



TUALATIN CITY COUNCIL MEETING

MONDAY, FEBRUARY 22, 2021

JUANITA POHL CENTER
8513 SW TUALATIN ROAD
TUALATIN, OR 97062

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

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

For those wishing to provide comment during the meeting, there is one opportunity on the agenda: Public Comment. Written statements may be sent in advance of the meeting to Deputy City Recorder Nicole Morris up until 4:30 pm on Monday, February 22. These statements will be included in the official meeting record, but not read during the meeting.

For those who would prefer to make verbal comment, there are two ways to do so. As always, public comment is limited to three minutes per person.

Phone: +1 669 900 6833

Meeting ID: 861 2129 3664

Password: 18880

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

Work Session

- 1. 5:00 p.m. (45 min) – Tualatin's Housing Production Strategy.** Staff will provide an overview of the Housing Production Strategy, its purpose, and the draft Housing Strategies. The Housing Production Strategy is part of implementation of the Tualatin|2040 project, and is supported by ECONorthwest and funded by a grant from the Oregon Department of Land Conservation and Development.
 - 2. 5:45 p.m. (45 min) – Basalt Creek Parkway Update.** Representatives from Washington County Land Use & Transportation will provide an update on the Basalt Creek Parkway extension project.
 - 3. 6:30 p.m. (30 min) – Council Meeting Agenda Review, Communications & Roundtable.** Council will review the agenda for the February 22nd City Council meeting and brief the Council on issues of mutual interest.
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7:00 P.M. CITY COUNCIL MEETING

Call to Order

Moment of silence for those who have lost their lives to COVID-19

Announcements

- [1.](#) COVID-19 Memorial Day Proclamation
- [2.](#) Equity Resolution
- [3.](#) Housing Webinar Announcement

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 City Council Work Session and Regular Meeting Minutes of February 8, 2021
- [2.](#) Consideration of Approval of Liquor License Renewals for 2021
- [3.](#) Consideration of **Resolution No. 5342-21** Authorizing the City Manager to Execute an Intergovernmental Agreement with Clean Water Services for Construction of the Martinazzi Sanitary Sewer Trunk Line Upsizing Project

General Business

- [1.](#) Consideration of **Resolution No. 5532-21** Declaring a State of Emergency Related to Winter Storm Events

Items Removed from Consent Agenda

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

Council Communications

Adjournment

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

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

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



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Steve Koper, Assistant Community Development Director
Karen Perl Fox, Senior Planner

DATE: 2/22/2021

SUBJECT:

Introduction to Tualatin's Housing Production Strategy and Discussion on Tualatin's Housing Strategies

EXECUTIVE SUMMARY:

The presentation of this item will provide an overview of a Housing Production Strategy, its purpose, what input is requested from City Council, and a discussion on the draft Housing Strategies. The Housing Production Strategy is part of implementation of the Tualatin|2040 project, and is supported by ECONorthwest and funded by a grant from the Oregon Department of Land Conservation and Development. The materials presented incorporate input and feedback from the Tualatin Planning Commission acting in their policy advisory capacity to the City Council.

- **What is a Housing Production Strategy (HPS)?** It is a housing policy document that would be adopted by the City Council. Based on recommendations from the Tualatin Planning Commission, public outreach, and final policy-making by the City Council it will include specific policies, strategies, and actions to support Tualatin's housing needs. These housing needs are based on the 2019 Housing Needs Analysis adopted by Council. Examples of policies and strategies to support Tualatin's housing needs could include: making development code changes, participating in a tax exemption program for creation of affordable housing, or participating in partnerships with other government agencies or nonprofits that support underserved communities.
- **Why adopt a Housing Production Strategy?** The Housing Production Strategy is a part of the broader implementation of the Tualatin|2040 project, which is intended to help increase housing choice and affordability and economic opportunities in Tualatin. Earlier work in the Tualatin|2040 project included the City Council's adoption of Housing Strategies in 2019, many of which needed further refinement or study. The Housing Production Strategy's policies, strategies, and actions would provide specific measures to implement the 2019 Housing Strategies and help support future development of more diverse and potentially more affordable housing in Tualatin.
- **What input is being requested?** The City Council is asked to provide feedback and input on the Draft Policies, which are summarized below and included in the Presentation (Attachment A, slides 17-20). More detail on the Draft Policies is included in the Memoranda (Attachments B1-2). The Draft Policies are grouped by topic and typically include a policy with related strategic actions. The types of strategies include items such as changes to: development code, policy, and financial incentives offered. Based on this information:
 - Are there any key policy topics missing? Any comments or questions?
 - Do you have comments or questions about the policies or strategic actions?

