meeting on the housing needs assessment.

Councilor Pratt attended Starry Nights and Holiday Lights.

Councilor Brooks attended the Transportation Town Hall and Starry Nights and Holiday Lights.

Councilor Kellogg attended Starry Nights and Holiday Lights. He stated he is looking forward to the SW Corridor meeting on Monday, December 16, at 9:00 a.m. at Tigard City Hall regarding decisions the Steering Committee will be making on the route and preferred terminus. He understands from previous discussions among this group that we are still pushing for an abovegrade crossing over Boones Ferry, pedestrian improvements at 72<sup>nd</sup>, and a larger parking garage.

Councilor Reyes also attended Starry Nights and Holiday Lights.

Mayor Bubenik adjourned the meeting at 8:41 p.m.

Mayor Bubenik had lunch with Dr. Su, Superintendent of Tigard-Tualatin School District, where several items where discussed. He also attended the Transportation Town Hall and the Westside Economic Alliance (WEA) meeting, Starry Nights and Holiday Lights, and the AARP Age Friendly Oregon Summit which helps communities become friendlier for all ages.

## **Adjournment**

Sherilyn Lombos, City Manager	
	_ / Teresa Wegscheid, Recording Secretary
	_ / Frank Bubenik, Mayor



# OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL WORK SESSION FOR JANUARY 13, 2020

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

#### 5:30 PM WORK SESSION

Mayor Bubenik called the meeting to order at 5:32 p.m.

## 1. Regional Land Use and Transportation Update: Quarter 4

Community Development Director Aquilla Hurd-Ravich and Policy Analyst Garet Prior presented the 2019 fourth quarter Regional Land Use and Transportation update. Analyst Prior started with a brief recap of the SW Corridor Plan. He stated the project will come to Tualatin and will continue to work on finding funding to close the gap. The final recommendation is to create an interim terminus at Upper Boones Ferry which will serve the most riders and reduce the most vehicle miles traveled. The Final Environmental Impact Statement (FEIS) and the Conceptual Design Report (CDR) will be available in the spring.

Councilor Kellogg stated the size of the parking garage and pedestrian improvements at 72<sup>nd</sup> Avenue are still being discussed and are his two largest outstanding concerns with the project. He noted ultimately he is happy with the results from the committee to date.

Councilor Morrison commented on the concerns around the potential funding options for the project.

Mayor Bubenik asked about bus service and where TriMet is with route discussions. Analyst Prior stated they will be more specific one year before the project begins. He noted some insights will be available when the FEIS is available.

Analyst Prior provided an updated on the joint Hwy 99W Transportation Corridor study with ODOT, Washington County, Tigard, Sherwood, King City and Tualatin. He stated the study would identify the current problem and help to better understand the size and scale of a larger study. Analyst Prior recapped the Tualatin community input that was provided. He stated staff will be advocating for funding for the project via Metro's 2020 Transportation Investment Measure.

Mayor Bubenik stated he will be lobbying for money to fund the project on his end.

Councilor Pratt would like to see the area be a safe space for bike transportation.

Analyst Prior provided an update on shuttle studies that will be conducted for Ride Connection and Clackamas County. He stated Ride Connections community engagement will begin in early 2020. Analyst Prior stated Clackamas County is currently selecting a consultant and will collaborate with cities on planning and engagement starting in spring 2020.

Analyst Prior stated he attended Representative Prusak's Transportation Town Hall with ODOT, Metro, Clackamas County, Washington County, TriMet, Tualatin, and Durham. He stated takeaways included transportation/environment/housing needing to work as one, concerns were raised about tolling impacts, and communication concerns with different groups working on transportation.

Mayor Bubenik asked about the new Mega Projects Office at ODOT. Analyst Prior stated projects over \$100 million would now be directed through this office and report directly to the ODOT Director.

Councilor Kellogg asked if the First Last Mile project has had any conclusions. Analyst Prior stated the final results will be produced next month.

Councilor Kellogg asked if staff has been engaged with discussions on the Urban Growth Boundaries Reserves. Director Hurd-Ravich stated Planning Manager Koper is engaged in that study for the city.

#### 2. Library Services & Funding.

Library Director Jerianne Thompson gave an overview of library services and funding. She stated the library is a community gathering place that is open 65 hours a week and services 21,000 visits a month. Director Thompson stated in 2018-19 the library hosted 371 children's programs with 15,600 attendees, 200 teen programs with 2,000 attendees, and 124 adult programs with 2,100 attendees. She stated the library is part of the Washington County Cooperative Library Service (WCCLS) that allows citizens to have access to 1.7 million items. Director Thompson stated the library has over 300 volunteers who provide 6,388 volunteer hours which is equivalent to three full time employees. There are two non-profit organizations that support the library: The Friends of Library and the Tualatin Library Foundation.

Director Thompson stated the library's budget is \$2.42 million dollars. Noting a majority of funding is staffing at 82% of the budget being for personnel, 10% for materials, and 2% programs. She stated funding sources include \$1.68 million of funds coming from WCCLS and \$557,000 from the city's general fund. Director Thompson stated the current library levy is one fourth of the budget and expires in 2021.

Councilor Brooks asked about the upcoming programming for Martin Luther King Jr day. Director Thompson stated there will be an event called "Bridging the Divide" held on January 15.

Councilor Morrison asked who is running the library levy campaign and how the council can get involved. Director Thompson stated People for Libraries are the political action committee. She added that in the past the Council has passed a resolution in support on the levy.

Councilor Pratt asked why the levy isn't being increased. Director Thompson stated the last levy included and increase.

Councilor Brooks asked how long the levy will be for. Director Thompson stated it is a five year levy.

## 3. Council Meeting Agenda Review, Communications & Roundtable.

Councilor Morrison stated he attended the Clackamas County Business Alliance annual legislative update where they discussed transportation and funding for Clackamas County

Community College. He stated there will be a presentation on the E-Cigarette Epidemic on January 23, 6:30 p.m., at Tualatin High School.

Councilor Pratt stated she attended the Clackamas County Business Alliance legislative update, the Policy Advisory Board meeting, and the MACC meeting.

Councilor Brooks stated she attended the Council Committee on Advisory Appointments meeting and the Policy Advisory Board meeting.

Councilor Kellogg joined LOC committee on transportation and telecommunications.

Councilor Reyes stated she attended the Diversity Task Force Posada event.

Council President Grimes stated she spoke with members of the East Tualatin CIO and they have expressed interest in discussions regarding the Stafford and Borland areas.

Mayor Bubenik stated he attended the Posada at Bridgeport Elementary School, the Metro Mayors Consortium, the Beaverton State of the City event, the Beaverton Mayors Lunch, the Washington County Coordinating Committee, and the Aging Task Force.

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

Sherilyn Lombos, City Manager	
	_ / Nicole Morris, Recording Secretary
	/ Frank Bubenik, Mavor



# OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR JANUARY 13, 2020

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

## 7:00 P.M. CITY COUNCIL MEETING

#### Call to Order

Mayor Bubenik called the meeting to order at 7:11 p.m.

### Pledge of Allegiance

#### **Public Comment**

Chris Ragland announced the Martin Luther King Jr. Day event called Bridging the Divide to be held January 15, 6:30 p.m. at the Tualatin Library.

Chamber of Commerce Director Linda Moholt invited the Council and community to attend a Transportation Forum being held this Thursday at the Tualatin County Club.

## **Consent Agenda**

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

Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Reyes, Councilor Pratt MOTION PASSED

1. Consideration of Approval of the Work Session Minutes of November 12, 2019, Work Session and Regular Minutes of November 25, 2019, and Work Session Minutes of December 9, 2019

#### **General Business**

 Consideration of <u>Ordinance No. 1431-20</u> Extending the Portland General Electric Franchise to a Date Certain of June 30, 2020; Making Retroactive Application of the Ordinance; and Declaring an Emergency

Public Works Director Jeff Fuchs and Management Analyst Nic Westendorf presented an extension of the current franchise agreement that ended on December 31, 2019. Director Fuchs stated negotiations are continuing.

Mayor Bubenik asked what the delay was. Director Fuchs stated staff did not start negotiating in time.

Councilor Morrison asked how long the franchise agreements typically run. Analyst Westendorf stated the previous franchise was for ten years and the current one is being negotiated for five years.

Motion made for first reading by title only by Council President Grimes, Seconded by Councilor Brooks.

Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Reyes, Councilor Pratt

#### MOTION PASSED

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

Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Reyes, Councilor Pratt

#### MOTION PASSED

Motion to adopt Ordinance No. 1431-20 extending the Portland General Electric Franchise to a date certain of June 30, 2020; making retroactive application of the ordinance; and declaring an emergency made by Council President Grimes, Seconded by Councilor Brooks.

Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Reyes, Councilor Pratt MOTION PASSED

#### **Council Communications**

Councilor Morrison announced Tualatin is getting a new fire station located on McEwan Road. He stated a ribbon cutting will be held later this spring.

Councilor Brooks stated she attended the CERT holiday dinner, the City Holiday Breakfast, and the Shop with a Cop event.

## Adjournment

Sherilyn Lombos, City Manager	
	_ / Nicole Morris, Recording Secretary
	/ Frank Rubenik Mayor

Mayor Bubenik adjourned the meeting at 7:35 p.m.



# CITY OF TUALATIN Staff Report

**TO:** Honorable Mayor and Members of the Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Jonathan Taylor, Economic Development Manager

**DATE:** January 27, 2020

#### SUBJECT:

Consideration of <u>Resolution No. 5480-20</u> Authorizing the City Manager to Enter into a Land Transfer Agreement with the Tualatin Development Commission

#### **RECOMMENDATION:**

Staff recommends that the City Council approve resolution 5480-20.

#### **EXECUTIVE SUMMARY:**

On October 28, 2019, the Tualatin City Council directed staff to prepare all relevant resolutions and associated actions to terminate the Central Urban Renewal District and Plan that began with the cessation of the collection of tax increment revenues in 2010.

Currently, the TDC owns nineteen properties in the Central Urban Renewal District. The Tualatin Development Commission acquired these properties for a total purchase price of \$4,142,731.55 beginning on June 6, 1979. Before the termination of the CURD Plan Document and District, all TDC-owned properties located within CURD must be disposed of as outlined by the CURD Plan. Section E-2 of the CURD Plan allows the TDC to convey real property to the City of Tualatin for development of civic uses in accordance with the goals and objectives of the CURD Plan.

In the event of a future urban renewal area similar in proximity to CURD, these properties may be transferred back to the Tualatin Development Commission for potential development.

On January 13, 2020, the Tualatin Development Commission passed TDC Resolution 614-20 authorizing the transfer of all real property of the TDC to the City of Tualatin through an executed land transfer agreement. Final approval of the land transfer agreement must be approved by the Tualatin City Council.

#### **OUTCOMES OF DECISION:**

Upon approval of this resolution, the City Manager will execute the approved land transfer agreement for all TDC-owned properties with the City of Tualatin. The City Manager (CITY) and the Executive Director (TDC) will be authorized to execute any and all documents and fees necessary to effectuate the transfer.

#### **FINANCIAL IMPLICATIONS:**

The City of Tualatin will be required to maintain insurance liabilities on selected properties

## ATTACHMENTS:

- Resolution
- Transfer Agreement Terms and Conditions
   Tualatin Development Commission Properties Map

#### RESOLUTION NO. 5480-20

# A RESOLUTION TO ENTER INTO A LAND TRANSFER AGREEMENT WITH THE TUALATIN DEVELOPMENT COMMISSION

WHEREAS, on January 27, 1975, the Tualatin Development Commission approved and the Tualatin City Council adopted the Central Urban Renewal District Plan;

WHEREAS, on October 28, 2019, the Tualatin City Council discussed the appropriate path for closing the Central Urban Renewal district;

WHEREAS, under Oregon Revised Statutes 457.230, the Tualatin Development Commission may dispose of land in urban renewal project areas with discretion for such purposes as specified in specific area plan;

WHEREAS, under Section E-2 of the Central Urban Renewal District Plan, the City of Tualatin may accept real property from the Tualatin Development Commission for the development of civic uses in accordance with Central Urban Renewal District Plan goals and objectives;

WHEREAS, on January 13, 2020, the Tualatin Development Commission authorized a land transfer agreement for all real property of the TDC with the City of Tualatin; and

WHEREAS, the Tualatin Development Commission and City Council have agreed upon the terms of a land transfer agreement ("Transfer Agreement").

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

**Section 1.** The City Manager is authorized to execute the Transfer Agreement, which is attached as Attachment A and incorporated by reference.

**Section 2.** The City Manager is authorized to execute deeds of transfer for properties identified in Attachment A to receive properties from the Tualatin Development Commission. The City Manager is also authorized to execute any other documents necessary to effectuate the transfer.

**Section 3.** This resolution is effective upon adoption.

INTRODUCED and ADOPTED by the City Council this 27th day of January, 2020.

	Tualatin City Council
	BY
	Mayor
APPROVED AS TO FORM	ATTEST:
BY	BY
Attorney	City Manager
Resolution No. <u>5480-20</u>	Page 1 of 1

#### TRANSFER AGREEMENT TERMS AND CONDITIONS

The City of Tualatin, an Oregon Municipal Corporation ("City), and the Tualatin Development Commission, an Urban Renewal Agency of the City of Tualatin ("TDC") agree as follows:

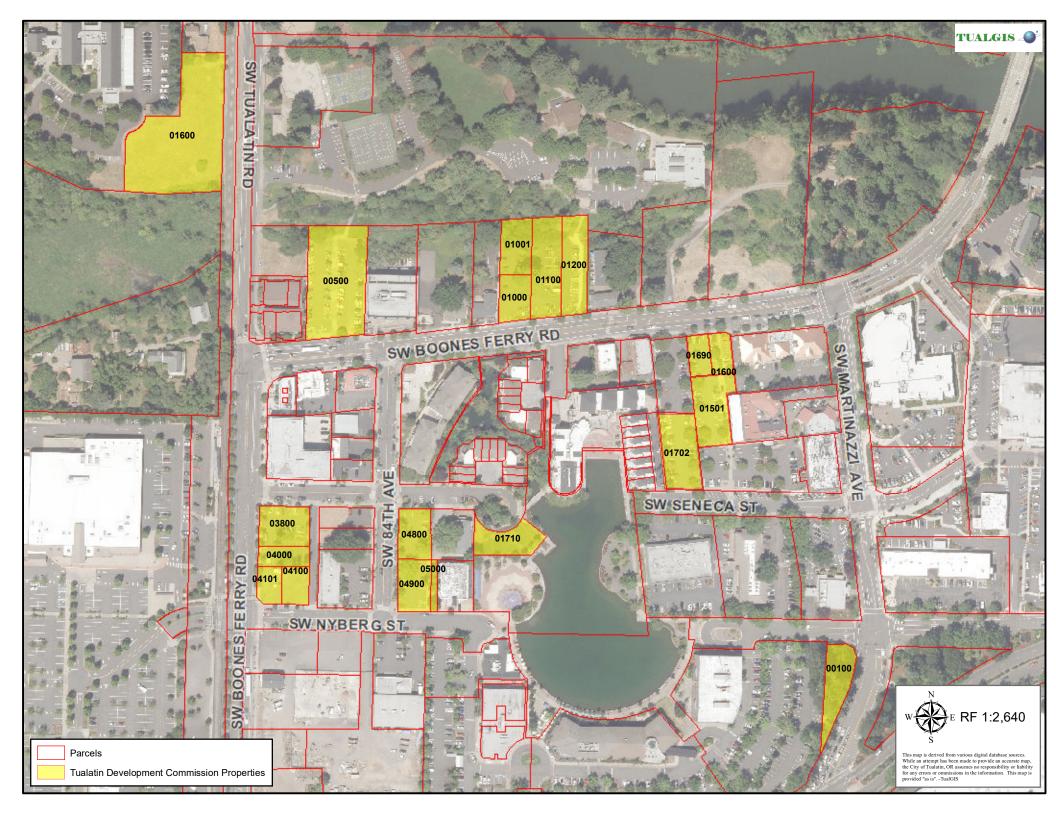
**Section 1.** The TDC, as Grantor, agrees to transfer the following properties to the City, as Grantee, by acceptable deed:

#### Properties:

```
7700 SW Nyberg Road (Lot #100)
18785 SW Boones Ferry Road (Lot #500 – Blue Parking Lot)
18715 SW Boones Ferry Road (Lot #1000 – Green Parking Lot)
18715 SW Boones Ferry Road (Lot #1001 – Green Parking Lot)
18695 SW Boones Ferry Road (Lot #1100 – Green Parking Lot)
18695 SW Boones Ferry Road (Lot #1200 – Green Parking Lot)
18622 SW Boones Ferry Road (Lots #1501 – White Parking Lot)
18620 SW Boones Ferry Road (Lots #1600 – White Parking Lot)
18620 SW Boones Ferry Road (Lot #1690 – White Parking Lot)
8133 SW Seneca Street (Lot#1702 – White Parking Lot)
West of SW Seneca Street (Lot #1710)
8470 SW Seneca Street (Lot #3800 – Red Parking Lot)
8470 SW Seneca Street (Lot #4000 – Red Parking Lot)
8465 SW Nyberg Street (Lot #4100)
18970 SW Boones Ferry Road (Lots #4101
18970 SW Boones Ferry Road (Lot #4800)
19840 SW 84<sup>th</sup> Avenue (Lots #4900)
19840 SW 84th Avenue (Lot #5000)
South of the Police Property (Lot # 1600)
```

Attachment: Tualatin Development Commission Properties

**Section 2.** The Original Purchase Price paid by the TDC was \$4,142,731.55. The Total Sale Price for the City to acquire the properties is \$0.





# Tualatin City Council Staff Report

**TO:** Honorable Mayor and Members of the Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Jonathan Taylor, Economic Development Manager

**DATE:** January 27, 2020

#### SUBJECT:

Consideration of <u>Resolution No. 5481-20</u> approving the termination of the Central Urban Renewal District and Central Urban Renewal District Plan and adopting the Final Report.

#### **RECOMMENDATION:**

Staff recommends Council approval of resolution 5481-20.

#### **EXECUTIVE SUMMARY:**

The Central Urban Renewal District was established on January 27, 1975 with 310 acres covering what is now today the Tualatin Commons. The district was amended over time to include an additional seventeen acres west of Interstate 5, centered on SW Nyberg Street, and SW Boones Ferry Road. At the time, the total assessed value of the district was \$14,067,089. Most of the CURD was zoned for commercial uses, with smaller portions being designated for high-density residential and light and general manufacturing.

The purpose in establishing a central urban renewal area in the city center was to alleviate conditions of blight and create a sense of place for downtown Tualatin. Specific mentions of blight mentioned in the Plan included: deleterious land uses, lack of food protection, lack of public rights-of-way, and traffic congestion. The primary goal of the CURD Plan was to strengthen the social and economic development of central Tualatin by stabilizing property values, encourage and facilitate land uses that result in activity during all business hours, and to encourage indoor and outdoor uses.

The CURD Plan identified a total of 61 projects to be funded in part with tax increment financing (TIF) over the life of the District. Notable projects that had significant impact on the redevelopment of CURD included: Tualatin Commons Project, Nyberg Street/Interstate 5 interchange, and the Tualatin Library. Of the 61 projects identified over the life of the CURD Plan, 41 were completed. These investments increased the district's assessed value from \$14 million to \$194 million.

On June 30, 2010, the TDC reached the CURD Plan maximum indebtedness and informed Washington County that it would cease collecting tax-increment revenue. A total of \$1,755,755.23 was returned to all taxing jurisdictions.

On October 28, 2019, the Tualatin City Council directed staff to prepare all relevant resolutions to terminate the Central Urban Renewal District and Plan. All remaining non-tax increment funds in the TDC Project Fund were transferred to the TDC Administrative Fund, and all remaining real property has been disposed of as required by Section E-2 of the CURD Plan and no long-term debt is issued.

On January 13, 2020, the Tualatin Development Commission passed TDC Resolution 615-20 terminating the CURD District and Plan and accepting the 2012 Final Report. TDC has forwarded the resolution for final approval of closure to the Tualatin City Council.

## **OUTCOMES OF DECISION:**

Upon approval of this resolution, the resolution will be effective immediately resulting in the termination of the CURD District and Plan.