- **Draft Policies** Below are the draft policies for consideration by the City Council:
 - Affordable Housing: Strongly prioritize, encourage and support affordable rental housing development to increase affordable housing for households earning 0% to 60% of MFI.
 - Affordable Homeownership: Encourage and support affordable homeownership to create opportunities for wealth creation.
 - Preservation of Affordable Housing: Preserve affordable housing to prevent the loss of existing affordable housing units and to prevent resident displacement.
 - Preservation of NOAH: Preserve naturally occurring affordable housing (NOAH), where possible, to prevent loss of affordable units and to mitigate for resident displacement.
 - Racial and Social Equity for Housing: Implement all housing policies, projects, programs and partnerships through a racial and social equity lens.
 - Workforce Housing: Encourage, plan for, and support the development of workforce housing for households earning 61% to 80% of MFI, for owners and renters, to increase the jobs-housing balance, reduce commute times, and provide attainable housing for workers in Tualatin.
 - Housing Stabilization: Prevent and address homelessness to provide for safe living conditions for everyone living in Tualatin.
 - Housing Rehabilitation: Plan for and support housing programs and initiatives that are responsive to the safety and health needs of households earning 0% to 80% of MFI.
 - Accessible and Specialized Design: Encourage and support Universal Design, Lifelong Housing Certification, and other similar standards.
 - Mixed Use Housing and Redevelopment: Encourage and support development of mixed-use, mixed-income, and multifamily housing in commercial zones and urban renewal areas for households earning 0% and 80% of MFI.
 - Regulatory and Zoning Changes: Increase housing development opportunities through regulatory and zoning changes to accommodate a diverse range of housing types and price points to meet Tualatin's housing needs.
 - Transportation and Public Infrastructure: Plan for and develop infrastructure to support affordable, workforce, mixed use, and mixed income housing.

NEXT STEPS:

- Based on feedback from the City Council, the Planning Commission will revise the Draft Policies into Final Policies.
- The Planning Commission will provide its recommendation on Final Policies to the City Council on May 23, 2021.
- The City Council will be presented with the opportunity to accept the final Housing Production Strategy report that incorporates the Final Policies.

ATTACHMENTS:

- Attachment A: Presentation
- Attachment B.1: Memo 12/1/20 on Tualatin's Housing Measures and Gaps from ECONorthwest
- Attachment B.2: Memo 2/1/21 Summary of Strategies for HPS