#### FINANCIAL IMPLICATIONS:

None.

#### **ATTACHMENTS:**

- Closure Resolution
- TDC Closure Resolution
- Final Report Tualatin Development Commission

#### RESOLUTION NO. 5481-20

A RESOLUTION APPROVING THE TERMINATION OF THE CENTRAL URBAN RENEWAL DISTRICT AND CENTRAL URBAN RENEWAL DISTRICT PLAN AND ADOPTION OF THE FINAL REPORT

WHEREAS, on January 27, 1975, the Tualatin Development Commission ("TDC") approved and the Tualatin City Council adopted the Central Urban Renewal District Plan ("CURD Plan");

WHEREAS, on June 30, 2010 the TDC ceased collections of tax increment revenues for a total benefit of \$1,736,755.23 in revenues returned to taxing jurisdictions over the project life of the Plan;

WHEREAS, on October 28, 2019, the Tualatin City Council discussed the final path for closing the Central Urban Renewal District;

WHEREAS, on January 13, 2020, the Tualatin Development Commission approved Resolution 615-20 to terminate the Central Urban Renewal District and Plan and has forwarded this recommendation to City Council for final approval.

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

**Section 1.** The City Council approves Tualatin Development Commission Resolution No. 615-20 to terminate the Central Urban Renewal District and Central Urban Renewal District Plan.

**Section 2**. The City Council approves the 2012 Final Report which is attached as Attachment A and incorporated by reference.

**Section 3.** This resolution is effective upon adoption.

INTRODUCED and ADOPTED by the City Council on this 27th day of January, 2020.

CITY OF TUALATIN, OREGON

#### RESOLUTION NO. 615-20

A RESOLUTION OF THE TUALATIN DEVELOPMENT COMMISSION APPROVING THE TERMINATION OF THE CENTRAL URBAN RENEWAL DISTRICT AND CENTRAL URBAN RENEWAL DISTRICT PLAN.

WHEREAS, on January 27, 1975, the Tualatin Development Commission ("TDC") approved and the Tualatin City Council adopted the Central Urban Renewal District Plan ("CURD Plan");

WHEREAS, on June 30, 2010 the TDC ceased collections of tax increment revenues for a total benefit of \$1,736,755.23 in revenues returned to taxing jurisdictions over the project life of the Plan;

WHEREAS, on October 28, 2019, the Tualatin City Council discussed the final path for closing the Central Urban Renewal District;

WHEREAS, the TDC has transferred all remaining non-tax increment funds from the CURD Project Fund to the TDC Administrative Fund;

WHEREAS, The TDC has disposed all remaining real property of TDC; and

WHEREAS, no long term debt has been issued.

NOW THEREFORE, BE IT RESOLVED BY THE TUALATIN DEVELOPMENT COMMISSION, that:

**Section 1.** The TDC approves the termination of the CURD and CURD Plan.

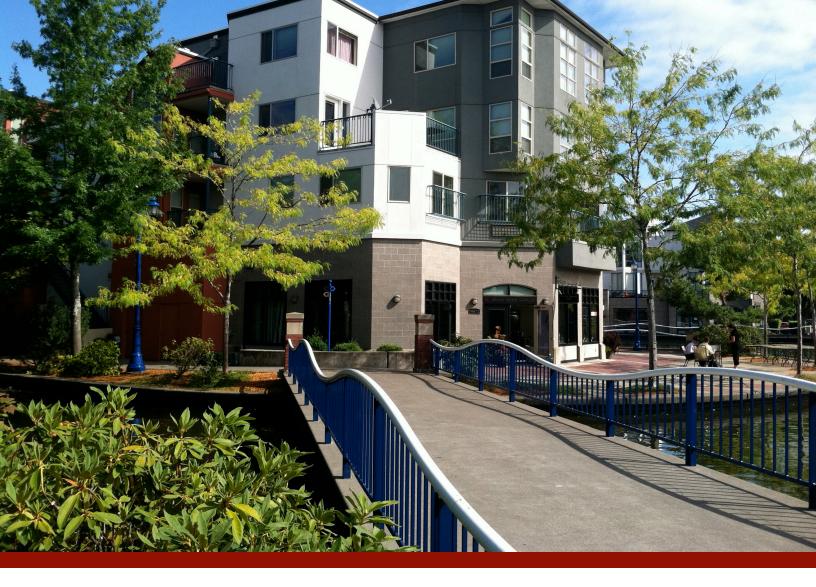
**Section 2**. The TDC approves the 2012 Final Report which is attached as Attachment A and incorporated by reference.

**Section 3.** The TDC directs this resolution of termination to be forward to the Tualatin City Council for its adoption.

**Section 4.** This resolution shall become effective immediately upon its adoption and the termination of the Central Urban Renewal District Plan upon ratification by the Tualatin City Council.

ADOPTED by the Tualatin Development Commission this 13<sup>th</sup> day of January, 2020.

APPROVED AS TO FORM	TUALATIN DEVELOPMENT COMMISSION
BY Attorney	BY Chair
	ATTEST:
	BY
	Executive Director



# Evaluation of Urban Renewal in Tualatin

April 2012



# Table of Contents

1. Introduction	1
2. Accomplishments	8
3. Remaining Resources	12
4. Conclusions	14
Attachment Δ· List of Projects	15

# 1. Introduction

The City of Tualatin (City) and the Tualatin Development Commission have a long and successful history of fostering economic growth and community redevelopment. Since 1980, the City of Tualatin has grown from a rural suburb with a population of 7,483 to a thriving urban city that supports over 20,000 jobs and 26,160 residents. A significant portion of this growth has occurred in the City's urban renewal districts. The City has used Tax Increment Financing (TIF) to fund critical public infrastructure projects that have paved the way for millions of dollars of private investment and have spurred continued job growth in the City. Urban renewal and tax increment financing have been valuable tools for implementing the City's value statement:

"We value a high quality of life for our community and will promote actions, which increase community spirit and pride, and a sense of ownership, involvement and belonging in the community. We recognize the strengths, which come from our heritage and background, our social and economic conditions, and our natural resources. We will manage growth in a manner that will build on these strengths, while fostering a sense of place and a unique identify for the City."

After more than three decades of financing community redevelopment projects, the City is closing down its two urban renewal districts: the Central Urban Renewal District (CURD) and Leveton Tax Increment District (LTID). These two districts were formed for very different purposes, and each was successful in its own way. The CURD was intended to alleviate blight in downtown Tualatin, providing a sense of place, and a more vibrant urban setting. Implementation of Tualatin Commons is one of CURD's greatest accomplishments. LTID was created to open up new lands for employment and industry, and over the last 26 years, it has accommodated 35 new employers, bringing 2,200 jobs to the City of Tualatin.

While each district was formed for different purposes, they shared a common result – increased property value. The assessed value of the CURD increased by \$180 million between 1975 and 2010. Likewise, the assessed value of the LTID increased by \$255.5 million between 1985 and 2010. As a result, the close down of the urban renewal districts returned thousands of dollars to other important services such as schools and fire.

1

This report tells the story of the Central and Leveton urban renewal districts, highlighting their successes, acknowledging their ongoing needs, and providing the City with options for investing the areas' remaining resources. This report is organized into four sections:

- Introduction
- Accomplishments
- Remaining Resources
- Conclusions

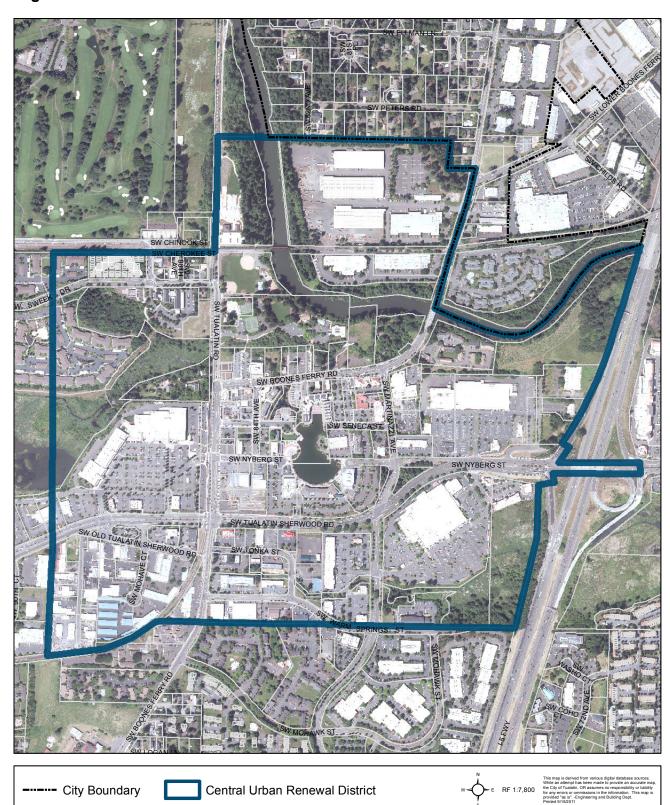
In the remainder of this section, we describe key characteristics of the CURD and LTID, including their purposes, visions, and goals. In subsequent sections of this report, we describe specific projects that were critical in the successful redevelopment of these areas, and the potential for continued redevelopment in these areas.

# 1.1 Central Urban Renewal District

The Central Urban Renewal District was established in 1975. The CURD originally included 310 acres and was amended over time to include a total of 327 acres west of I-5 and centered on SW Nyberg St. and SW Boones Ferry Rd. At the time, the total assessed value of the district was \$14,067,089. Most of the CURD was zoned for commercial use (CC and CO), with smaller portions of the District also zoned for high-density residential and manufacturing (light and general). **Figure 1** shows a map of the CURD.



Figure 1. Central Urban Renewal District



Source: City of Tualatin, 2011.

Founded in 1975, the purpose of the CURD was to alleviate conditions of blight and create a sense of place for downtown Tualatin. Specific conditions of blight mentioned in the Plan include:

- Deleterious land uses
- Lack of flood protection
- Lack of adequate drainage facilities
- Lack of public rights of way
- Traffic congestion and potential transportation conflicts and hazards
- Inaccessible and inadequate public facilities and services

The overall goal of the CURD Plan was to strengthen the social and economic development of central Tualatin by stabilizing and improving property values, eliminating existing blight, and preventing future blight; and to encourage and facilitate land uses, private and public, that result in activity during all business hours, evenings, nights, and weekends; and to encourage indoor and outdoor uses. The vision of the CURD was to:

- Include a mixed-use living, working and playing environment.
- Be oriented to and integrate the Tualatin River and other natural features to activate uses.
- Have a distinctive feel with strong, interesting and unique design standards, elements and features.
- Include civic, social, commercial and cultural functions as a full-service community within walking distance.
- Encourage safe bike and pedestrian activity and integrate transit opportunities.
- Be a destination for local business activities and not a pass through location for freight traffic.
- Integrate seamlessly with the rest of Tualatin in all directions.

When the District was founded in 1975, one of the biggest challenges to accomplishing these goals was the presence of the Hervin Company, a pet food manufacturer, which was a non-conforming use in a commercial district. Odors emanating from the Hervin Company proved to be a significant obstacle to attracting other commercial, residential, or retail development to the District. Although the Hervin Company was a particularly visible obstacle to redevelopment, it was just one of many parcels in the District, and blight was prevalent throughout the area.

# Specific conditions of blight identified in the District include:

- Inadequate facilities
- Deleterious use of land
- Laying out of property in disregard to terrain
- Lack of proper utilization of areas

# 1.2 Leveton Tax Increment District

The Leveton Tax Increment District (LTID) was established in 1985, encompassing 377 acres, and was later expanded to include a total of 380.3 acres. At the time, the total assessed value of the district was \$3,660,924. Establishment of the District was integral to the City's economic development efforts to diversify and internationalize the local economy. The general boundary of the District includes Highway 99W and Tualatin Rd. to the north, 108th Ave. to the east, Herman Rd. to the south, and roughly 129th Ave. to the west.1 Virtually the entire District is zoned for manufacturing, including light (ML), general (MG) and manufacturing park (MP). A small portion of the site at the intersection of Highway 99W and Tualatin Rd. is zoned for general commercial (CG). Figure 2 shows a map of the LTID.

The LTID was established to provide infrastructure and services to support industrial development, and to eliminate mining operations, which were detrimental to other industrial uses.

The overall goal of the LTID was to facilitate the full industrial development of the District by removing blighting influences and by providing public improvements.



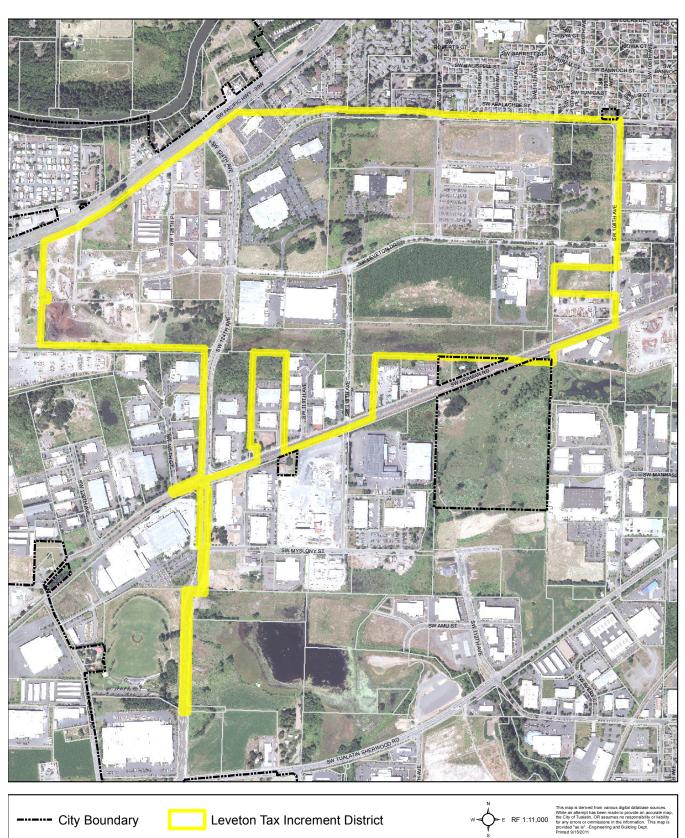
Novellus is one of the many successful businesses located in Tualatin thanks, in part, to the Leveton Tax Increment District.

1 The official boundary also extends South in a narrow strip along 124th Ave.

The purpose of the LTID was to implement goals and objectives of the Tualatin Community Plan, which relate to development of this portion of the Western Industrial District. Specific goals for the LTID include:

- To stimulate industrial development in the District.
- To achieve industrial growth within the framework of high environmental standards.
- To improve traffic access to Interstate 5 and Pacific Highway 99W and within the project area.
- To provide sewer, water, and storm drainage utility lines adjacent to and within the District, which will enable the area to be developed fully and rapidly.

Figure 2. Leveton Urban Renewal District



Source: City of Tualatin, 2011.

# 2. Accomplishments

This section describes the past projects undertaken by the Tualatin Development Commission (TDC) in the Central and Leveton urban renewal districts, including key public investments that were made.

# 2.1. Central Urban Renewal District

To accomplish the goals identified in the CURD Plan in a manner consistent with the vision for the CURD, the Plan identified over 60 specific projects to be funded in part with Tax Increment Financing (TIF) over the life of the District. Dozens of these projects were completed in the CURD over the past four decades. A complete list of these projects is included in Attachment A. Below we describe some of the projects that had a significant impact on the redevelopment of the CURD.

• Tualatin Commons Project: This large-scale mixed-used redevelopment is a key feature or the core of downtown. The area includes 80 residential units, 160,000 square feet of commercial space (office, restaurants, and a hotel), 500 parking spaces, as well as public and civic spaces. The combined real market value of the development is over \$30 million. The Tualatin Commons helped forge a unique community identity. The services offered in the Commons provide a draw for community activities. The project cost \$10.8 million for land acquisition and site preparation, though proceeds from sale of the land to private developers reduced the total net public cost to \$7.9 million.





The Tualatin Commons
Project received numerous
awards, including the
Governor's Livability Award
(1998), and an American
Planning Association Award
for Professional
Achievement in Planning
(1999).



Through these important investments, the assessed value of the district increased from \$14 million to \$194 million.

- *Eliminated Downtown Floodway Designation:* Through the removal of reefs from within the Tualatin River the downtown floodway designation was removed and facilitated development. This project enabled developers to design buildings in downtown without the hassle of special measures required for building in a floodplain.
- *Tualatin-Sherwood Road bypass:* This transportation improvement was a critical component for downtown development. The CURD could not have done the Tualatin Commons/Lake project without the bypass project, which facilitates traffic and straightened out access to I-5.
- Nyberg Street/I-5 Interchange: Facilitated traffic flow into the City and reduced traffic congestion. The project consisted of a southbound offramp widening, northbound on-ramp construction, a second phase of southbound off-ramp widening, and widening the deck of the bridge for eastbound traffic. These transportation infrastructure investments made the City easily accessible for residents, visitors and commerce.
- Core Area street project and parking facilities: The Core Area Parking District was established in 1979. TIF revenues, in conjunction with impact fees, were used to purchase land to create five surface parking lots. These lots opened up downtown, and facilitated economic development. The facilities continue to provide convenience for patrons, as well as enhanced safety for pedestrians (e.g., sidewalks, lighting, bike lanes, cross walks).
- *Library:* The Tualatin Library, on average, serves over 900 patrons a day, an anchor for the District and a draw to downtown. The library aptly serves the needs of the community as a cultural and educational asset. Additionally, the library supports local retailers, by drawing nearly 1,000 people a day into the heart of downtown Tualatin, providing exposure for local businesses.
- Land acquisition for Police Services Building: Purchased the land for the site of the Police Services Building, consistent with CURD Plan goals to provide civic facilities in the URD.
- **Façade improvement program:** Several property owners in the District took advantage of this program, resulting in enhanced aesthetics of downtown buildings and storefronts.

The combination of these projects supported major redevelopment of Central Tualatin. The Area is truly a vibrant, mixed-use hub that provides a clear sense of place for downtown Tualatin. Tualatin Commons, at the heart of the Area, offers restaurants, office space, townhomes and apartments, and a hotel. These commercial and residential uses all benefit from the amenity of a man-made lake,

and great accessibility provided by the numerous transportation improvement projects that have been funded in part with TIF. Through these important investments, the assessed value of the district increased from \$14 million to \$194 million.

# 2.2 Leveton Tax Increment District

The LTID Plan identified 20 specific projects to be funded in part with TIF to accomplish the goals of the LTID Plan. Over the life of the LTID, 14 of these projects were completed, paving the way for significant redevelopment of the Area. A complete list of these projects is included in Attachment A. Below we describe some of the projects that had a significant impact on the redevelopment of the LTID.

- *Land assembly:* TIF from LTID was used by the Tualatin Development Commission to purchase land in the area to be resold for private redevelopment.
- Numerous transportation improvements: Businesses in the area would have been perimeter businesses. Interior businesses only exist, because of the investments in transportation infrastructure in the area that facilitate industrial traffic and improve accessibility. Specific transportation projects include:
  - Reconstruction of SW 124th Ave./Pacific Highway/SW Tualatin Rd. intersection
  - Construction of 118th Ave
  - Design and construct SW 124th Ave. to connect Tualatin-Sherwood Rd. with Hwy 99W





Through these important investments, the assessed value of the district increased from \$3.5 million to \$259 million.

- SW Leveton Drive east/west to connect 124th Ave. and 108th Ave
- Herman Road
- *Installation of utilities in all streets in LTID*: Development in the district could not occur without proper utilities. TIF revenue was used to provide sewer, water, and storm drainage adjacent to and within the project area to enable the area to be developed fully and rapidly.

The culmination of these projects is a thriving industrial park providing jobs for residents of Tualatin and the Portland metropolitan region. The transportation improvements funded in part by urban renewal literally paved the way for industrial development in the interior of the District. The Leveton Tax Increment District is now home to 35 individual businesses, providing over 2,200 industrial jobs, predominantly in the sectors of manufacturing, distributing, and general contracting. Through these important investments, the assessed value of the district increased from \$3.5 million to \$259 million.



Investment in public infrastructure in LTID has paved the way for dozens of businesses and thousands of employees. More vacant land remains in LTID to accommodate future growth.