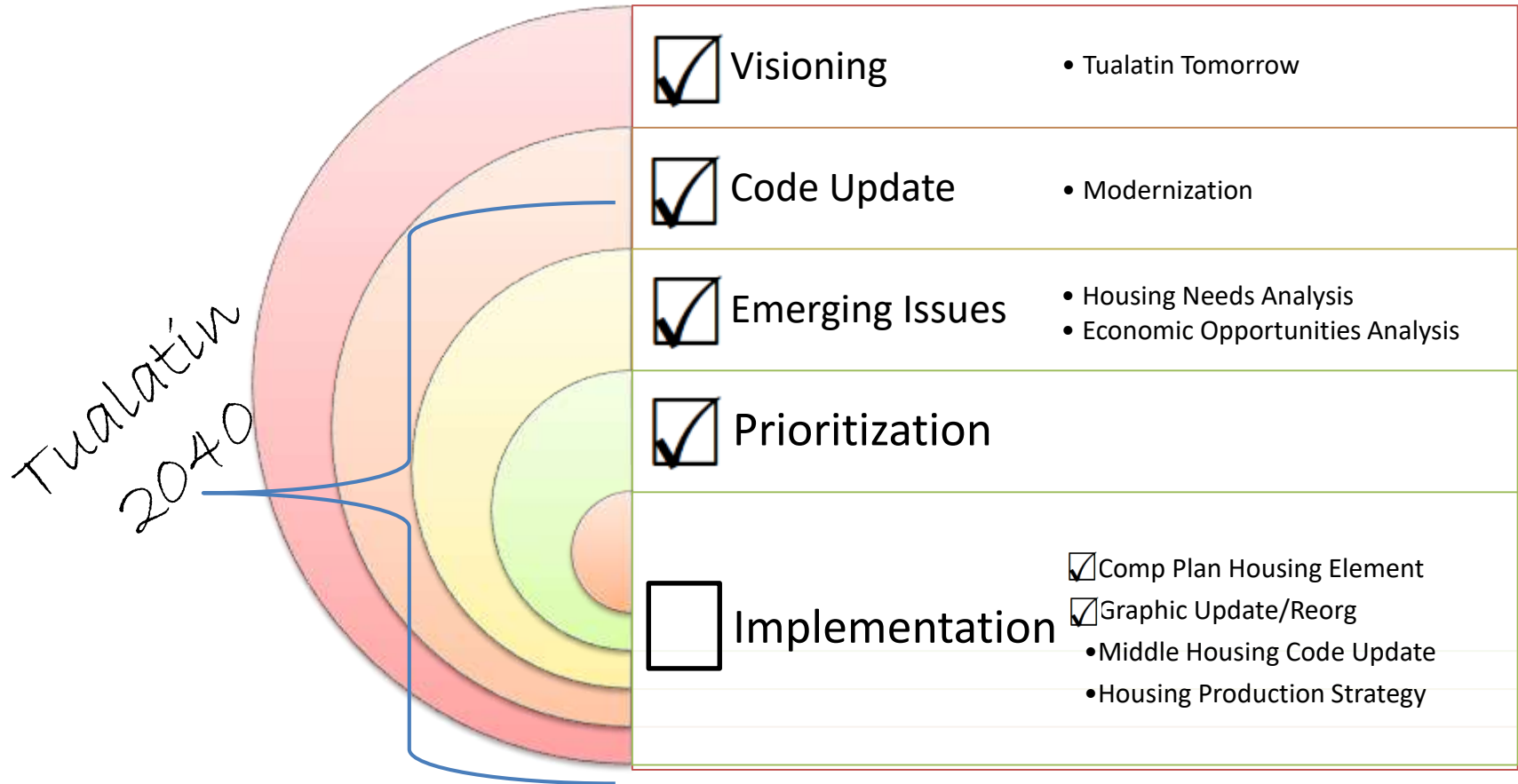
Tualatin's Housing Production Strategy

City Council Work Session
February 22, 2021

ECONorthwest
ECONOMICS • FINANCE • PLANNING

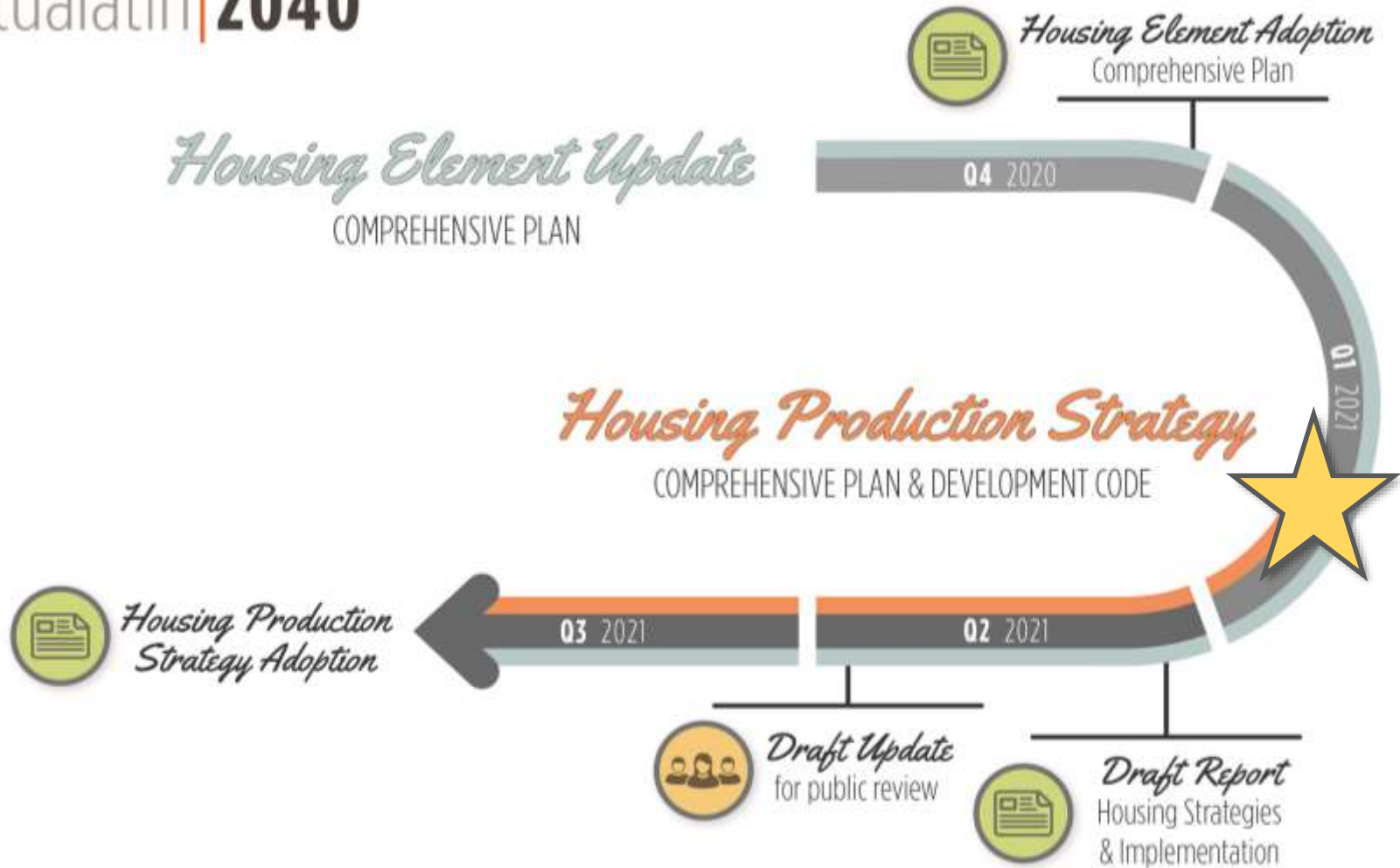
- Purpose
- Overview
- Review of the preliminary analysis of Tualatin's key housing needs
 - Do you have questions about the preliminary results?
- Review and discuss draft policies
 - Do you have feedback on the draft policies?
 - Are there policies that the City should consider that are not currently included?

Tualatin 2040 Implementation



Where We're Headed

tualatin|2040



What is House Bill 2003

House Bill 2003 was passed in 2019, to help communities meet the diverse housing needs of Oregonians.