# 3. Remaining Resources

In the previous section, we described accomplishments of the Central and Leveton urban renewal districts. While urban renewal has been a powerful and successful tool for the redevelopment of Tualatin, there is still capacity for continued redevelopment, and many projects identified in the urban renewal plans remain incomplete. In addition, there may be other opportunities to spend the remaining resources. In this section, we describe the resources needed to fund current projects and outline the remaining resources for the two urban renewal districts.

### 3.1. Remaining Financial Capacity

Both districts stopped collecting TIF revenues FY 2010-11. Other than modest interest earnings, the only resources available for these districts is the remaining fund balance in their project funds. **Table 1** shows the estimated remaining resources at the end of the current fiscal year.

Table 1. Remaining Resources, CURD and LTID, FY 2011-12.

	<b>Estimated Remaining Resources</b>		
Fund	End FY 2011/12		
CURD	\$	781,238	
LTID	\$	4,772,727	
Total	\$	5,553,965	

### 3.2. Budgeted Expenditures

The two districts have a combined \$5.5M of resources. **Table 2** shows the proposed budgeted expenditures from each district project fund in FY 2012-13.

Table 2. CURD and LTID. Proposed FY 2012-13 Budget.

Description	Amount		
CURD			
Materials & Services	\$	-	
Transfers	\$	31,960	
Capital Outlay	\$	300,000	
Total	\$	331,960	
LTID			
Materials & Services	\$	30,000	
Transfers	\$	156,000	
Capital Outlay	\$	1,470,000	
Total	\$	1,656,000	

The proposed budget in Table 2, include a couple of important projects to continue to improve the redevelopment potential of the CURD and LTID. In the CURD, funds have been budgeted to finish the construction of the gateway and landscape portions of the Tualatin-Sherwood Road beautification project. In the LTID, the capital outlay funds have been budgeted for the extension of Leveton Drive. The materials and services funds have been allocated for wetland migration.

Given the proposed budge, **Table 3** shows the projected remaining resources at the end of fiscal year 2012-13.

Table 3. Projected Remaining Resources After FY 2012-13.

Fund	Amount	
CURD		
2011-12 Remaining Resources	\$	781,238
2012-13 Proposed Budget	\$	(331,960)
Total	\$	449,278
LTID		
2011-12 Remaining Resources	\$	4,772,727
2012-13 Proposed Budget	\$	(1,656,000)
Total	\$	3,116,727

Starting with the estimated remaining resources identified at the end of FY 2011-12 (Table 1), and subtracting the budgeted expenditures for FY 2012-13 (Table 2), we are able to calculate the remaining resources (Table 3). As Table 3 shows, CURD will have an estimated remaining balance of \$449,278. The LTID will have an estimated remaining balance of \$3.1 million. These unallocated funds can be used for a multitude of projects within each district.

## 4. Conclusions

Urban Renewal has been a powerful tool for redevelopment in the City of Tualatin. Below are key conclusions from this report:

- The Leveton Tax Increment District and the Central Urban Renewal
  District were established for two very different reasons, and each was
  very successful in accomplishing its goals. The CURD established a
  vibrant City center, creating a true sense of place in downtown Tualatin.
  The LTID was a tremendous engine for economic development, paving
  the way for more than 2,200 permanent industrial jobs in Tualatin.
- Tax Increment Financing through urban renewal was a critical funding source for dozens of infrastructure projects that helped ensure the success of these urban renewal districts. Tualatin Commons, the Tualatin Library, the Police Services Building, and numerous road construction, reconstruction, and widening projects are a few of the major projects that helped transform Tualatin thanks in large part to TIF.
- Redevelopment efforts in the CURD and LTID continue. Although both
  districts have great success stories, there is still more work to be done.
  Both districts are no longer collecting TIF revenues, but the remaining
  fund balances will be used to support public infrastructure projects,
  including numerous transportation projects in the coming years.
- Although the City of Tualatin has no active urban renewal districts at this
  time (i.e., districts collecting TIF revenues), urban renewal remains a
  viable option for the City to use to address blighted areas, and pursue
  economic development in the future. The City should remember the
  challenges and successes of the LTID and CURD as it contemplates the
  potential use of urban renewal in the future.

# Attachment A: List of Projects

#### **Central Urban Renewal District**

	provements				
	d Control				
Χ	Removal of reefs within the Tualatin River				
	Participating in the local share of a state and/or federally funded project.				
	Fill utilized in the Tualatin Commons Redevelopment Project to minimize flood risk to				
	project.				
Roac	ds and Streets				
	Road Improvements				
Χ	Tualatin-Sherwood Road Bypass				
Χ	Warm Springs/Tonka couplet, full funding of the design and construction				
Χ	Nyberg Street/I-5 interchange.				
Χ	Widening of SW Nyberg Street east of SW Tualatin-Sherwood Road				
	Improvements to SW Boones Ferry Road from SW Martinazzi Avenue to SW Tualatin-				
Χ	Sherwood Road				
	Partial improvements to SW Nyberg Street from SW Martinazzi Avenue to Lake of the				
Χ	Commons.				
	Partial improvements to SW Seneca Street from SW Martinazzi Avenue to Lake of the				
Χ	Commons				
	Improvements to SW Seneca Street, between SW 84th Avenue and SW Boones Ferry				
Χ	Road.				
Χ	Improvements to SW 84th Avenue from SW Boones Ferry Road to Nyberg Street				
	Loop Road/Eastside Downtown (north half)				
Х	Widen SW Martinazzi Avenue				
	SW Boones Ferry Road between SW Lower Boones Ferry Road and SW Martinazzi Aver				
	Pac Trust Roadway west of the Lower Boones Ferry/Upper Boones Ferry intersection.				
Х	NW Nyberg Street between SW Martinazzi Avenue and SW Boones Ferry Road.				
	Intersection Improvements				
Χ	SW Boones Ferry Road/Martinazzi Avenue traffic signal.				
Х	Traffic signal on SW Martinazzi Avenue with Fred Meyer and Martinazzi Square.				
Х	SW Boones Ferry Road/Tualatin Road traffic signal.				
Х	Access to Tualatin Commons Redevelopment Project from SW Tualatin-Sherwood Roa				
	Traffic signal coordination and interconnection throughout the District				
Χ	SW Boones Ferry Road Pedesrian Refuges				
Х	Landscaping Tualatin-Sherwood/Boones Ferry Intersection				
	Tualatin-Sherwood Road Landscape and Pedestrian enhancedmentproject with gatew				
Χ	feature (in progress)				
<u> </u>					
X	Tualatin Commons Redevelopment Project				
Х	Central Design District Enhancement Project				
^	East Sub-area (Eastside Downtown) Project				
	North Sub-area				
	INOTALI SUD UICA				

	Darki	ng facilities			
	Parki				
	,	Tualatin Commons Redevelopment Project (Tualatin Commons Site improvements,			
	X	including sewer relocations)			
	X White Parking Lot expansion				
	X Yellow Parking Lot construction				
half Red Parking Lot partial completion					
	X	Blue Parking Lot construction			
	X	Green Parking Lot expansion			
		East Sub-area (Eastside Downtown)			
	Pede	strian facilities			
	Х	Tualatin Commons Redevelopment Project			
		Central Design District Enhancement Project			
		East Sub-area (Eastside Downtown)			
		North Sub-area			
		South Sub-area			
	Civic	Facilities			
		Community building			
		Tualatin Commons Landmark			
	Ιx	Tualatin Library			
		sit Facilities			
	X	Commuter rail station			
	X	Train horn noise mitigation			
and		uisition and Clearance			
	X	Tualatin Commons Property Acquisition			
	l x	Tualatin Development Commission Property Acquisition			
	^	Property Acquisition to Eliminate Blight or Construct Street or Other Public Infrastructure			
	l x	Improvements			
	l â	Property Acquisition for Police Facility			
	^	Central Design District Enhancement Project Property Acquisition			
		Parking Garages			
	J D:				
Lanc		osition, Development and Redevelopment			
	X	Redevelopment by private redevelopers for the mix of uses			
	X	Redevelopment of certain parcels within the Urban Renewal Area			
	١.,	Redevelopment of certain parcels within the Area by the City of Tualatin and Tualatin			
	X	Development Commission for a community center			
		Construction of public facilities that may include water feature(s), pedestrian facilities,			
	X	and parking facilities.			
	Х	Road, street and utility improvements.			
Reh	abilita	ation and Conservation			
		A matching grant façade improvement program for buildings within the Central Design			
	Х	District.			
		The Commission may appropriately assist in rehabilitation and conservation efforts			
		outside of the Central Design District.			
Vlar	ketin	g and Promotion			
		Marketing and promotion activities to assist in attracting private development			
	х	investment.			
nce	ntive	Fund			
	<u> </u>	Assist in the cost of impact fees attributed to private development.			
	L	Leave the second			

<sup>\*</sup>Note: X indicates completed projects.

16

#### **Leveton Tax Increment Plan**

#### **Public Improvements Road Improvements** SW Leveton Drive will be constructed as an east/west local access road which connects SW 124th Avenue and SW 108th Avenue. Widen SW Tualatin Road to 74-78 foot right-of-way, 50 foot paved width, including two travel lanes, continuous left turn lane, and bike lanes. Widen SW 108th Avenue to 64-foot right-of-way, with two lanes and continuous left turn Χ lane. SW 118th Avenue will be design and constructed as a north-south connector joining SW Leveton Drive to SW Herman Road. Design and construct SW 124th Avenue, to connect SW Tualatin-Sherwood Road to Pacific Highway 99W. Reconstruction of intersection of SW 124th Avenue/Pacific Highway/SW Tualatin Road Widen SW Herman to 74-78 foot right-of-way, 50 foot paved width, including two travel lanes, continuous left turn lane, and bike lanes. Design and construct traffic signals at a number of locations Leveton Drive Extension Project with construction of SW 128th and SW 130th to 99W (in progress) Water improvements Installation of lines within the rights-of-way of SW Leveton Drive, SW Tualatin Road, 108th Avenue, 118th Avenue and 124th Avenue Installation of a High Capacity line extending from Herman Road. Sanitary Sewer Improvements Installation of a sewer line extending from 130th Ave east along the southern boundary to Hedges Creek then along Hedges Creek Installation of lines within the rights-of-way of SW Leveton Drive, 108th Avenue, 118th Avenue, 124th Avenue. **Storm Drainage Improvements** Construction of a storm drain line along the east boundary of the Leveton parcel to SW Construction of storm drains within road rights-of-way for Leveton Drive, Tualatin Road, 108th Avenue, 118th Avenue, 124th Avenue. Construction of storm water detention and treatment facilities, including a detention area at the SE corner of the Leveton parcel, and the Leveton Wetland Mitigation Project. Construction of improvements to Hedges Creek, in accordance with the City of Tualatin's Drainage Master Plan, and the Wetlands Protection District Drainage Plan. Construction of storm drainage improvements to serve the guarry sector. Land Acquisition, Reclamation and Redevelopment Acquisition of the properties in the quarry sector, and for their reclamation and disposition for redevelopment. Acquisition of rights-of-way including easements, for the road and utility projects described in the Plan.

<sup>\*</sup>Note: X indicates completed projects.



# CITY OF TUALATIN Staff Report

**TO:** Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

**FROM:** Megan George, Assistant to the City Manager

**DATE:** January 27, 2020

#### SUBJECT:

Consideration of Resolution No. <u>5482-20</u> Adopting Findings in Support of a Special Procurement and Authorizing the City Manager to Enter into a Direct Negotiation Contract with Barney & Worth, Inc. for Services for the Tualatin Moving Forward Bond Program.

#### **RECOMMENDATION:**

Staff recommends Council adopt the attached resolution.

#### **EXECUTIVE SUMMARY:**

Resolution No. <u>5482-20</u> authorizes the City Manager to amend the current Professional Services Agreement to allow Barney & Worth to continue to provide strategic communication services for the Tualatin Moving Forward Bond Program. An additional authorization of \$155,000 is necessary to allow the continuation of current services through the end of the bond program. The additional services would bring the total contract amount to approximately \$260,000.

This contract-specific special procurement is allowed by both state law and the Tualatin Municipal Code (ORS 279B.085 and TMC 1-21-090) when certain circumstances are met, such as when it would substantially promote the public interest and when it is not likely to encourage favoritism nor substantially diminish competition. Both circumstances will be met for this project and are the basis for requesting this authorization.

In 2018, Barney & Worth, Inc. was selected from the City's Qualified Pool List (QPL) to provide strategic communication services to prepare for the Tualatin Moving Forward bond vote and to assist the City with ongoing program-wide communications following the bond's passing.

The City's QPL is a qualifications based selection process that creates a qualified pool list for different types of professional services normally required by the City. The QPL is based on a biennial Request for Qualifications (RFQ) that is open to all qualified firms. The city selects firms to be included on the QPL based on qualifications. Once firms are included on the QPL, the City may select firms from the QPL for fees up to \$150,000 without the need for an additional procurement process.

The Special Procurement Will Substantially Promote the Public Interest in a Manner that Could not Practicably Be Realized by Complying with the Competitive Contracting Requirements, and Provides a Public Benefit

Barney & Worth, Inc. has already worked with the Tualatin Moving Forward Bond Program, starting before the bond was approved by the voters, and is now mid-way through the process of work on

the program. A new RFQ process would take approximately two-months, which would result in a significant lapse in program-wide communication and transparency with the public. In addition, a new consultant would need to become familiar with the projects, program, community, and technology used to communicate in order to perform similar work likely requiring further delays and continued insufficient dispersal of information. Continuing with Barney & Worth's knowledge and experience will ensure there is no disruption in communication to the public.

Not amending Barney & Worth's contract could adversely impact:

- Communications with the traditional news media;
- Updates to the Tualatin Moving Forward website;
- Updates to the program's "Report Card" or up-to-date project-specific status information;
   and
- Communication materials available for distribution to the public.

#### The Special Procurement is Unlikely to Encourage Favoritism

Granting the special procurement process will be unlikely to encourage favoritism because it is for a single contract (Barney & Worth) on a single project (Tualatin Moving Forward). In addition, Barney & Worth was already vetted as per the City's qualifications-based selection process to be entered on the Qualified Pool List.

The terms and conditions of the contract amendment will be reviewed and approved by the City Manager and City Attorney. Barney & Worth will be required to comply with all City requirements and public contracting code requirements. These requirements are the same as if the project was competitively procured; thus, the City will not be engaging in favoritism in the execution of the contract documents.

The City provided public notice of the special procurement by posting the notice in the Tualatin Times Business Tribune on January 17, 2020.

#### **OUTCOMES OF DECISION:**

Adoption of Resolution 5482-20 would allow staff to proceed with the five-year communications plan for the Tualatin Moving Forward Bond Program.

#### **ALTERNATIVES TO RECOMMENDATION:**

Direct staff to conduct a Request for Qualifications (RFQ) process.

#### FINANCIAL IMPLICATIONS:

Funding is available in the Non-Departmental division of the General Fund for the amendment to this contract.

#### ATTACHMENTS:

Resolution No. 5482-20

#### RESOLUTION NO. 5482-20

A RESOLUTION ADOPTING FINDINGS IN SUPPORT OF A SPECIAL PROCUREMENT AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A DIRECT NEGOTIATION CONTRACT WITH BARNEY & WORTH, INC. FOR SERVICES FOR THE TUALATIN MOVING FORWARD BOND PROGRAM

WHEREAS, the Tualatin Moving Forward Bond Program will deliver high priority transportation projects to address congestion relief, neighborhood safety, and safe access to schools citywide;

WHEREAS, Barney & Worth was selected from the City's Qualified Pool List (QPL) to provide project management and engineering services in order to prepare for the Tualatin Moving Forward bond vote and to assist the City with early transportation projects and project specific communications;

WHEREAS, the City may select a firm from the QPL for fees up to \$150,000 without the need for an additional competitive process;

WHEREAS, the initial contract with Barney & Worth was not expected to cost more than \$150,000, but additional work is needed and will exceed that amount;

WHEREAS, the City adopted its public contracting rules pursuant to Oregon Revised Statutes (ORS) 279A.065;

WHEREAS, the City Council is designated as the Local Contract Review Board for the City of Tualatin, pursuant to ORS 279A.060 and Tualatin Municipal Code (TMC) Chapter 1-21:

WHEREAS, ORS 279B.085 and TMC 1-21-090 authorizes the City Council to authorize a special procurement contract upon the adoption of certain written findings; and

WHEREAS, the City published notice of the public hearing in the Tigard-Tualatin Times a minimum of seven days prior to the hearing date to consider a request for proposal process for the Project.

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

**Section 1.** The Council authorizes the City Manager to enter into a special procurement through a direct negotiation contract with Barney & Worth, Inc. for strategic communication services.

**Section 2.** The special procurement is based on the following findings:

**A. The Nature of the Contract.** This contract scope includes: strategic communication services, production of communication materials, news media coordination, client consultation, and website maintenance.

**B. Estimated Cost of the Contract.** The estimated cost of the Contract is an additional \$155,000, bringing the total contract to approximately \$260,000.

# C. The Special Procurement Will Substantially Promote the Public Interest in a Manner that Could not Practicably Be Realized by Complying with the Competitive Contracting Requirements, and Provides a Public Benefit.

- (1) Barney & Worth, Inc. has already worked with the Tualatin Moving Forward Bond Program, starting before the bond was approved by the voters, and is now mid-way through the process of work on the program. A new RFQ process would take approximately two-months, which would result in a significant lapse in program-wide communication and transparency with the public. In addition, a new consultant would need to become familiar with the projects, program, community, and technology used to communicate in order to perform similar work likely requiring further delays and continued insufficient dispersal of information. Continuing with Barney & Worth's knowledge and experience will ensure there is no disruption in communication to the public.
- (2) Not amending Barney & Worth's contract could adversely impact:
  - Communications with the traditional news media;
  - Updates to the Tualatin Moving Forward website;
  - Updates to the program's "Report Card" or up-to-date project-specific status information; and
  - Communication materials available for distribution to the public. Allowing a direct negotiation contract by special procurement for this contract will produce substantial cost savings.
- (3) The City already has a qualified pool list for the type of work involved. Going through an RFP process would likely result in a similarly qualified list of consultants. Therefore, the time and expense in developing an RFP is not needed and would result in additional time and costs.

# D. The Exemption Is Not Likely To Encourage Favoritism Or Substantially Diminish Competition.

- (1) Favoritism is defined as "selection based on friendship or factors other than merit." "Encourage" is defined as "promoting the growth and development." Granting a contract-specific special procurement for the contract will be unlikely to encourage favoritism because this is a single contract that will be procured through a selection from a consultant on the City's qualified pool list. Contractors on the qualified pool list already went through a qualifications based selection process. The direct negotiation process allows consideration of multiple factors, including experience, knowledge of the Project, schedule, and cost.
- (2) The City has already proceeded with a qualifications based selection process through use of the qualified pool. All consultants with the type of experience necessary to complete this type of works are on the City's qualified pool list.
- (3) If the City were to provide the qualified pool list with the opportunity to provide proposal to be submitted in response a request for proposal process, it is very likely that Barney & Worth would be the selected consultant. This is because Barney & Worth is most familiar with the

bond program, having performed work on the program that is directly related to continuing the bond program.

- (4) The terms and conditions of the contract will be the result of "arms- length" contract negotiations and the contract will be reviewed and approved by the City Manager and City Attorney. The selected consultant will be required to comply with all City requirements and public contracting code requirements. These requirements are the same as if the project was competitively procured, and thus, the City will not be engaging in favoritism in the execution of the contract documents.
- **E. The Proposed Contracting Method.** The proposed contracting method is a direct negotiation contract.
  - **F. The Estimated Contract Let Date.** This is a modification to an existing contract.

**Section 3.** This resolution is effective upon adoption.

INTRODUCED AND ADOPTED by the City Council this 27<sup>th</sup> day of January, 2020.

	CITY OF TUALATIN, OREGON		
	BY Mayor		
APPROVED AS TO FORM	ATTEST:		
BY City Attorney	BY City Recorder		



# CITY OF TUALATIN Staff Report

**TO:** Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

**FROM:** Erin Engman, Associate Planner

Steve Koper, AICP, Planning Manager

**DATE:** January 27, 2020

#### SUBJECT:

Consideration of Ordinance No. 1430-20, requesting the annexation of territory located at 23620, 23740 SW Boones Ferry Road and 9185, 9335, 9415 SW Greenhill Lane (Tax Map: 2S135D Lots: 400, 401, 500, 501, 600, 800, 900) into the City of Tualatin; annexing Portions of SW Lower Boones-Ferry Road and SW Greenhill Lane; withdrawing the territory from the Washington County Enhanced Sheriff Patrol District; and annexing territory into the boundary of Clean Water Services (File No. ANN-19-0002).

#### **RECOMMENDATION:**

Staff recommends that Council adopt Ordinance No. 1430-20.

#### **EXECUTIVE SUMMARY:**

This matter is a quasi-judicial public hearing.

The applicant, Stafford Development Company on behalf of the property owner, Autumn Sunrise LLC, requests approval to annex approximately 39.5 acres of land to the City of Tualatin. The properties are located north of SW Greenhill Lane, east of SW Boones Ferry Road, west of Interstate-5, and south of the Horizon School property. The properties are presently developed with three existing single-family homes and associated accessory structures. The overall site can be described as generally flat farmland. No development or other modifications to the property are proposed as part of this request.

The land is comprised of seven tax lots (36.62 acres) and adjacent right-of-way (2.88 acres). The area proposed for annexation is comprised of approximately 36.62 acres of private property and approximately 2.88 acres of adjacent rights-of-way; including portions of SW Boones Ferry Road and SW Greenhill Lane, as shown in Exhibit 2. The land is contiguous to the existing Tualatin city limits, currently located within unincorporated Washington County and the City of Tualatin Urban Planning Area.

If approved, in conjunction with approval of the proposed annexation, the subject properties would be withdrawn from the Washington County Enhanced Sheriff Patrol District (ESPD). Upon annexation, consistent with zoning designations adopted as part of the Basalt Creek Comprehensive Plan amendments, the properties would be designated Medium-Low Density Residential (RML) and Neighborhood Commercial (CN) planning districts in the Community Plan Map that is part of Tualatin's Comprehensive Plan, as shown in Exhibit 3.

Before granting the proposed annexation, the City Council must find that the annexations conform to the applicable criteria of TDC Section 31.010, Metro Code Section 3.09, and ORS 222. The Analysis and Findings (Exhibit 3) examines the application in respect to the requirements for granting an annexation. Staff finds that the annexation meets the applicable criteria.

#### **OUTCOMES OF RECOMMENDATION:**

Approval of the annexation request and adoption of Ordinance No. 1430-20 will result in the following:

- Annexation of the property to the City of Tualatin.
- Designation of the property with the Medium-Low Density Residential (RML) and Neighborhood Commercial (CN) planning districts.
- Concurrent annexation of the property into the Clean Water Services District boundary.
- Concurrent withdrawal of the property from the Washington County Enhanced Sheriff Patrol District.

#### ALTERNATIVES TO RECOMMENDATION:

The alternatives to the staff recommendation include:

- Continuation of the hearing to a date certain in the future; or
- Denial of the annexation request.

#### FINANCIAL IMPLICATIONS:

The City will receive an increased share in property tax revenue.

#### **ATTACHMENTS:**

Ord 1430-20 Autumn Sunrise

Exhibit 1. Legal Description

Exhibit 2. Map

Exhibit 3. Analysis, Findings, and Exhibits

Attachment A. Council Presentation

Attachment B. Public Comment

#### ORDINANCE NO. 1430-20

AN ORDINANCE ANNEXING TERRITORY LOCATED AT 23620, 23740 SW BOONES FERRY ROAD AND 9185, 9335, 9415 SW GREENHILL LANE (TAX MAP: 2S135D LOTS: 400, 401, 500, 501, 600, 800, AND 900) INTO THE CITY OF TUALATIN; ANNEXING PORTIONS OF SW LOWER BOONES-FERRY ROAD AND SW GREENHILL LANE; WITHDRAWING THE TERRITORY FROM THE WASHINGTON COUNTY ENHANCED SHERIFF PATROL DISTRICT; AND ANNEXING TERRITORY INTO THE BOUNDARY OF CLEAN WATER SERVICES (ANN-19-0002)

WHEREAS, Stafford Development Company, LLC, representing Autumn Sunrise, LLC, submitted a petition for annexation of approximately 39.5 acres of property located at 23620, 23740 SW Boones Ferry Road and 9185, 9335, 9415 SW Greenhill Lane (Tax Map: 2S135D Lots: 400, 401, 500, 501, 600, 800, and 900), as well as annexing portions of SW Lower Boones-Ferry Road and SW Greenhill Lane, hereafter called the "Property," into the City of Tualatin;

WHEREAS, the City of Tualatin is authorized to annex territory under ORS Chapter 222 and Metro Code Chapter 3.09;

WHEREAS, the annexation of the Property has been requested by 100 percent of the property owners, 100 percent of the electors, and qualifies for annexation under ORS 222.125;

WHEREAS, Washington County has not opposed the annexation in accordance with the Urban Growth Management Agreement between the County and the City;

WHEREAS, Metro does not oppose the annexation;

WHEREAS, under ORS 199.510(2)(c), when a city receives services from a district and is part of that district, any territory annexed to the city is to be included in the boundaries of the district and subject to all liabilities of the district in the same manner and to the same extent as other territory included in the district;

WHEREAS, the City receives sewer, storm, and surface water management services from Clean Water Services and is part of the Clean Water Services district, as referenced ORS 199.510(2)(c);

WHEREAS, the Property is in the Washington County Enhanced Sheriff Patrol District;

WHEREAS, ORS 222.520(1) authorizes cities to withdraw territory from districts concurrent with the annexation decision;

WHEREAS, notice of public hearing on the annexation petition was given as required by Tualatin Development Code 32.260;

WHEREAS, the Council conducted a public hearing relating to the annexation on January 27, 2020, where Council heard and considered the testimony and evidence presented by the City staff, the applicant, and those appearing at the public hearing; and

WHEREAS, after the conclusion of the public hearing Council determined the annexation is consistent with all applicable legal requirements of state law, Metro code, and City ordinances related to annexing property and voted to approve the application by unanimous vote.

#### THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

- **Section 1.** The Property identified in the legal description attached as Exhibit 1 and as more fully depicted in the map in Exhibit 2, which are both incorporated by reference, is hereby annexed to and made a part of the City of Tualatin.
- **Section 2.** The findings attached as Exhibit 3, which are incorporated herein by reference, are hereby adopted.
- **Section 3.** The City Recorder is directed to forward copies of this Ordinance to the Oregon Department of Revenue.
- **Section 4.** Within five days of receipt of the required information from the Oregon State Department of Revenue, the City Recorder is directed to send copies of this Ordinance and the approval from the Oregon Department of Revenue to Metro for filing with the Oregon Secretary of State.
- **Section 5.** The annexation of the Property is effective from the date the annexation is filed with the Oregon Secretary of State, as provided in ORS 222.180.
- **Section 6.** On the effective date of the annexation, the Property is withdrawn from the Washington County Enhanced Sheriff Patrol District.
- **Section 7.** On the effective date of the annexation, under ORS 199.510(2)(c), the property is also being annexed into the boundaries of Clean Water Services for the provision of sanitary sewer, storm, and surface water management.
- **Section 8.** The City Recorder is directed to forward copies of this Ordinance and all other required materials to all public utilities and telecommunications utilities operating within the City in accordance with ORS 222.005.

Adopted by the City Council this 27th day of January, 2020.

	CITY OF TUALATIN, OREGON		
	BY Mayor		
APPROVED AS TO FORM	ATTEST:		
BY City Attorney	BY City Recorder		

Ordinance <u>1430-20</u>

#### **EXHIBIT A**

# CITY OF TUALATIN ANNEXATION PROPERTY DESCRIPTION

A tract of land in the South one-half of Section 35, Township 2 South, Range 1 West of the Willamette Meridian; being those properties conveyed by Document Number 2007-105096, Washington County Deed Records; plus adjacent portions of S.W. Greenhill Lane and S.W. Boones Ferry Road; Washington County, Oregon; being more particularly described as follows:

Beginning at a northwesterly corner of said properties conveyed by Document Number 2007-105096, being a point which bears South 89°41'31" West a distance of 1333.30 feet and then South 00°09'07" East a distance of 1334.31 feet, from the East one-quarter corner of Section 35;

thence along the north line, North 89°38'49" East a distance of 16.50 feet to an angle point;

thence, North 00°09'07" West a distance of 16.50 feet to an angle point, also being the most northerly northwest corner of said properties;

thence along the most northerly line, North 89°35'49" East a distance of 674.70 feet, more or less, to the west right-of-way line of Interstate Highway No. 5 (Baldock Freeway, West Portland Hubbard Highway);

thence along said west right-of-way line, South 15°44'54" West a distance of 1,147.78 feet, more or less, to the centerline of S.W. Greenhill Lane, as per "Greenhill Acres" subdivision plat;

thence along said centerline and a westerly extension thereof, South 89°40'38" West a distance of 1,834.81 feet, more or less, to the westerly right-of-way line of S.W. Boones Ferry Road, as per Document Number 83-46743, Washington County Deed Records, being a line 40.00 feet west of the (old) centerline when measured at right angles thereto;

thence along last said westerly right-of-way line, North 03°23'20" West a distance of 12.73 feet, more or less, to the north end of said Document Number 83-46743;

thence along a jog in said right-of-way line at the north end of said Document Number 83-46743, South 89°03'57" East a distance of 10.03 feet to a line 30.00 feet west of the (old) centerline when measured at right angles thereto;

thence along last said westerly right-of-way line, North 03°23'20" West a distance of 392.17 feet, more or less, to an angle point therein at the south end of Document Number 90-68427, Washington County Deed Records;

thence along a jog in said right-of-way line at the south end of said Document Number 90-68427, South 86°36'40" West a distance of 15.00 feet to a line 45.00 feet west of the (old) centerline when measured at right angles thereto;

thence along last said westerly right-of-way line, North 03°23'20" West a distance of 23.20 feet, more or less, to the beginning of a curve;

thence along last said westerly right-of-way line, through the arc of a 963.87 foot radius curve to the right, having a central angle of 20°19'02" (chord bears North 06°46'12" East a distance of 340.00 feet), along an arc length of 341.79 feet, more or less, to the north end of said Document Number 90-68427;

thence along a jog said right-of-way line at the north end of said Document Number 90-68427, North 89°36'05" East a distance of 15.72 feet to a line 30.00 feet west of the (old) centerline when measured at right angle thereto;

thence along last said westerly right-of-way line, North 17°06'17" East a distance of 25.44 feet, more or less, to the Tualatin City Limits line;

EXHIBIT A
CITY OF TUALATIN ANNEXATION
PROPERTY DESCRIPTION
Page 2

thence along said Tualatin City Limits line, South 72°53'43" East a distance of 60.00 feet to an angle point therein at the (old) easterly right-of-way line of S.W. Boones Ferry Road being on a line laying 30.00 feet east of the (old) centerline when measured at right angles thereto;

thence along said Tualatin City Limits line, North 89°36'05" East a distance of 1365.65 feet;

thence along said Tualatin City Limits line, North 00°09'07" West a distance of 313.47 feet to the Point of Beginning.

Bearings are based upon Survey Number 29,037 Washington County Surveys.

Area equals 39.50 acres, more or less, (R/W = 2.883 acres) and property = 36.617 acres).

REGISTERED PROFESSIONAL L(AND SURVEYOR

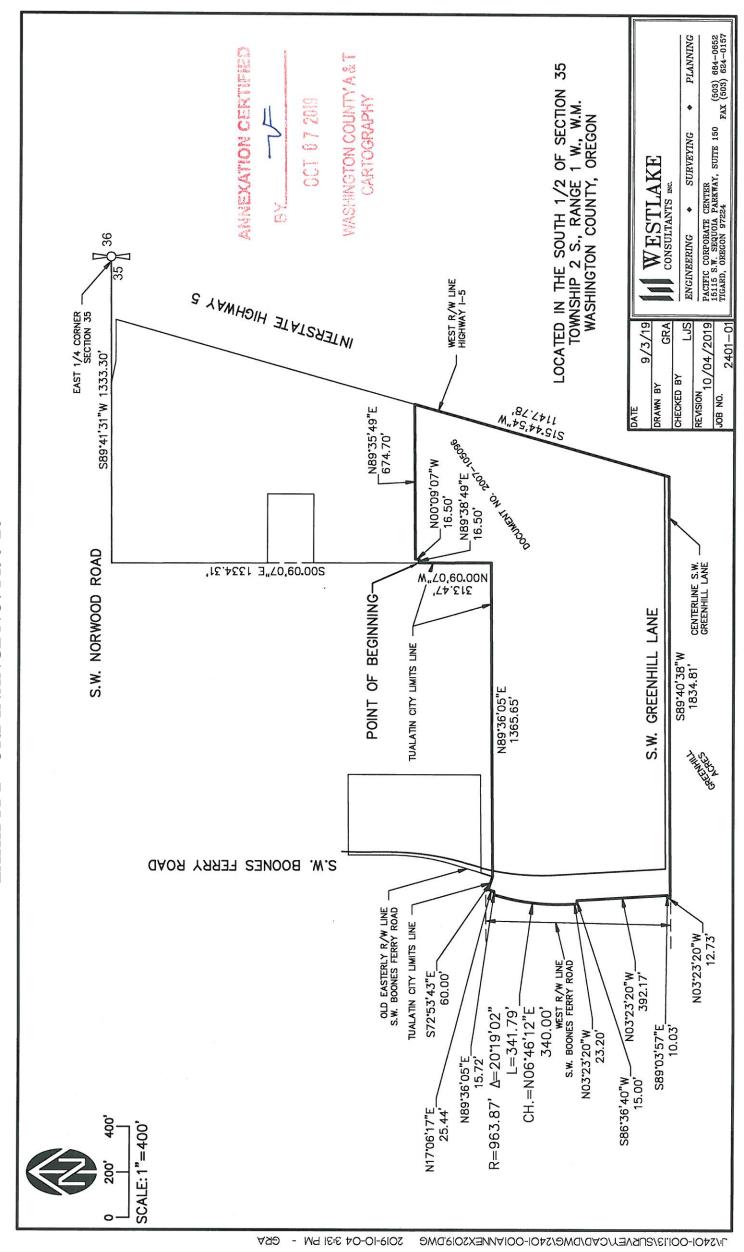
OREGON JULY 25, 1990 GARY R. ANDERSON 2434

RENEWS: 12/31/

ANNEXATION CERTIFIED

OCT 0 7 2019

WASHINGTON COUNTY A & T CARTOGRAPHY





#### **ANALYSIS AND FINDINGS**

#### **Autumn Sunrise Annexation**

Case #: ANN 19-0002

**Project:** Autumn Sunrise Annexation

**Location:** 23620 and 23740 SW Boones Ferry Road;

9185, 9335, and 9415 SW Greenhill Lane

**Tax Map:** 2S135D **Lots:** 400, 401, 500, 501, 600, 800, & 900

Owner/Applicant: Gordon Root, Autumn Sunrise, LLC

Levi Levasa, Stafford Development Company, LLC

#### INTRODUCTION

#### A. Applicable Criteria

Annexations are reviewed under Tualatin Development Code (TDC) Chapter 33.010, *Annexations*. This code refers to Metro Code 3.09, *Local Government Boundary Changes*, and the applicable provisions of ORS Chapter 222, which also govern annexations.

#### B. **Project and Site Description**

The applicant, Stafford Development Company on behalf of Autumn Sunrise, requests approval to annex seven tax lots comprising approximately 39.5 acres of land. The properties are currently located within unincorporated Washington County and the City of Tualatin Urban Planning Area – north of SW Greenhill Lane between Interstate-5 and SW Boones Ferry Road. Three single family homes and assorted accessory structures are located on the Greenhill Lane properties. The overall site can be described as generally flat farmland. No development or other modifications to the property is proposed at this time.

The area proposed for annexation is comprised of approximately 36.62 acres of private property and approximately 2.88 acres of adjacent rights-of-way; including portions of SW Boones Ferry Road and SW Greenhill Lane, as described and shown in Exhibit A. If approved for annexation, the subject properties would be withdrawn from the Washington County Enhanced Sheriff Patrol District (ESPD) and designated a combination of Medium Low Density Residential (RML) and Neighborhood Commercial (CN) planning districts, as shown on the Community Plan Map (Exhibit B).

#### C. Exhibit List

- A. Application Materials
- B. Community Plan Map 9-1



#### TDC CHAPTER 33, APPLICATIONS AND APPROVAL CRITERIA

#### **Section 33.010 Annexations**

To grant an annexation application, the Council must find:

(a) The territory to be annexed is within the Metro Urban Growth Boundary;

#### Finding:

As shown in Exhibit B, the subject property is within the Metro Urban Growth Boundary and within Tualatin's Urban Planning Area. This standard is met.

(b) The owners of the territory to be annexed have petitioned to be annexed;

#### **Finding:**

Autumn Sunrise, is the sole property owner and petitioner of the subject property, as shown in Exhibit A. This standard is met.

(c) The application conforms to the applicable criteria in Metro Code 3.09; and

#### **Metro Chapter 3.09 Local Government Boundary Changes**

Metro Chapter 3.09.045 Expedited Decisions

- D. To approve a boundary change through an expedited process, the city shall:
  - 1. Find that the change is consistent with expressly applicable provisions in:
    - a. Any applicable urban service agreement adopted pursuant to ORS 195.065;

#### Finding:

The Basalt Creek Planning Area was added to the Portland Metropolitan Urban Growth Boundary by Metro Council adoption of Ordinance 04-1040B, which conditioned the area to undergo concept planning. The City of Tualatin has adopted the Basalt Creek Concept Plan through Resolution 5392-18 and Ordinance No. 1418-19. As part of the adoption, the public water and sewer plan maps were updated to show planned infrastructure for the Basalt Creek area. At present, public water and sewer lines are generally not available in this area and will need to be extended in order to support future urbanization. Connections are generally located at the current southerly boundary of Tualatin, in or near Norwood Road. Additionally, Tualatin has an intergovernmental agreement (IGA) with Clean Water Services (CWS) and has recently adopted an update to the Sewer Master Plan that identifies the need for additional facilities to serve this annexation area specifically and identifies how that expansion can be accomplished.

The subject properties are already within, and would remain within, Tualatin Valley Fire and Rescue, TriMet, and the Sherwood School District. The annexation would prompt withdrawal from the Washington County Enhanced Sheriff Patrol District and introduction into the Clean Water Services District. The annexation would not create any inconsistencies with any urban service agreements. This standard is met.

b. Any applicable annexation plan adopted pursuant to ORS 195.205;

#### **Finding:**

No applicable annexation plan exists for this area. This standard is not applicable.

c. Any applicable cooperative planning agreement adopted pursuant to ORS 195.020(2) between the affected entity and a necessary party;

#### Finding:

No applicable cooperative planning agreement exists for this area. This standard is not applicable.

d. Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services;

#### **Finding:**

The Basalt Creek Concept Plan amended the City's Transportation System Plan and public facilities plans contained within Tualatin's Comprehensive Plan reflect the Urban Planning Area that contains this property and plans for eventual annexation as initiated by property owners. The proposed annexation is consistent with these plans. This standard is met.

e. Any applicable comprehensive plan;

#### Finding:

The City of Tualatin's Comprehensive Plan contains the Community Plan Map 9-1, (Exhibit B) showing this property as part of the Urban Planning Area. The provisions of the Comprehensive Plan that relate to annexations, found in TDC Chapter 4, Community Growth, are fully reflected in the criteria presented in the implementing sections of the TDC Chapter 33.010, Annexations, and Chapter 32.260, Annexation Procedures. The proposed annexation has been reviewed against and has been deemed to be consistent with these requirements. This standard is met.

f. Any applicable concept plan; and

#### **Finding:**

The City of Tualatin has adopted the Basalt Creek Concept Plan through Resolution 5392-18 and Ordinance No. 1418-19. The proposed annexation is consistent with this plan. This standard is met.

- 2. Consider whether the boundary change would:
  - a. Promote the timely, orderly and economic provision of public facilities and services;
  - b. Affect the quality and quantity of urban services; and
  - c. Eliminate or avoid unnecessary duplication of facilities or services.