- **Cities over 10,000 people required develop strategies to address those needs based on their most recent housing needs survey (analysis).**
- **Tualatin adopted its *Housing Needs Analysis* into its Comprehensive Plan in late 2019.**
- **The draft *Housing Production Strategy* identifies Tualatin's future commitment to implement policies or strategic actions to address its housing needs.**



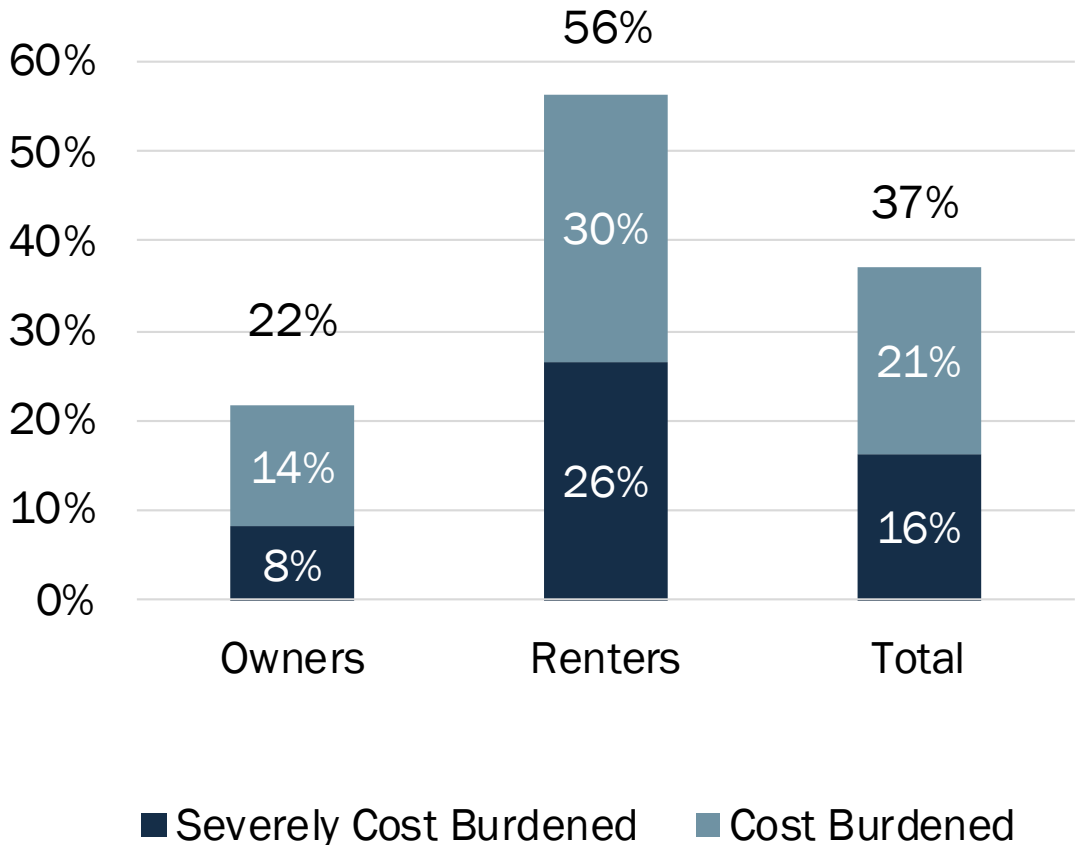
Tualatin's Key Housing Needs

Tualatin's Cost Burdened Households

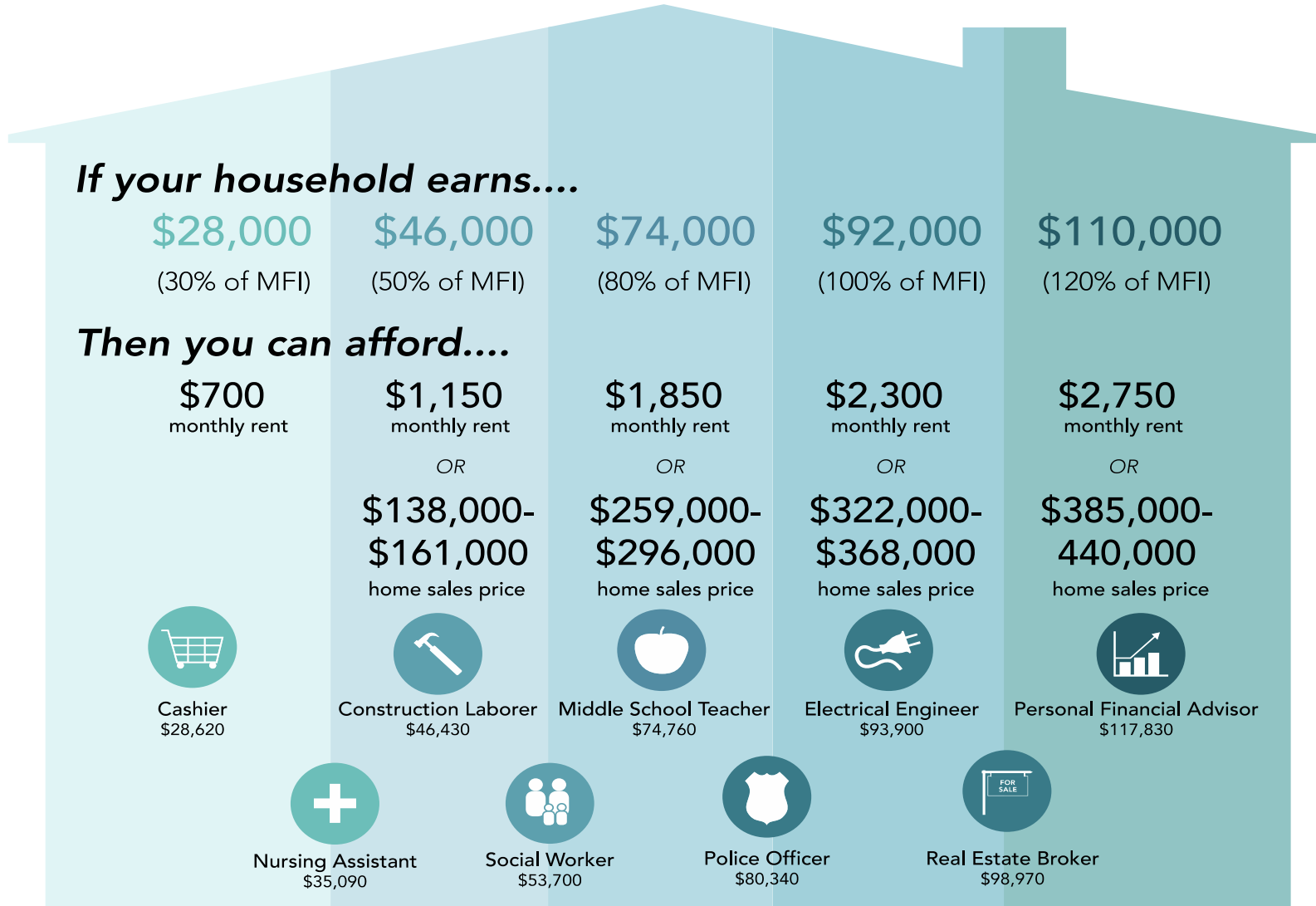
Cost Burden by Tenure, Tualatin, 2013-2017