#### Finding:

The boundary change would promote the timely, orderly, and economic provision of public facilities and services. The property is contiguous to the current Tualatin city limits. The property was identified as being eligible for annexation in the Basalt Creek Concept Plan that was adopted and implemented into the Tualatin Comprehensive Plan. The boundary change itself would not affect the quality or duplication of urban services. Rather, the orderly provision of public services will be addressed at the time of future development of the property, which is not proposed at this time. Standards a.-c. are met.

E. A city may not annex territory that lies outside the UGB, except it may annex a lot or parcel that lies partially within and partially outside the UGB.

#### Finding:

The subject property is wholly within the UGB. This standard is not applicable.

(d) The application is consistent with applicable provisions of ORS Chapter 222.

#### ORS Chapter 222.111 Authority and procedure for annexation

(1) When a proposal containing the terms of annexation is approved in the manner provided by the charter of the annexing city or by ORS 222.111 to 222.180 or 222.840 to 222.915, the boundaries of any city may be extended by the annexation of territory that is not within a city and that is contiguous to the city or separated from it only by a public right of way or a stream, bay, lake or other body of water. Such territory may lie either wholly or partially within or without the same county in which the city lies."

#### Finding:

As shown on the Community Plan Map 9-1 (Exhibit B), the subject property is not within a city and is contiguous to the City of Tualatin. This standard is met.

### ORS Chapter 222.520 Annexation of less than entire district; assumption of obligations by city conditional.

(1) Whenever a part less than the entire area of a district named in ORS 222.510 becomes incorporated as or annexed to a city in accordance with law, the city may cause that part to be withdrawn from the district in the manner set forth in ORS 222.120 or at any time after such incorporation or annexation in the manner set forth in ORS 222.524. Until so withdrawn, the part of such a district incorporated or annexed into a city shall continue to be a part of the district.

#### Finding:

The subject properties are in the Washington County Enhanced Sheriff Patrol District. If the proposed annexation is approved, the subject properties would be withdrawn from the Enhanced Sheriff Patrol District. Law enforcement services would be provided by the City of Tualatin. Because the proposed boundary change is consistent with state and local law, this standard is met.

#### D. Conclusion and Recommendation:

Based on the application and the above analysis and findings, the proposed annexation complies with applicable Oregon Revised Statutes, Metro Code, and TDC. Accordingly, staff recommends City Council approval of File No. ANN-19-0002.



# CITY OF TUALATIN Community Development Department-Planning Division Land Use Application—Type IV

PROPOSAL NAME Autumn Sunrise Annexation	
PROPOSAL SUMMARY (Brief description)	
The applicant is proposing annexation of the below noted pr	operty and all or part of the adjacent
rights-of-way from Unincorporated Washington County into	the City of Tualatin.
PROPERTY INFORMATION	
Location (address if available): North of SW Greenhill Ln. and between	en 1-5 and SW Boones Ferry Rd.
004050 0 400 404 500 504 500	District: RML & CN
Total site size: Property=36.617 Ac. & ROW=2.883 Ac. ☐ Developed	☑ Undeveloped
APPLICANT/CONTACT INFORMATION	
	ame II O I and I
Applicant or Primary Contact Name: Stafford Development Compa Mailing Address: 8840 SW Holly Ln.	any, LLC - Levi Levasa
City/State: Wilsonville, Oregon	Zip: <u>97070</u>
Phone: 503-250-3651 Email: levi@staffo	ordlandcompany.com
Applicant's Signature:	Date: 10/16/2019
I hereby acknowledge that I have read this application and understand the requirement information provided is correct, that I am the owner or authorized agent of the owner, as Tualatin Development (TDC) and Municipal (TMC) Codes.  PROPERTY OWNER/DEED HOLDER INFORMATION	ents for approving and denying the application, that the nd that plans submitted are in compliance with the City of
Name: Autumn Sunrise, LLC - Gordon Root	
Mailing Address: 8840 SW Holly Ln.	
City/State: Wilsonville, Oregon	7: 07070
1	Zip: 97070
Property Owner Signature:	MANGER Date: 19/16/2019
Power of attorney or letter of authorization required if application not signed by the prope	rty owner/deed holder.
AND USE APPLICATION TYPE	FOR STAFF USE ONLY
Annexation (ANN)   □ Plan Map Amendment (PMA)	Case No.: Date Received:
☐ Conditional Use Permit (CUP) ☐ Plan Text Amendment (PTA)	By:
☐ Central Urban Renewal Master ☐ Other ☐ Historic Landmark Designation or Removal of Designation (HIST)	Fee Amount \$:
	Received by:

# **AUTUMN SUNRISE**ANNEXATION APPLICATION



#### **APPLICANT:**

Stafford Development Company, LLC 8840 SW Holly Ln, Wilsonville, OR 97070 Levi Levasa, Project Manager levi@staffordlandcompany.com (971) 206-4614

#### **OWNER:**

Autumn Sunrise, LLC 8840 SW Holly Ln, Wilsonville, OR 97070 Gordon Root, Manager

#### **Contents**

I. Introduction	1
II. Property Information	
III. Pre-Application Conference	
IV. Neighborhood/Developer Meeting	
V. Approval Criteria	
(A) Tualatin Development Code	
(B) Metro Code 3.09	
(C) ORS Chapter 222	
VI. Conclusion	
VI. COHCIUSIOH	

#### **I. Introduction**

The purpose of this application is to seek approval for the annexation of approximately 39.50 acres of real property and public right-of-way that is contiguous to the Tualatin City Limits from unincorporated Washington County into the Tualatin City Limits. The subject property is within the Basalt Creek Concept Plan area. Only annexation of the subject properties and relevant abutting rights-of-way is proposed. Future development of the annexation area would require a subsequent application and review.

This application will address the requirements outlined in the Tualatin Development Code (TDC).

#### **II. Property Information**

The total annexation area of 39.50 acres is comprised of approximately 36.617 acres of real property owned by Autumn Sunrise, LLC and approximately 2.883 acres of adjacent rights-of-way; including portions of SW Boones Ferry Road and SW Greenhill Lane. See attached Exhibit 1 for a legal description and map of the proposed annexation territory boundaries.

The subject properties and their approximate area, per the Washington County Assessor's Map 2S1W35D (Exhibit 2), are listed below.

Owner R Number Tax Map Tax Lot ~ Acres **County Zoning** City Designation Autumn Sunrise, LLC R560253 2S-1W-35D 400 1.88 FD-20 RML R560262 Autumn Sunrise, LLC 2S-1W-35D 401 17.46 FD-20 **RML** Autumn Sunrise, LLC R560271 2S-1W-35D 500 3.72 FD-20 CN Autumn Sunrise, LLC R560280 2S-1W-35D 501 0.45 FD-20 CN Autumn Sunrise, LLC R560299 2S-1W-35D 600 2.87 FD-20 RML Autumn Sunrise, LLC R560306 2S-1W-35D 800 3.75 FD-20 RML 900 Autumn Sunrise, LLC R560315 2S-1W-35D 6.68 FD-20 RML

Table 1: Subject Properties (not including R-O-W)

The properties listed above are all in the Washington County Future Development 20-Acre Land Use District (FD-20). Upon annexation they would take on the City of Tualatin Medium Low Density Residential (RML) and Neighborhood Commercial (CN) planning district designations as determined by the adopted City maps and indicated in the table above.

#### **III. Pre-Application Conference**

A Pre-Application Conference was held on October 2<sup>nd</sup>, 2019 at 2pm to discuss the proposed annexation in accordance with TDC 32.110. The Pre-App Meeting Request was submitted on September 19, 2019. Materials related to the meeting, including the Pre-App Meeting Request submittal package, Fee receipt, and Agenda are attached in **Exhibit 3**. The requirements of TDC 32.110 have been satisfied.

#### IV. Neighborhood/Developer Meeting

A Neighborhood/Developer Meeting was held on October 9<sup>th</sup>, 2019 at 6:30 pm at Horizon Community Church. Sign Postings provided notice of the neighborhood/developer meeting in accordance with TDC 32.150. Mailed Notice was provided, a sign-in sheet and meeting notes were kept, and the meeting was held in accordance with TDC 32.120. In addition to the October 9<sup>th</sup> meeting, the Applicant held an earlier neighborhood meeting on August 22<sup>nd</sup>, 2019. Materials for each meeting, including the notices, sign-in sheets, minutes, and mailing labels are attached in **Exhibit 4**. The requirements of TDC 32.120 have been satisfied.

#### V. Approval Criteria

#### (A) Tualatin Development Code

TDC 33.010 identifies the approval criteria for an annexation application. Approval criteria identified by the TDC 33.010(5) will be quoted in *italics* and a **Response** will be provided below each criterion and/or code section.

TDC 33.010. – Annexations

- (5) Approval Criteria. To grant an annexation application, the Council must find:
  - (a) The territory to be annexed is within the Metro Urban Growth Boundary;

**Response:** The territory to be annexed is within the Metro Urban Growth Boundary (UGB) and has been since 2004. This criterion is met.

(b) The owners of the territory to be annexed have petitioned to be annexed;

**Response:** A Petition to Annex to the City of Tualatin that is signed by 100% of the owners of the territory to be annexed and a Certification of Ownership are attached as **Exhibit 5**. This criterion is met.

(c) The application conforms to the applicable criteria in Metro Code 3.09; and

**Response:** The applicable criteria in Metro Code 3.09 have been satisfied per the responses listed below in section V.(B) of this application. This criterion is met.

(d) The application is consistent with applicable provisions of ORS Chapter 222.

**Response:** This application is consistent with the applicable provisions of ORS Chapter 222 per the responses listed below in section V.(C) of this application. This criterion is met.

#### (B) Metro Code 3.09

Per TDC 33.010(5)(c) above, applicable criteria in Metro Code 3.09 will be addressed below. Relevant Metro Code sections will be quoted or summarized in *italics* and a **Response** will be provided below each criterion and/or code section.

Metro Code 3.09 – Local Government Boundary Changes

3.09.040 Requirements for Petitions

- A. A petition for a boundary change must contain the following information:
  - 1. The jurisdiction of the reviewing entity to act on the petition;

**Response:** The City of Tualatin is identified on the signed petition attached in **Exhibit 5**. This criterion is met.

2. A map and a legal description of the affected territory in the form prescribed by the reviewing entity;

Response: A Certified legal description and Map are attached in Exhibit 1. This criterion is met.

3. For minor boundary changes, the names and mailing addresses of all persons owning property and all electors within the affected territory as shown in the records of the tax assessor and county clerk.

**Response:** The name and mailing address of all property owners within the affected territory are attached in **Exhibit 6**. There are no electors within the affected territory. This criterion is met.

3.09.045 Expedited Decisions

A. The governing body of a city or Metro may use the process set forth in this section for minor boundary changes for which the petition is accompanied by the written consents of one hundred percent of property owners and at least fifty percent of the electors, if any, within the affected territory. No public hearing is required.

**Response:** The proposed annexation is a Minor Boundary Change as identified in Metro Code 3.09.020(I.) and 100% of the property owners have signed a consent to the change; and there are no electors. As such, the City may use the Expedited Decision process. The Applicant must satisfy the same criteria whether it is an Expedited Decision or not, so the information submitted will be the same.

- D. To approve a boundary change through and expedited process, the city shall:
  - 1. Find that the change is consistent with expressly applicable provision in:
    - a. Any applicable urban service agreement adopted pursuant to ORS 195.065;
    - b. Any applicable annexation plan adopted pursuant to ORS 195.205;

- c. Any applicable cooperative planning agreement adopted pursuant to ORS 195.020(2) between the affected entity and a necessary party;
- d. Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services;
- e. Any applicable comprehensive plan;
- f. Any applicable concept plan; and

Response: The proposed annexation is consistent with planning agreements with other jurisdictions including Metro, Washington County, and the City of Wilsonville. Adoption of the Basalt Creek Concept Plan through Resolution 5392-18 was the result of the joint planning efforts of the previously mentioned jurisdictions. The City of Tualatin then implemented the Basalt Creek concept plan by approving the Plan Text Amendment (PTA) 19-0001 and Plan Map Amendment (PMA) 19-0001 and ultimately adopting Ordinance No. 1418-19 which also included amendments to the Transportation System Plan (TSP). The annexation of this property is only possible because the extensive planning efforts that have been made to serve this area. Additionally, The Tualatin has an intergovernmental agreement (IGA) with Clean Water Services (CWS) and has recently adopted an update to the Sewer Master Plan that identifies the need for additional facilities to serve this annexation area specifically and identifies how that expansion can be accomplished. These criteria have been met.

- 2. Consider whether the boundary change would:
  - a. Promote the timely, orderly and economic provision of public facilities and services;

**Response:** The boundary change would promote the timely, orderly, and economic provision of public facilities and services as the annexation territory is included in the Basalt Creek Concept Plan that was adopted and implemented into the adopted Tualatin Comprehensive Plan and Sewer Master Plan. Additionally, the subject properties are contiguous to the Tualatin City Limits and expansion of urban services to this area is anticipated by the City of Tualatin's guiding documents. The provisions of this section have been satisfied.

b. Affect the quality and quantity of urban services; and

**Response:** The boundary change itself would not affect the quality of urban services and would not likely affect the quantity of urban services as the use of the land would not change as a result of annexation. Future development, on the other hand, could affect the quality and would affect the quantity of urban services. The provisions of this section have been satisfied.

c. Eliminate or avoid unnecessary duplication of facilities or services.

**Response:** The boundary change itself would not eliminate or avoid unnecessary duplication of facilities or services. To the extent currently known, future development would not likely eliminate or avoid unnecessary duplication of facilities or services either. The provisions of this section have been satisfied.

E. A city may not annex territory that lies outside the UGB, except it may annex a lot or parcel that lies partially within and partially outside the UGB.

**Response:** The proposed annexation territory is entirely within the UGB. This criterion is met.

3.09.050 Hearing and Decision Requirements for Decisions Other Than Expedited Decisions

D. To approve a boundary change, the reviewing entity shall apply the criteria and consider the factors set forth in subsections (D) and (E) of section 3.09.045.

**Response:** The criteria and factors for consideration set forth in the referenced subsections have been addressed above, under section 3.09.045. Based on the responses above, the factors have been considered and the criteria have been met.

#### (C) ORS Chapter 222

Per TDC 33.010(5)(c) above, applicable provisions of ORS Chapter 222 will be addressed below. Many sections of ORS 222 include procedural instructions only that do not require a response as they would be satisfied after an annexation is approved. The currently relevant sections of the Oregon Revised Statutes (ORS) Chapter 222 will be identified in *italics* and a **Response** will be provided below each criterion and/or code section.

ORS Chapter 222 – City Boundary Changes; Mergers; Consolidations; Withdrawals

222.030 Assessor to furnish statement of assessed valuation of property in territory to be annexed.

**Response:** The attached property tax statements from the Washington County Tax Assessor in **Exhibit 6** show the assessed value of each property included in the territory to be annexed. Additionally, the total assessed value of the annexation territory is included on the Annexation Property Information Sheet (**Exhibit 7**). This criterion is met.

222.111 Authority and procedure for annexation.

**Response:** This annexation proposal has been initiated by 100% of the owners of the real property to be annexed and if the proposed annexation is approved the boundaries of the City can be extended to include the annexation territory as it is contiguous to the Tualatin City Limits. The relevant provisions of this section have been satisfied.

#### VI. Conclusion

This application includes all required submittal documents/forms/exhibits and provides responses demonstrating that the applicable and relevant approval criteria of the Tualatin Development Code, Metro Code, and Oregon Revised Statutes are satisfied. As such, the Applicant requests approval of the proposed annexation.

#### **EXHIBIT A**

# CITY OF TUALATIN ANNEXATION PROPERTY DESCRIPTION

A tract of land in the South one-half of Section 35, Township 2 South, Range 1 West of the Willamette Meridian; being those properties conveyed by Document Number 2007-105096, Washington County Deed Records; plus adjacent portions of S.W. Greenhill Lane and S.W. Boones Ferry Road; Washington County, Oregon; being more particularly described as follows:

Beginning at a northwesterly corner of said properties conveyed by Document Number 2007-105096, being a point which bears South 89°41'31" West a distance of 1333.30 feet and then South 00°09'07" East a distance of 1334.31 feet, from the East one-quarter corner of Section 35;

thence along the north line, North 89°38'49" East a distance of 16.50 feet to an angle point;

thence, North 00°09'07" West a distance of 16.50 feet to an angle point, also being the most northerly northwest corner of said properties;

thence along the most northerly line, North 89°35'49" East a distance of 674.70 feet, more or less, to the west right-of-way line of Interstate Highway No. 5 (Baldock Freeway, West Portland Hubbard Highway);

thence along said west right-of-way line, South 15°44'54" West a distance of 1,147.78 feet, more or less, to the centerline of S.W. Greenhill Lane, as per "Greenhill Acres" subdivision plat;

thence along said centerline and a westerly extension thereof, South 89°40'38" West a distance of 1,834.81 feet, more or less, to the westerly right-of-way line of S.W. Boones Ferry Road, as per Document Number 83-46743, Washington County Deed Records, being a line 40.00 feet west of the (old) centerline when measured at right angles thereto;

thence along last said westerly right-of-way line, North 03°23'20" West a distance of 12.73 feet, more or less, to the north end of said Document Number 83-46743;

thence along a jog in said right-of-way line at the north end of said Document Number 83-46743, South 89°03'57" East a distance of 10.03 feet to a line 30.00 feet west of the (old) centerline when measured at right angles thereto;

thence along last said westerly right-of-way line, North 03°23'20" West a distance of 392.17 feet, more or less, to an angle point therein at the south end of Document Number 90-68427, Washington County Deed Records;

thence along a jog in said right-of-way line at the south end of said Document Number 90-68427, South 86°36'40" West a distance of 15.00 feet to a line 45.00 feet west of the (old) centerline when measured at right angles thereto;

thence along last said westerly right-of-way line, North 03°23'20" West a distance of 23.20 feet, more or less, to the beginning of a curve;

thence along last said westerly right-of-way line, through the arc of a 963.87 foot radius curve to the right, having a central angle of 20°19'02" (chord bears North 06°46'12" East a distance of 340.00 feet), along an arc length of 341.79 feet, more or less, to the north end of said Document Number 90-68427;

thence along a jog said right-of-way line at the north end of said Document Number 90-68427, North 89°36'05" East a distance of 15.72 feet to a line 30.00 feet west of the (old) centerline when measured at right angle thereto;

thence along last said westerly right-of-way line, North 17°06'17" East a distance of 25.44 feet, more or less, to the Tualatin City Limits line;

# EXHIBIT A CITY OF TUALATIN ANNEXATION PROPERTY DESCRIPTION Page 2

thence along said Tualatin City Limits line, South 72°53'43" East a distance of 60.00 feet to an angle point therein at the (old) easterly right-of-way line of S.W. Boones Ferry Road being on a line laying 30.00 feet east of the (old) centerline when measured at right angles thereto;

thence along said Tualatin City Limits line, North 89°36'05" East a distance of 1365.65 feet;

thence along said Tualatin City Limits line, North 00°09'07" West a distance of 313.47 feet to the Point of Beginning.

Bearings are based upon Survey Number 29,037 Washington County Surveys.

Area equals 39.50 acres, more or less, (R/W = 2.883 acres and property = 36.617 acres).

REGISTERED PROFESSIONAL L(AND SURVEYOR

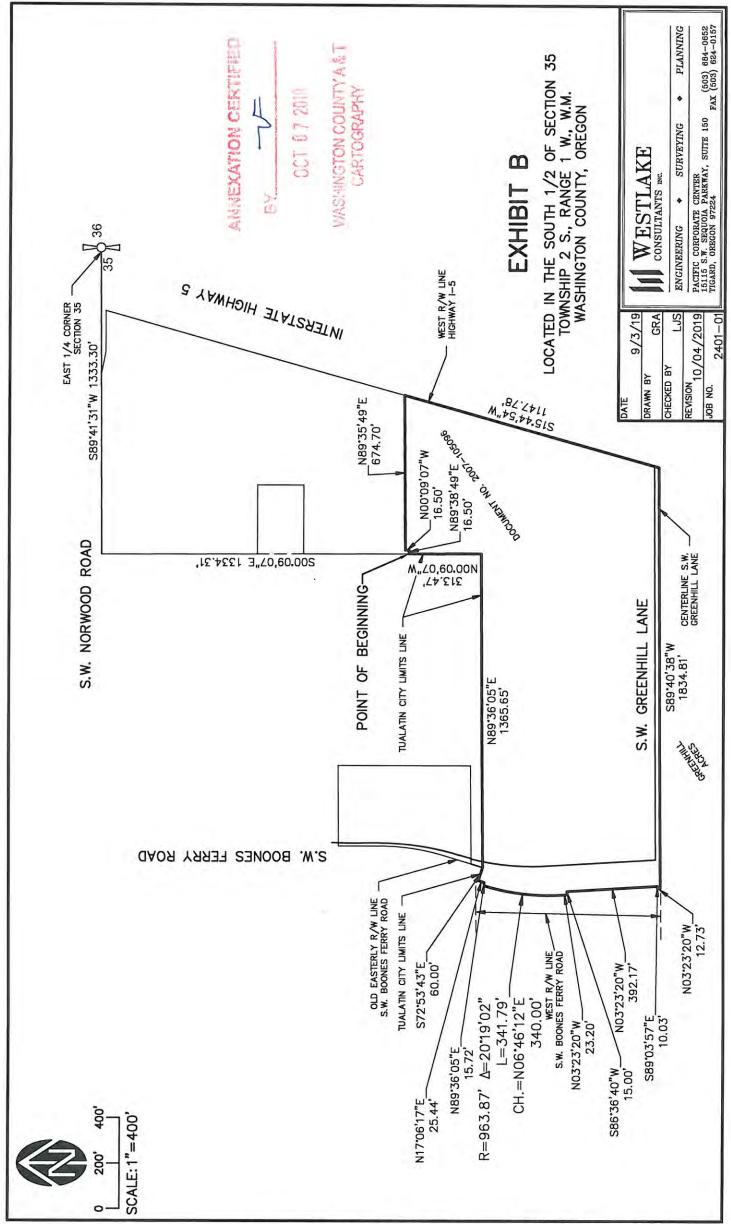
OREGON JULY 25, 1990 GARY R. ANDERSON 2434

RENEWS: 12/31/

TREEXATION CERTIFIED

PCT 0.7 2019

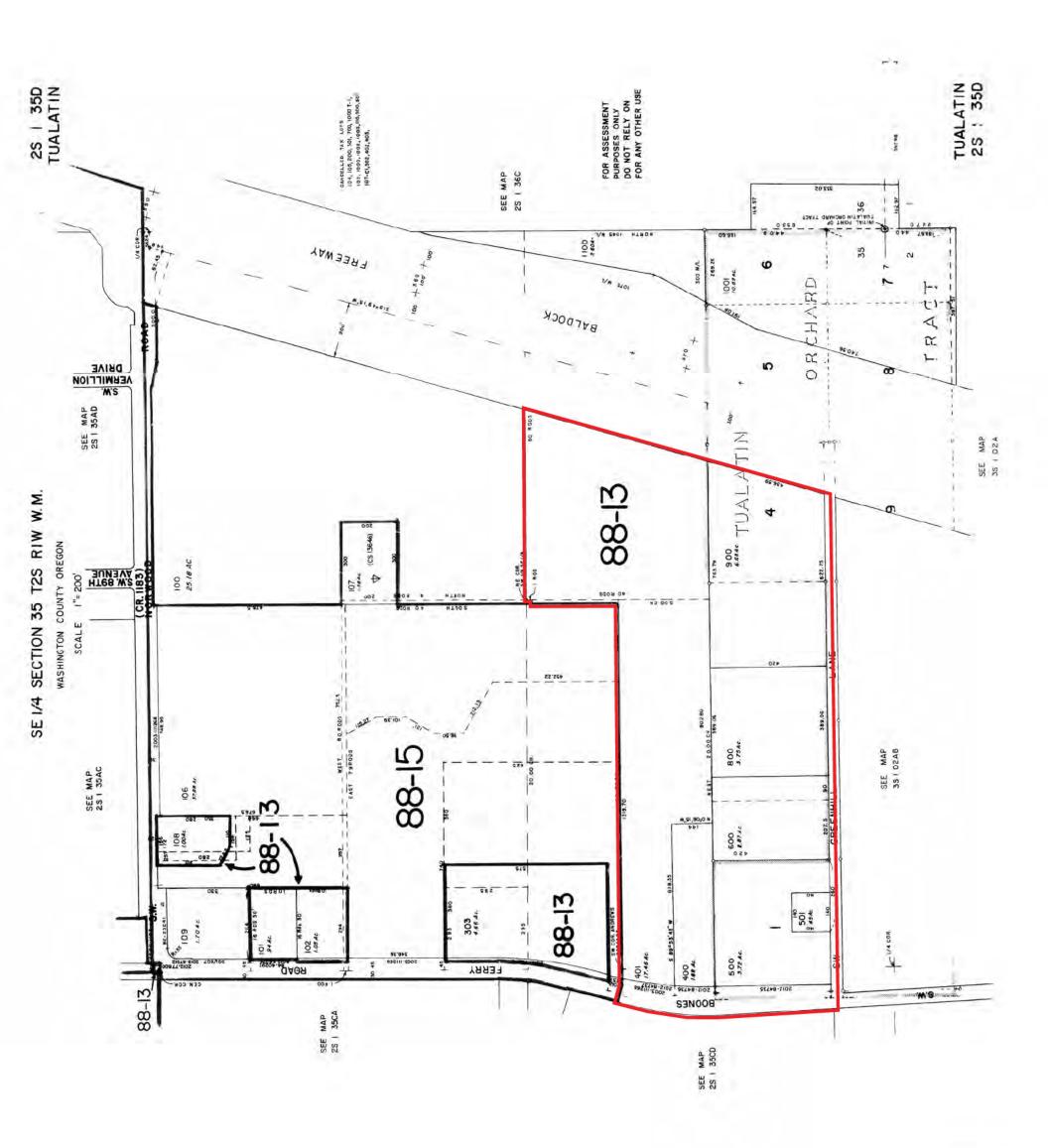
CARTOGRAPHY



Annexation Application Community Development Department - Planning Division

#### **CERTIFICATION OF LEGAL DESCRIPTION AND MAP**

IEN FOSTER	GIS TEAT	
Printed Name	Title	
ST.	10/7/19	
Signature	Date	
MEGGRAPHY	LASHINGTON	
Department	County of	
_		ANNEXATION CERTIFIED
		BY
		OCT 0 7 2019



# PETITION FOR A CONSENT ANNEXATION TO THE CITY OF TUALATIN, OR

#### To the Council and City of Tualatin:

We, the undersigned owners of the property described below, hereby petition for, and give consent to, annexation of said property to the City of Tualatin. We understand that the City will review this request in accordance with ORS Chapter 222 and applicable regional and local policies prior to approving or denying the request for annexation.

Autumn Sunrise, LLC, an Oregon limited liability company, is the record owner of all the property listed in the table below.

Ref#	Address	Quarter	Township	Range	Section	Lot
1	23740 SW Boones Ferry Road, Tualatin, OR 97062	SE	25	1W	35D	400
2	2 23620 SW Boones Ferry Road, Tualatin, OR 97062		25	1W	35D	401
3	No Address		25	1W	35D	500
4	9415 SW Greenhill Lane, Tualatin, OR 97062	SE	2S	1W	35D	501
5	9335 SW Greenhill Lane, Tualatin, OR 97062		25	1W	35D	600
6	9185 SW Greenhill Lane, Tualatin, OR 97062		25	1W	35D	800
7	No Address	SE	25	1W	35D	900

	1 1-7-1	IAAAI	SUNRISE	110
ш		HWHM	VIIIVIKINE	111

An Oregon limited liability company

Gordon Root, Manager

Date:

#### **CERTIFICATION OF PROPERTY OWNERSHIP**

I certify that the attached petition for annexation of the described territory to the City of Tualatin contains the names of the owners\* of a majority of the land area of the territory to be annexed, as shown on the last available complete assessment roll.

		ANNEXATION CERTIFIE
FD FOSTER	GIS Tout	TE TE
Printed Name	Title	Tourse and the second
	10/7/19	OCT 0 7 2019
Signature	Date	WASHINGTON COUNTY A & T
		CARTOGRAPHY
4856 GRAPAY	UASHING-GN	
Department	County of	
	CERTIFICATION OF REC	GISTERED VOTERS
	ched petition for annexation of describ of the electors registered in the territo	ed territory to the City of Tualatin contains the names bry to be annexed.
Printed Name	Title	
Signature	Date	<del></del>
	County of	

#### PROPERTY OWNER INFORMATION

(This form is NOT the petition)

Metro Code 3.09.040 requires the names and address of all property owners and/or registered voters of the property, regardless of support shown on petition to annex. This is not for notification purposes. A signature on this form does not indicate support or opposition to the request.

#### NAME OF OWNER/VOTER (V) PROPERTY DESIGNATION

#### MAILING ADDRESS PROPERTY ADDRESS (If different)

(Indicate Section, Township, Range and Lot No.)

(1)		
(2)		
(3)		
(4)	 	
(5)		
(6)		
(7)		
(8)		
(9)		
(10)		

#### ANNEXATION PROPERTY INFORMATION SHEET

### **EXISTING CONDITIONS IN AREA TO BE ANNEXED:** Land area, in acres: \_\_\_\_\_\_ General description of territory (Include topographic features such as slopes, vegetation, drainage basins, and floodplain areas which are pertinent to this proposal): Describe land uses on surrounding parcels (Use tax lots as reference points) North: \_\_\_\_\_ South: \_\_\_\_\_ East: \_\_\_\_\_ West: \_\_\_\_\_ **EXISTING LAND USE:** Number of existing units/structures: Single-family:\_\_\_\_\_ Multi-family:\_\_\_\_\_ Commercial:\_\_\_\_\_ Industrial:\_\_\_\_\_ Describe existing units/structures: What is the current use(s) of the land proposed to be annexed:

#### Exhibit A. Application Materials

Public facilities or other uses:
Total current year assessed valuation – \$:
Total existing population:
Is the territory contiguous to the City limits:
Is the subject territory inside or outside of the Metro Regional Urban Growth Boundary:
<u>URBAN SERVICE PROVIDERS:</u> If the territory described in the proposal is presently included within the boundaries of any of the following types of governmental units, please indicate so by stating the name or names of the governmental units involved.
County:
Highway Lighting District:
Fire District:
Sanitary District:
Water District:
Grade School District:
High School District:
Library District:
Drainage District:
Parks & Recreation District:
Other:
Is the territory served by any of the providers listed above (describe existing connections to public services):
<del></del>



NAME OF DOCUMENT FOR RECORDING:	(For County Recording Use Only)	
Waiver Of Rights And Remedies		
Grantor: (Petitioner(s))		- 13
Grantee: City of Tualatin		
Consideration: None.		
Tax Statement to be mailed to: No change.		
After Recording, Return To: City of Tualatin,		
Attn: City Recorder, 18880 SW Martinazzi,		
Tualatin, OR 97062		

#### **MEASURE 37 & 49 WAIVER OF RIGHTS AND REMEDIES**

Whereas, <u>Autumn Sunrise</u>, <u>LLC</u> ("Petitioner", including collectively all petitioners) has petitioned to the City of Tualatin ("City") to commence certain proceedings, i.e., annexation, planning district change, and/or plan text amendment for the following described real property,

See attached legal description

Whereas, under Ballot Measure 37 (effective December 2, 2004), as amended by Ballot Measure 49 (effective December 6, 2007), a property owner may seek just compensation or waiver of certain land use regulations if a public entity enacts or enforces the land use regulations after the property owner acquired the property; and

Whereas, Oregon electors or the Oregon Legislature may, in the future, enact further statutory or constitutional amendments relating to compensation for the impact of local regulations upon real property, under certain circumstances; and

Whereas, City does not wish to approve the Petitioner's requested proceedings if such approval could result in the owner or the owner's successors or assigns filing a claim for compensation for the land use regulations in effect upon the effective date of the proceedings or a claim seeking to require the City to waive its land use regulations, which are being newly imposed upon the property as a result of the Petitioner's requested proceedings; and

Whereas, Petitioner wishes to obtain the City's approval of Petitioner's requested proceedings and therefore agrees to eliminate the potential of claim for compensation or the right to seek waiver from the City's land use regulations existing as of the effective date of the proceedings.

Now, therefore, Petitioner warrants that the Petitioner executing this Waiver Agreement holds the full and complete present ownership or any interest therein in the property, and agrees as follows:

1. As inducement to the City to proceed with the following proceeding(s) affecting the subject real property: Annexation, planning district change, and/or plan text amendment which may include designation of the property as subject to additional applicable land use regulations and overlay zones and districts, which may include, but are not limited to the Mixed Use Commercial Overlay District, Industrial Business Park Overlay District, Flood Plain District, Wetlands Protection District, Greenway Protection Overlay District and Natural Areas, and/or design districts ("proceedings"), the undersigned Petitioner, on behalf of Petitioner, Petitioner's heirs, devisees, executors, administrators, successors and assigns, agrees and covenants to the City of Tualatin, its officers, agents, employees and assigns that the Petitioner hereby waives, releases and

forever discharges, and agrees that Petitioner shall be estopped from asserting any rights and remedies, actions, causes of action, suits, claims, liabilities, demands, and rights to waivers arising under or granted by any statutory or constitutional regulatory compensation or waiver provisions, including but not limited to Ballot Measure 37 (2004) and Ballot Measure 49 (2007) or otherwise enacted after the date of this proceeding which would create a right of claim for compensation or waiver from city land use regulations that exist upon the effective date of the proceeding and which, by the approval of the proceeding, are then applicable to the property.

- 2. This covenant, waiver, release, and discharge binds the undersigned's heirs, devisees, executors and administrators, successors in interests, and assigns. This covenant, waiver, release, and discharge will run with the land, and this instrument or a memorandum of it may be recorded in the official records of the County in which the subject real property is located. This instrument may be terminated upon the filing of a Notice of Termination of Waiver filed by the City of Tualatin.
- 3. If this instrument is given contemporaneous with a consent to future proceedings to be initiated by the City, Petitioner acknowledges that the proceedings may be initiated by the City of Tualatin at any time in the discretion of the City and that this waiver and release is applicable to any ordinances adopted prior to the effective date of the proceeding.
- 4. This document is executed of my own free will and without duress. I/we respectively acknowledge that I/we have been advised to obtain legal advice prior to the execution of this document, and that either I, or each of us respectively, have either obtained legal advice or have independently elected not to seek legal advice prior to the execution of this document, recognizing that this document may affect our legal rights and remedies.

DATED this 14 day of October	, 20 <u>19</u>
(signature) Petitioner Name:	(signature) Petitioner Name:
Date Signed:	Date Signed:

Public, personally appeared  Gordon C. Root	, <u>2019</u> , before me the undersigned Notary ers signing; not Notary name)
On this	
Public, personally appeared  Gordon C. Root  (Name of Petitions)  Personally known to me	
(Name of Petitions  Personally known to me	ers signing; not Notary name)
Personally known to me	ers signing; not Notary name)
authority, and acknowledged to me the WITNESS my hand and official seal	nalf of the entity therein named, pursuant to execution hereof.  Place Notary Seal Below
(Do not write outside of the box)	
Notary Signature:  Evisimie Scherbakev  Notary name (legible):  Efrosinia Scherbakov	OFFICIAL STAMP E-ROSINIA SCHERBAKOV NOTARY PUBLIC – OREGON COMMISSION NO. 970997A MY COMMISSION EXPIRES JANUARY 28, 2022
nis document is accepted pursuant to authority and	d approved for recording.
ty of Tualatin, Oregon	

#### CERTIFICATION OF SIGN POSTING

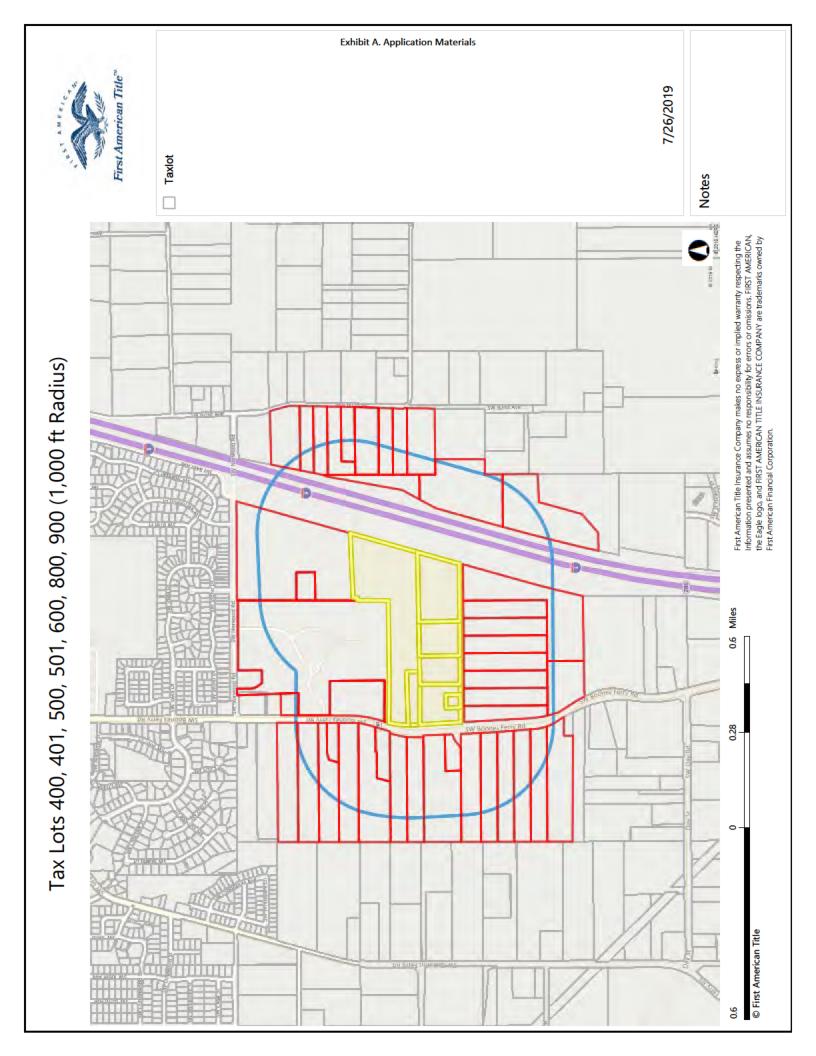


24"

The applicant shall provide and post a sign pursuant to Tualatin Development Code (TDC 32.150). Additionally, the 18" x 24" sign must contain the application number, and the block around the word "NOTICE" must remain medium purple composed of the RGB color values Red 112, Green 48, and Blue 160. Staff has a Microsoft PowerPoint 2007 template of this sign design available through the Planning Division homepage at:

https://www.tualatinoregon.gov/planning/land-use-application-sign-templates

As the applicant for the Autumn Sunrise Annexation project,	I hereby certify
that on this day, November 7, 2019, sign(s) was/were posted on the subject property in accord	lance with the
requirements of the Tualatin Development Code and the Community Development Division.	
Applicant's Name:Levi Levasa	
(Please Print)	
Applicant's Signature:	
Date: 11/12/2019	



Mailing address document available for review in Case File: ANN 19-0002

September 25, 2019



Tualatin – Autumn Sunrise Annexation

Dear Neighbor,

We would like to invite you to another neighborhood meeting to discuss our proposed annexation application of the property located between SW Norwood Road, Greenhill Lane, I-5 and Boones Ferry Road. A map on the back page of this letter illustrates the area we are applying to annex.

While this meeting is a requirement by the City of Tualatin, we also believe this to be an excellent opportunity to receive input from the local community. The meeting also allows us to elaborate on our future plans for the property and provide clarity for any questions community members may have.

We hope you will be able to join us for this meeting.

Meeting Location: Horizon Christian High School Room #211

23370 SW Boones Ferry Rd

Tualatin, OR 97062

Meeting Date & Time: 9 October 2019

6:30 PM - 7:30 PM

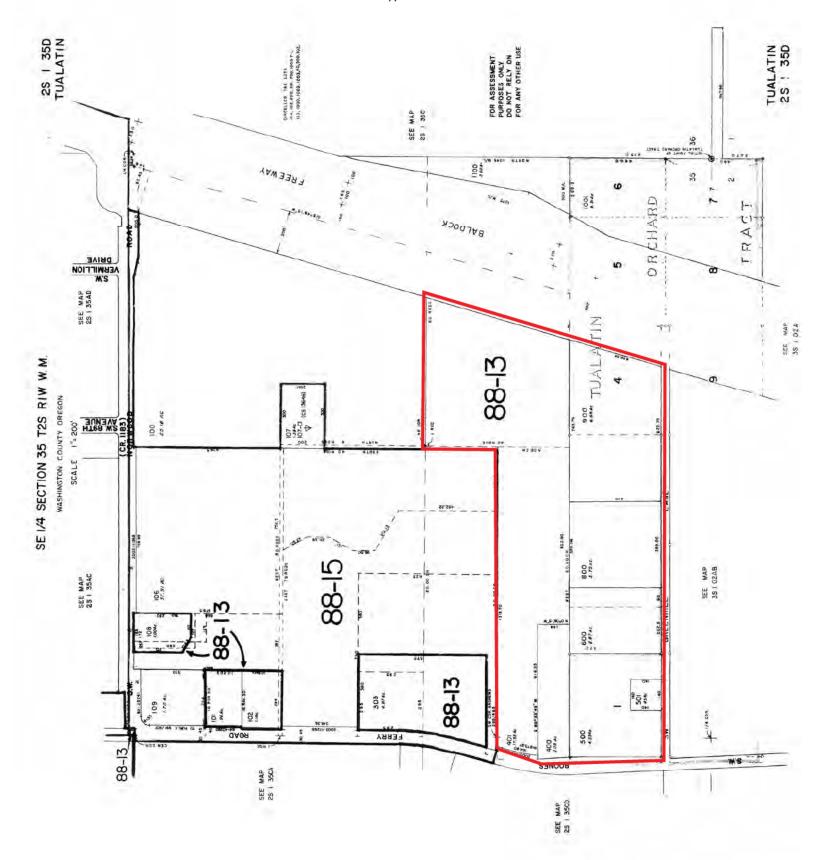
Please feel free to call or email me with any questions or comments if you are unable to attend this meeting.

Sincerely,

Levi Levasa - Project Manager

Email: Levi@staffordlandcompany.com

Phone: 971.206.8614



# NEIGHBORHOOD MEETING ATTENDANCE ROSTER

			r-	M	MI			Exh	ibit A. Ap	plicatio	n Mate	rials					
Map 2S 1 35D	ngton County to the City of Tualatin	Oregon Public Records Law	PHONE NUMBER														
ect Properties: Tax Lots - 400,401,500,501,600,800,900 on Tax Map 2S 1 35D	Washir	ect to pu	E-MAIL ADDRESS														
Subject Properties: Tax Lots	and adjacent rights-of-way from Unincorporated 1211, 23370 SW Boones Ferry Rd. Tualatin, OR 97062	me a <u>public record</u> of the City of Tualatin	MAILING ADDRESS														
Project Name: Autumn Sunrise Annexation	Proposal: Annexation of the Subject Properties and adjac Meeting Location: Horizon Community Church, Room 211, 233	RE: This sign-in sheet will beco	MAI														
Project Name: Autur	Proposal: Annexation Meeting Location: Horizo	PUBLIC RECORDS LAW DISCLOSU	NAME	FARM APLIN	April Art	Some of	RAN BY Mileod	Auppen Hasiam	Rose Toler	GRASK / Wein	Jour Lucini	ALISA BEAR	I'm Odows	Christmakezant	Seno To Aust		

#### **Neighborhood Meeting Minutes**

**Autumn Sunrise Annexation** 

October 9, 2019

6:30 PM at Horizon High School

Presentation By: Levi Levasa (L)

#### Introduction:

- Brief description of Stafford. We build homes and develop large projects for single family homes, townhouses, and occasionally multi-family.
- Brief description of the Autumn Sunrise property. It's 39 ½ acres. It's bounded by Boones Ferry Road to the west, I-5 to the East, and Greenhill lane to the south.
- The purpose of the meeting is to discuss annexation of the property in to the City of Tualatin.
- Brief explanation of 2004 UGB expansion, Basalt Creek Concept Plan (BCCP) process and adoption, and City of Tualatin implementation of the BCCP.
- Annexation does not change the use of the property, it only moves the boundary of the City and adopts their land use designation. That is what we are proposing to do.
- We will go over what can happen in the future a bit later.

Q: What is the timeline for annexation completion?

L: I will be turning in a final application by the end of the month. I anticipate the property to be annexed by the end of the year or the beginning of 2020.

Q: Will there be any change to neighboring non-annexed property?

L: There would be no change in use to this property or to any neighboring properties as a result of this annexation.

Q: What does annexation mean?

L: Annexation means that the Tualatin city limits line will be redrawn on a map to include our property. It also means that the tax district maps will change.

Q: What are the next steps after annexation?

L: The next step after annexation is to subdivide the property. This process will require a whole new round of applications, permits, and planning. I anticipate the subdividing process to take between 6-24 months depending on the jurisdiction.

Q: Will school district boundaries change with annexation like tax boundaries?

L: School district boundaries are different than tax boundaries. It's in the best interest of a school district to cast a wide net and collect the construction excise taxes that will benefit the school district. The school district lines are difficult to change and annexation will not affect them. As much as we'd like to change them, we anticipate that they will stay in place as is.

Q: How many homes will be built on your property?

L: Before I answer that I want to make sure that there are no more Annexation questions. Remember that we are only proposing annexation.

[No Response]

Now I will open the conversation to include what can happen with future subdivision applications and eventual construction.

L: Our preliminary plan has 236 dwelling units. The lots will vary in size and type. The number of dwelling units was determined by the net density set forth in the Basalt Creek Comprehensive Plan. They want 10 dwelling units per net buildable acre. We subtracted the land that we will be dedicating to the city, primarily roads and multiply the remaining acreage by 10. The remaining area on our most recent concept plan came to 23.6 acres, so there are 236 dwelling units shown.

Q: Will there be any other road outlets for the development other than Greenhill lane?

L: Yes. This plan shows that there would be another road constructed in the northwest corner of the property.

Q: I live on Boones Ferry Road and this will further affect traffic in the area.

L: Tualatin has a comprehensive transportation system plan. In addition to Tualatin's traffic plan there is also a traffic plan in the Basalt Creek Comprehensive Plan. Our job is to abide by the rules set by those plans. I will admit that these plans can be reactive to development. What will eventually help the area is the expansion of Boone Bridge and the Abernathy Bridge by ODOT.

Q: What is ODOT doing?

L: I'm not fully aware of the status of ODOT projects in the area. My understanding is that they are expanding lanes and working south towards the Boone Bridge.

Q: Your development will affect the traffic capacity of the area.

L: Future development must satisfy the requirements of the jurisdictional authority regarding traffic. We would likely conduct traffic studies. A traffic engineer will make recommendations. If they say our development triggers a need elsewhere, we will be burdened with paying for it. If we don't trigger a need we will not be building or paying for it.

Q: Will Stafford be doing any frontage improvements on Boones Ferry Road?

L: Boones Ferry Road is already improved, so probably not, but that is determined during the subdivision review process.

Q: If you add 236 homes then you are adding some 400 new cars on to Boones Ferry making it worse.

L: We pay our proportionate share in development. There are system development charges we pay to any city we build in and generate income for the city and county who's burden it is to improve public infrastructure.

Q: I live off of Boones Ferry Road and I already fear for the safety of myself and property when entering in to the road.

L: We can't fix all the problems of Boones Ferry Road. We will pay for and build what is proportionately required of us.

Q: You're causing a problem.

Gordon Root: [Introduces himself as an owner and principle of Stafford] If we widen Boones Ferry along our frontage, the choke point will just move a couple hundred feet down the road. This project has taken more time and more planning than any other I've been involved in. There have been meetings coinciding with the Basalt Creek Comprehensive plan for nearly fifteen years. The Basalt Creek Parkway will eventually be built and will offset some of the traffic concerns. It will also setup queuing which will help those who live on Boones Ferry safely enter the road. Furthermore, the amount of money the city and county will be gaining through permits and system development fees is tremendous. I will echo what Levi said and say that the area is more reactive than proactive. Good examples of infrastructure showing up before development are Washington state. That is not the case here, but it will not stop our property from being developed.

Q: Will there be a bridge and light for the Basalt Creek Parkway intersection?

L: There will be a bridge over Basalt Creek and a light at the intersection of Basalt Creek Pkwy and Boones Ferry Rd.

Q: I have a few questions. The comprehensive plan doesn't address stormwater runoff. How will your development address stormwater? Will all overhead utilities be moved below ground?

L: Stormwater has become a big issue in developments. The project will be monitored by Clean Water Services which has high standards that we will comply with. The overhead utilities on the frontage of our property will likely be buried.

Q: If we don't annex will the burying of power line affect us?

L: Burying the power line should not affect anyone's services.

Q: Where are utilities being brought from?

L: Utilities are currently in place on Norwood and Boones Ferry Rd. It is uphill from our property so a sewer pump station will also be built on our development.

Q: What's going to be done with the property south of Greenhill?

L: That property will eventually need annexed into Wilsonville if it is going to developed. The Basalt Creek Concept Plan has it zoned as a high-tech employment district.

Q: Will there be regional parks dedicated in your development?

L: I don't think there will be a regional park but there is land shown for a neighborhood park in this concept plan.

Any other questions?

Conclusion: If you received notice for this meeting then you would receive notice for any future meetings or hearings as well. We will also have signs posted for any future meetings or hearings.

August 1, 2019



Tualatin – Autumn Sunrise Annexation

Dear Neighbor,

We would like to invite you to a neighborhood meeting to discuss our proposed annexation application of the property located between SW Norwood Road, Greenhill Lane, I-5 and Boones Ferry Road. A map on the back page of this letter illustrates the area we are applying to annex.

While this meeting is a requirement by the City of Tualatin, we also believe this to be an excellent opportunity to receive input from the local community. The meeting also allows us to elaborate on our future plans for the property and provide clarity for any questions community members may have.

We hope you will be able to join us for this meeting.

Meeting Location: Horizon Christian High School Room #211

23370 SW Boones Ferry Rd

Tualatin, OR 97062

Meeting Date & Time: 22 August 2019

6:30 PM - 7:30 PM

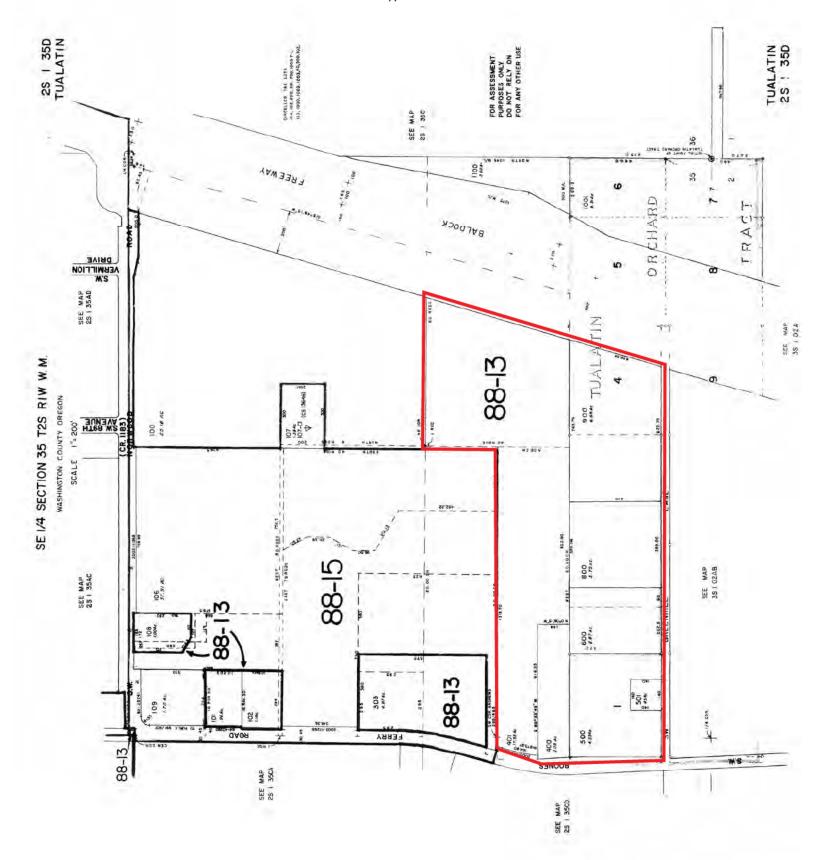
Please feel free to call or email me with any questions or comments if you are unable to attend this meeting.

Sincerely,

Levi Levasa - Project Manager

Email: Levi@staffordlandcompany.com

Phone: 971.206.8614



# NEIGHBORHOOD MEETING ATTENDANCE ROSTER

( Map 2S 1 35D	the City of Tualatin	Meeting Date & Time: 8/22/2109 @ 6:30PM	der Oregon Public Records Law					EXII	IOIL A. A	e e e e e e e e e e e e e e e e e e e	on Mater	Idis							
Subject Properties: Tax Lots - 400,401,500,501,600,800,900 on Tax Map 2S 1 35D	Washii	atin, OR 97062   Meeting Date &	PUBLIC KECORDS LAW DISCLOSURE: This sign-in sheet will become a <u>public record</u> of the City of Tualatin and become subject to <u>public disclosure</u> under Oregon Public Records Law  NAME  NAME  PHONE NIMBER																
Subject Properties: Tax Lots - 4	and adjacent rights-of-way from Un	n 211, 23370 SW Boones Ferry Rd, Tualatin, OR 97062	become a <u>public record</u> of the City of Tualatin a MAILING ADDRESS																
Project Name: Autumn Sunrise Annexation	of the Subject Properties	Horizon Community Church, Room 211, 23	KE: Ihis sign-in sheet will beco															N	
Project Name: Autun	Proposal: Annexation	Meeting Location: Horizo	PUBLIC RECURDS LAW DISCLOSUI	 John Kathark	Meistine +	John Sazant	Jilian Saurage Feltun	RANDY ALVSTAD	a nathrie Ray	Kin Chapul	John CithM Beglution	Come belows	12 Bankel	Dulan Potter	Day Howse	JULLE HELRONIMUS	Alisa Bear	Jim+ MArg. Peterso	

# NEIGHBORHOOD MEETING ATTENDANCE ROSTER

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Subject Properties: Tax Lots - 400,401,500,501,600,800,900 on Tax Map 2S 1 35D	Washii	ct to p	E-MAIL ADDRESS	
Subject Properties: Tax Lots -	ies and adjacent rights-of-way from Unincorporated 1909 2009 211 23370 SW Boones Ferry Rd Titalatin OR 97062	ecome a <u>public record</u> of the City of Tualatin	MAILING ADDRESS	
n Sunrise Annexation	kation of the Subject Properties and ad	E: This sign-in sheet will b	2	
Project Name: Autumn Sunrise Annexation	Proposal: Annexation of the Subject Properties and ad Meeting Location: Horizon Community Church Room 211.2	PUBLIC RECORDS LAW DISCLOSUR	NAME	Stelly Kaven Dave Wilss Methi Schools Rethy Winch Syzy Lynch Sox Toler Ton Stitus

#### **Neighborhood Meeting Minutes**

#### **Autumn Sunrise Annexation**

August 22, 2019

#### 6:30 PM at Horizon High School

#### Presentation By: Gordon Root (G) and Levi Levasa (L)

#### G: Introduction:

- I've spent 14 years with the property. I bought in 2004, sold it, and bought it back in 2007.
- I've been a part of the Basalt Creek Concept Plan (BCCP) since its infancy.
- Annexation meeting is emphasized. Development meetings will be in the future.

#### L: Introduction

- Explanation of comprehensive plan for the area.
- The property is zoned Medium Low Density Residential (RML) and Neighborhood Commercial (CN) on the Tualatin Maps and would be designated as such upon annexation.

#### Q: What could go into the CN zone?

A: Gordon: The city wants neighborhood convenience stores. I can't say specifically what may or may not go in them

G: Quick Description of Urban Growth Boundary (UGB)

- Describes how the UGB came about
- Metro, the tri county government, oversees it
- They have minimum density standards rather than max standards
- The purpose is for the preservation of wetlands, farms, and other natural areas
- These decisions for density requirements have been repeatedly voted on and passed

#### L:

- The density for the RML zone is 10 units per net acre.
- Stressing that the concept plan for development is preliminary and is not part of this application
- There will likely be a variety of housing types proposed for future development.
- Future development applications will give more details about the types of houses.

#### Q: Can this be stopped?

L: We're making sure that it can't by meeting the criteria.

#### G:

- Background about Basalt Creek Concept Plan (BCCP)
- It's taken 14 years with numerous community meetings to get to this point
- The BCC has been adopted into a comprehensive plan which we are following

Q: When will the annexation be completed?

L: Probably by the end of the year.

Q: When will the property be developed?

L: Development depends on market forces, so I can't say for certain. The City can't accept development applications until the property is annexed. Once development is approved, then the Civil engineering design and review process must be completed for permits to be issued for construction. These things can take a long time depending on the project and jurisdiction.

Q: Traffic is a concern. What is Stafford going to do to improve Boones Ferry Road?

G: Improvements have already been made. The future Developer responsibilities for Boones Ferry Rd are dependent on the comprehensive plan and conditions of approval.

L: Traffic engineering explanation

- We have to rely on proffessionals.
- Traffic engineers have a ton of rules and tools they use to come up with the different Cities' and Regional Transportation System Plans (TSP) which guide us in our development.

Q: What kind of use and how much space will the CN zone take up?

L: We don't have specifics for what may or may not be there.

Q: Have you done a traffic study to know what a bunch of houses are going to do to the roads around here?

L: We have not done a traffic study. That may be included in a future development plan and application. Right now, we are only applying for annexation. The only reason we are currently sharing one of the many concept plans we have come up with for this area is to encourage discussion

Q: Is public transportation considered?

L: Sometimes but not always. These details will be ironed out during the development application and review process. This location will likely take public transportation into consideration since it is on Boones Ferry Rd.

Q: How many units will be in the subdivision?

L: Again, we are not applying for a subdivision, but this concept plan shows 236 units which is still very preliminary.

Q: Will there be any affordable housing or apartments?

L: No

Q: What kind of homes do you build?

G: We build efficient, single family, Energy Star certified homes. Our current projects can be found in McMinnville, Woodburn, and Dallas.

Q: How much will the houses in this subdivision sell for?

G:

- Prices are dictated by what the market can bare.
- We build to this density and this price because of the housing shortage and the UGB

Q: Will apartments be built in the area?

G: The area to the north of our property bordering Boones Ferry Road is zoned for high density residential. That area probably will have apartments, but we are not developing them.

Q: Are the roads dead ending to the north on the preliminary plan required?

L: As part of a subdivision application we would be required to show streets stubbing to the north to allow for future extension and connectivity..

Q: Will there be stoplights for the subdivision?

L: No plans have been made yet. Those decisions will be made during the development stage with a different application.

Q: Will there be other exits onto Boones Ferry Road than what is shown on the preliminary plan?

L: Possibly, but this concept plan does not show any.

G:

- We encourage you to look at the transportation study for the area
- The transportation plan is a long-term planning document that identifies infrastructure that will get built eventually

Q: When is stormwater addressed?

L: The process goes something like this. First annexation, then preliminary planning approval of a subdivision, then engineering and permitting. Stormwater will be addressed in great detail during the engineering phase. Generally, stormwater issues that neighboring properties experience are improved with development.

Q: Will stormwater be retained on the property?

L: Yes.

G: The CN zoned area could be consumed by stormwater management.

Q: What school district will this subdivision be in?

L: This property is currently in the Sherwood School District and annexation/future development does not change that.

Q: Do you have any plans for work or know of any work being done on Norwood Rd?

L: We don't have any plans and I am not aware of any other pending plans.

Q: Will Boones Ferry Road be widened further?

G: There are no further plans for improvements on Boones Ferry Road.

Q: Will there be fences or wall around the subdivision?

L: The future subdivision will likely require buffering from I-5. Other walls and fencing will be addressed during the next stage of the development or eventual homebuilding.

Q: Where will services from Tualatin be connected?

L: Boones Ferry Road.

Q: What will happen to the property south of Norwood and west of I-5?

L: We don't own it, but it will likely be developed in the future.

Q: Has the land in the High Density Residential zone sold yet?

L: Not that I'm aware of.

Q: What else is being done to meet our traffic concerns because of development?

L: Developments pay SDC fees which fund Capital Improvement Projects. Some of the infrastructure that impacts the traffic in Tualatin are under Washington County and ODOT jurisdiction and they each have projects lists and plans that identify where issues need to be addressed. Individual developments typically only make improvements when they are warranted, adjacent to the project, and proportional to the impacts of development.

Q: The school district for the property will be Sherwood even if it gets annexed into Tualatin?

L: Yes

Conclusion: Thanks for coming.



#### City of Tualatin

COMMUNITY DEVELOPMENT PLANNING DIVISION

#### Pre-Application Meeting Request



The purpose of the Scoping and Pre-Application meetings is to offer early assistance in the land use and permitting process. This includes thoughtful

feedback on preliminary design direction and vi and to assist the applicant in attaining a comple		
PROJECT DESCRIPTION		
Project name/title: Autumn Sunrise	Annexation	1
What is the primary purpose of this pre-a	pplication m	eeting (What
would you like to accomplish)? (Attach ad	ditional sheet	s if needed.)
Annexation to the City of Tualatin for	om Washir	igton County.
PROPERTY INFORMATION		
Property address/location(s):23740 S	W Boones Fe	erry Rd. &
23620 SW Boones Ferry Rd. & 9415 SW Gre	eenhill Ln. & 9	9335 SW Greenhill L
& 9185 SW Greenhill Ln. & 2 other properties	not yet addr	essed.
Tax map and tax lot no.(s): 2S135D - 1	TL 400,401,50	00,501,600,800,900
Zoning: County - FD-20, City (upon anne		
PROPERTY OWNER/HOLDER IN		
Name(s): _Autumn Sunrise, LLC		
Gordon Root, Manager		
Address: 8840 SW Holly Ln	Phone:	503-720-0914
City/state: Wilsonville, OR	Zip: 9	

#### REQUIRED SUBMITTAL **ELEMENTS**

(Note: Requests will not be accepted without the required submittal elements)

☐ A complete application form and accompanying fee.

#### 1 hard copy and an electronic set of the following:

- Preliminary site and building plans, drawn to scale, showing existing and proposed features. (Plans do not need to be professionaly prepared; just accurate and reliable.)
- A detailed narrative description of the proposal that clearly identifies the location, existing and proposed uses, and any proposed construction.
- ☐ A list of all questions or issues the applicant would like the City to address.

A	ıqq	ICANT	INFOR	MATION

Stafford Development Company, LLC Address: 8840 SW Holly Ln 503-305-7647 Phone:

City/state: Wilsonville, OR

Contact person: Levi Levasa

Phone: \_\_503-250-3651 Email: levi@staffordlandcompany.com

#### Pre-application Conference Information

All of the information identified on this form is required and must be submitted to the Planning Division with this application. Conferences are scheduled subject to availability and a minimum of two weeks after receiving this application and all materials. Pre-application conferences are one (1) hour long and are typically held on Wednesdays between 2-4 p.m.

FOR STAFF USE ONLY			
Case No.: PRE 19-0021			
Related Case No.(s):	1		
Application fee: 3227,50	5		
Application accepted:			
By: Date: 9-19-19			
Date of pre-app:			
Time of pre-app:			
Planner assigned to pre-app: En-			

If more than four (4) people are expected to attend the pre-application conference in your group, please inform the City in advance so that alternate room arrangements can be made to accommodate the group.

What type of development are you proposing? (Check all that apply)
[ ] Industrial [x] Commercial [x] Residential [ ] Institutional [ ] Mixed-use
No development proposed at this time, any future development will include the above per Tualatin designations Please provide a brief description of your project: (Attach additional sheets if needed.) Please include description
of existing uses and structures in addition to what is proposed.  We are not proposing any development at this time, only annexation. Eventually, however, the intent is to develop the
property as allowed by the City of Tualatin Development Code. In the attached exhibits, there are several examples of
what future development layouts could look like. However, none of these plans are intended to be submitted and reviewed
as part of the Annexation application. Currently there are homes on 3 of the properties and the remainder are
vacant or have small barns/sheds on them.
Are you familiar with the development process in Washington or Clackamas County or Tualatin?  [x] Yes [] No
If yes, please identify an example project:  Washington County - Gales Creek Terrace (Forest Grove). Clackamas County - Beck Pond (Canby).
Are you familiar with the sections of the Tualatin Development Code (TDC) that pertain to
your proposed development?
$[\chi]$ Yes $[\ ]$ No However, please detail any code sections that should be addressed beyond those mentioned specifically in the annexation application instructions and requirements packet. Is the property under enforcement action? If yes, please attached a notice of the violation.
No
Please provide the names of City, TVF&R, CWS, and County staff with whom you
have already discussed this proposal:

#### **Autumn Sunrise Proposed Annexation**

#### **Pre-Application Conference Narrative**

#### Introduction/Proposal

This pre-application conference is requested as required by TDC 32.110(2) and TDC 32.010 Table 32-1, to discuss, in accordance with TDC 32.110, the proposed annexation of approximately 39.50 acres of property that is contiguous to the City of Tualatin city limits from unincorporated Washington County into the City of Tualatin city limits. Only annexation of the subject properties and abutting rights-of-way is proposed. Future development of the annexation area will be subject to a separate application process and review.

The current use of the properties includes vacant land on most of the parcels and three single family residences on Tax Lots 501, 600, & 800. Upon annexation, the use of the properties will not change.

The proposed annexation is considered a "Minor Boundary Change" as defined in Metro Code 3.09.020 and the petition for annexation will be accompanied by 100% of property owner signatures as the subject properties all share the same owner. As such, the Applicant would like to propose an Expedited Decision process per Metro Code 3.09.045 in review of the Complete application submittal.

#### **Property Information**

The total annexation area of 39.50 acres is comprised of approximately 36.617 acres of real property owned by Autumn Sunrise, LLC and approximately 2.883 acres of adjacent rights-of-way; including portions of SW Boones Ferry Road and SW Greenhill Lane. See attached **Exhibit A** for a legal description and map of the proposed annexation area boundaries.

The subject properties and their approximate area, per the Washington County Assessor's Map (Exhibit B), are listed below.

Owner	Property Address	Тах Мар	Tax Lot	~ Acres
Autumn Sunrise, LLC	23740 SW Boones Ferry Road, Tualatin, OR 97062	2S-1W-35D	400	1.88
Autumn Sunrise, LLC	23620 SW Boones Ferry Road, Tualatin, OR 97062	2S-1W-35D	401	17.46
Autumn Sunrise, LLC	No Situs	2S-1W-35D	500	3.72
Autumn Sunrise, LLC	9415 SW Greenhill Lane, Tualatin, OR 97062	2S-1W-35D	501	0.45
Autumn Sunrise, LLC	9335 SW Greenhill Lane, Tualatin, OR 97062	2S-1W-35D	600	2.87
Autumn Sunrise, LLC	9185 SW Greenhill Lane, Tualatin, OR 97062	2S-1W-35D	800	3.75
Autumn Sunrise, LLC	No Situs	2S-1W-35D	900	6.68

The properties listed above are all in the Washington County Future Development 20-Acre Land Use District (FD-20). Upon annexation they would take on the City of Tualatin Medium Low Density Residential and Neighborhood Commercial planning district designations as determined by the adopted City maps.

#### Procedure

In accordance with TDC 32.130(1)(a), the owner of the subject property, Autumn Sunrise, LLC, is initiating this Annexation Application as a Type IV-A application per TDC 32.260(a), with Stafford Development Company, LLC representing them as the Applicant and each party understands the process and responsibilities of the City, Applicant, and Owner as described in TDC 32.240.

#### **Application Submittal Requirements**

The applicant understands that submittal requirements and approval criteria are listed in TDC 33.010

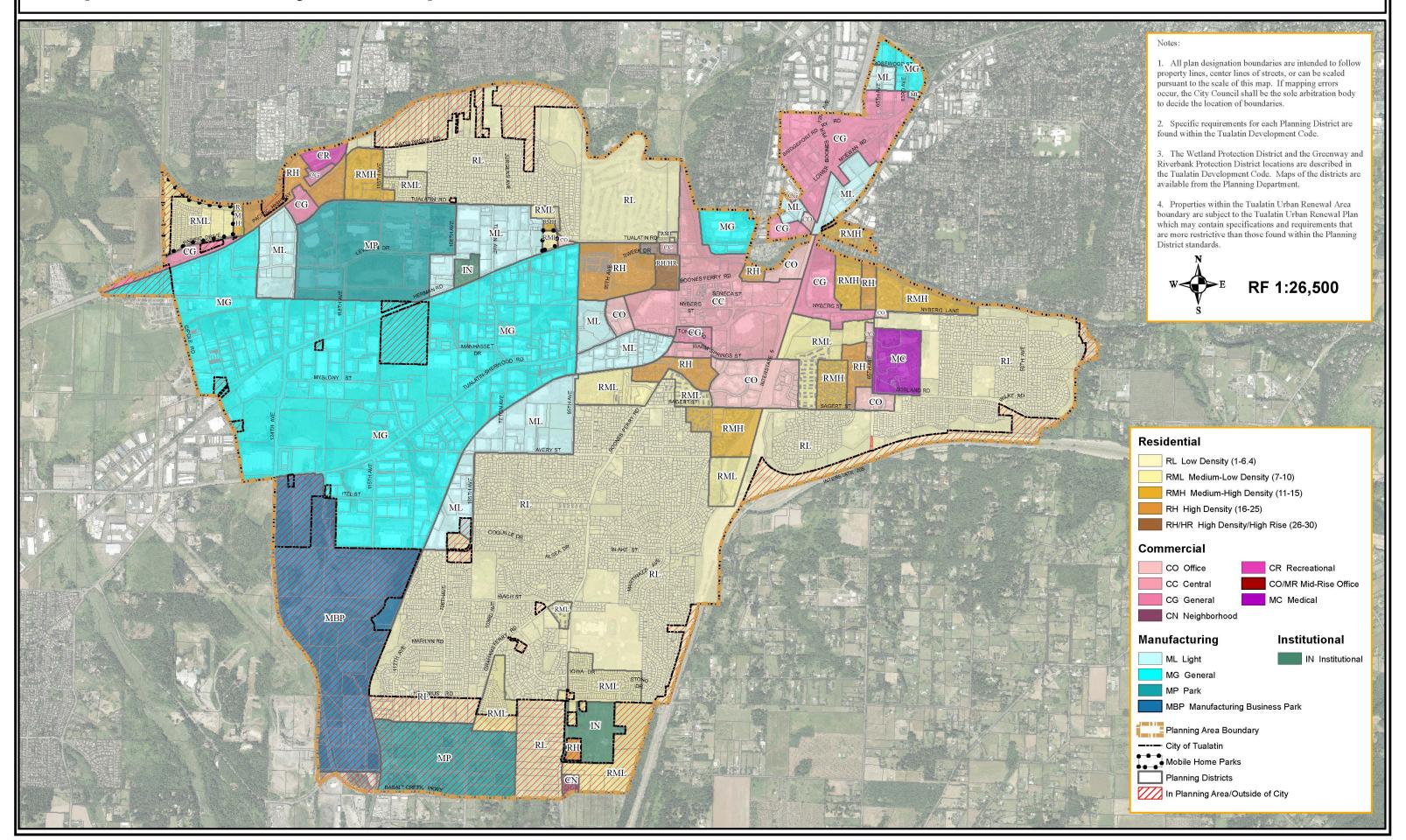
#### Questions

**Note:** Some of these questions will not apply in the case of an Expedited Decision.

- **1.** Will the City use the permitted Expedited Decision process as outlined in Metro Code 3.09.045? If so, how do the procedures and submittal requirements change?
- **2.** Does Annexation of public right-of-way require a signature on the petition from the authority having jurisdiction over that right-of-way?
- **3.** Are there any additional items not mentioned in the annexation application instruction and requirements packet that are either required to be addressed or would be helpful to staff in reviewing the proposed annexation?
- **4.** Are there any items listed above that we are planning to address that do not need to be addressed in the proposed annexation application?
- **5.** Can you please confirm whether any City recognized Citizen Involvement Organizations boundaries are within, adjacent to, or within 1,000 feet of the subject properties? Reference TDC 32.140(1)(h).
- 6. Can you please confirm whether the reference to TDC 33.240(1) and (2) in TDC 32.260(2)(a) is an error?
- 7. Can you please clarify TDC 33.010(4)(i)(ii)?
- **8.** Will the City accept an alternative format for the annexation petition? The attached Petition (**Exhibit C**) has been submitted to Clackamas County Assessment for review and certification.
- **9.** Does the City require approval of legal descriptions from the Department of Revenue prior to approving an annexation? The attached legal description and map (**Exhibit A**) have been submitted to the Clackamas County Assessment/Cartography department for review and certification.
- 10. Are there any deadlines for annexation and official taxing district changes that we should be aware of?
- **11.** Can you please clarify TDC 33.010(4)(k)? Will the attached **Exhibit D** showing the 1,000 ft. radius around the territory suffice to satisfy this requirement? Will the City review and approve the mailing list submitted by the applicant?
- **12.** Will anything need submitted to satisfy TDC 33.010(4)(I) and (m)?
- **13.** Can you confirm that property within the public ROW along the subject properties' frontage, including the full width of SW Boones Ferry Rd. and half width of SW Greenhill Ln., is sufficient to satisfy TDC 33.010(4)(c)?
- **14.** I've included a graphic showing where current single-family residences and structures on the properties are located (**Exhibit E**). Is this a sufficient drawing for an existing/proposed conditions map?
- **15.** We already held a neighborhood meeting. If we have another neighborhood meeting, do we need to submit anything about the first one we had?
- **16.** We have many concept plans for the potential future development of this area. Do we need to include anything about future development in the annexation application?

#### **Map 9-1 Community Plan Map**





# ANN 19-0002 AUTUMN SUNRISE ANNEXATION

January 27, 2020



# **Purpose**

Public hearing to review a request for annexation to the City in the Basalt Creek area.

# **Subject Property**





## Request

- Annexation of seven tax lots and right-of-way comprising approximately 39.5 acres located north of Greenhill Lane, east of SW Boones Ferry Road, west of Interstate 5, and south of the Horizon School property.
- Designation of the property, consistent with the zoning designations adopted with the Basalt Creek Comprehensive Plan amendments, as Medium-Low Density Residential (RML) and Neighborhood Commercial (CN).
- Annexation of the property to the Clean Water Services District boundary.
- Withdrawal of the property from the Washington County Sheriff Extended Law Enforcement boundary.
- No development is proposed.

# **Future Zoning**



# **Applicable Criteria**

- TDC 33.010 Annexations
  - Within Urban Growth Boundary
  - Owner has petitioned to be annexed
  - Meets Metro Code 3.09
  - Meets ORS Chapter 222
- No development proposed



### **Conclusion and Recommendation**

The proposed annexation complies with applicable Oregon Revised Statutes, Metro Code, and TDC.

Staff recommends City Council approve File No. ANN-19-0002 and adoption of Ordinance 1430-20.



# **Council Options**

- Approve ANN 19-0001 and adopt Ordinance 1430-20 as drafted;
- Deny ANN 19-0001;
- Continue discussion of ANN 19-0001.

### **Questions & Discussion**





January 13, 2019

Erin Engman Associate Planner City of Tualatin 18880 SW Martinazzi Avenue Tualatin, OR 97062-7092

RE: Comments Regarding ANN-19-0002-Autumn Sunrise Annexation

Dear Ms. Engman,

The City of Wilsonville is in receipt of the above referenced annexation application, which pertains to properties within the Basalt Creek Plan Area. Annexation and development progress is an important step following the joint efforts between Tualatin, Wilsonville, Washington County, and Metro in this Area.

As the proposed annexation will one day immediately abut the City of Wilsonville, the City is taking an interest to ensure land use actions follow approved plans. The City also wants to ensure approved developments do not have unplanned-for impacts on the City's transportation and utility infrastructure or inhibit the planned industrial development to the south in the City of Wilsonville. The City looks forward to continued coordination between the two cities as the development applications are submitted for the Autumn Sunrise Annexation area.

This annexation will set the stage for neighborhood commercial and residential development reflected in the Basalt Creek Concept Plan and Tualatin's Zoning Map. The City's comments at this stage focus on future transportation improvements and utility impacts, particularly related to stormwater. The following are specific comments from City staff regarding the proposed annexation.

#### **Annexation Boundary**:

• The Exhibit B of the annexation application package shows the boundary of the annexation to the centerline along Greenhill Lane however it did not include dimensions from the centerline to the property line. The City requests this dimension be shown as it will help determine the scope of street improvements and the jurisdictional boundary.

• The legal description and map indicate the annexation to the far westerly right of way on Boones Ferry Road. Please clarify if this means Washington County will transfer jurisdiction of this segment of Boones Ferry Road to the City of Tualatin.

#### **Transportation and Traffic:**

- The Basalt Creek Concept Plan (page 32) requires a cooperative funding strategy **prior to** land annexing into either City to ensure build out of the transportation network as set forth in the Transportation Refinement Plan. The City seeks confirmation that funding strategies and mechanisms have been implemented through Tualatin's TSP and/or other infrastructure funding plans.
- Washington County's Transportation Development Tax project list indicates Project ID 6008, Basalt Creek East-West Arterial between Boones Ferry to I-5, under Tualatin jurisdiction with nothing noted for Wilsonville jurisdiction (adopted July 16, 2019). The annexation needs to appropriately address having sufficient land for this planned road especially if this part of the future Basalt Creek Parkway is intended to be entirely within Tualatin.
- Traffic resulting from future development within the annexation area will impact intersections under Washington County, City of Wilsonville, and ODOT jurisdiction. The City of Wilsonville wants to ensure traffic studies will be required as part of the development application process for the annexation area so all parties can understand the impacts on the local intersections and the necessary required improvements as part of the conditions of development approval. These traffic studies should consider the level of development, and the commensurate contribution to the projects listed in Table 4 on page 33 of the Basalt Creek Concept Plan, which lists several projects from the Regional Transportation Plan for the Basalt Creek Area.

#### Stormwater:

Although the stormwater requirements for future development in this annexation area will
fall under Clean Water Services jurisdiction, the natural flow directs toward Wilsonville.
Development applications within the proposed annexed area should include a stormwater
report to determine the potential onsite and offsite, including downstream, improvements.
Of importance to the City of Wilsonville is how the run-off discharge into the downstream
system, located in Wilsonville, will be addressed.

Thank you for the opportunity to comment. We are excited to see the first steps of development progress in the Basalt Creek Area. If you have any questions regarding these comments, and to provide feedback on the submitted questions, you can reach me at 503-570-1536 or pauly@ci.wilsonville.or.us.

Regards,

Daniel Pauly, AICP Planning Manager

cc: Miranda Bateschell, City of Wilsonville Planning Director Khoi Le, PE, City of Wilsonville Development Engineering Manager Chris Neamtzu, AICP, City of Wilsonville Community Development Director Steve Koper, AICP, City of Tualatin Planning Manager



#### 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:** 1/27/2020

#### SUBJECT:

Consideration of Recommendations from the Council Committee on Advisory Appointments

#### **RECOMMENDATION:**

Staff recommends the City Council approve the recommendations from the Council Committee on Advisory Appointments (CCAA).

#### **EXECUTIVE SUMMARY:**

The CCAA, made up of Councilors Brooks, Pratt, and Reyes met and interviewed community members interested in participating on City advisory committees. The Committee recommends appointment of the following individuals:

Individuals	Board	Term
Monique Beikman	Budget Advisory Committee	Reappointment Term Expiring 12/31/22
Rebekah Deal	Budget Advisory Committee	Reappointment Term Expiring 12/31/22
Jaqueline Herd	Core Area Parking District Board	Term Expiring 12/31/22