Cost burdened:
spending more than
30% of income on
housing costs

Severely cost burdened:
spending more than
50% of income on
housing costs

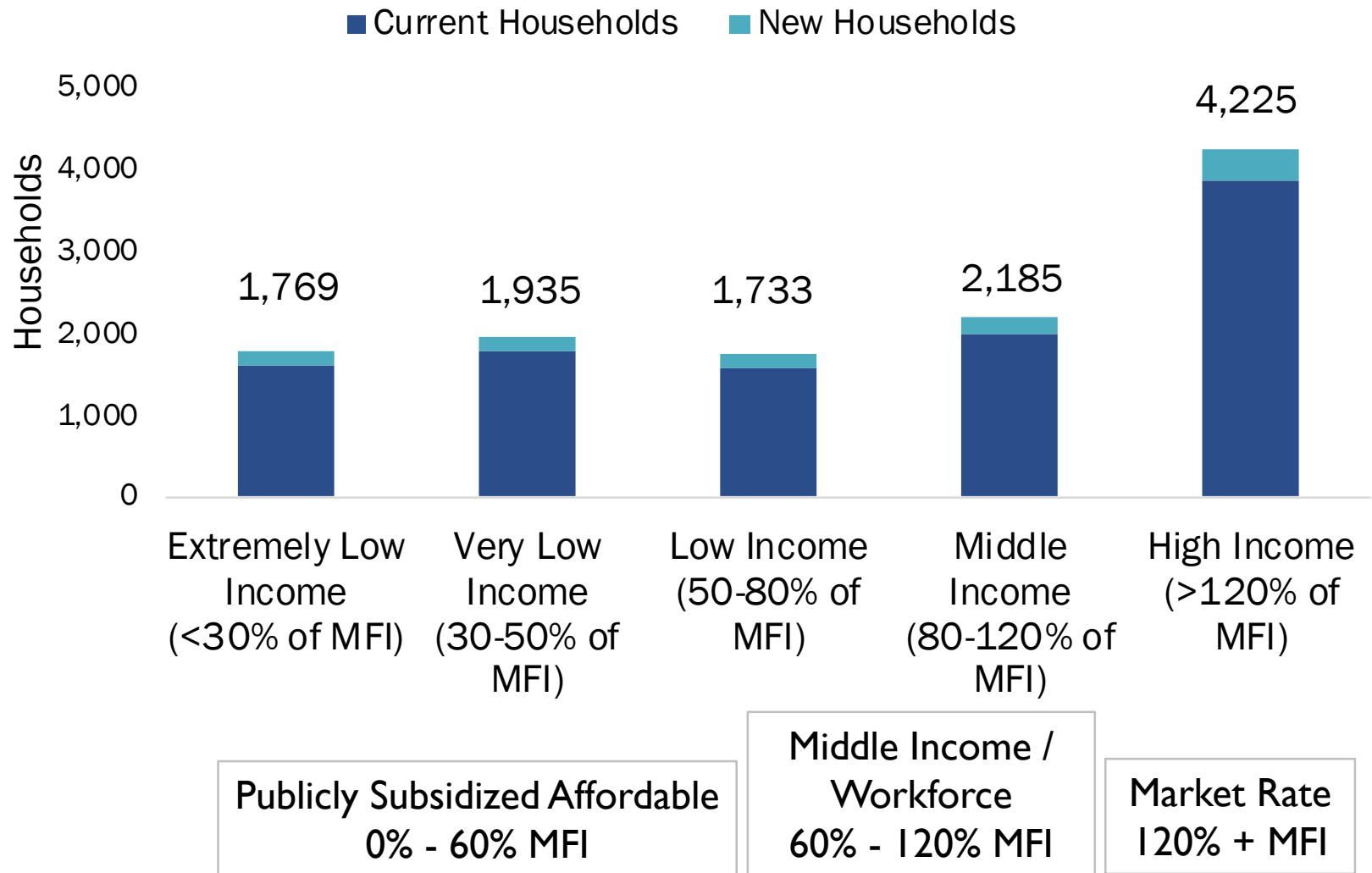


What's considered affordable?



Source: U.S. Department of HUD 2020. U.S. Census Bureau, 2014-2018 ACS Table I9001.
 Note: MFI is Median Family Income for a Family of 4.

Tualatin's Current & Future Households by Income

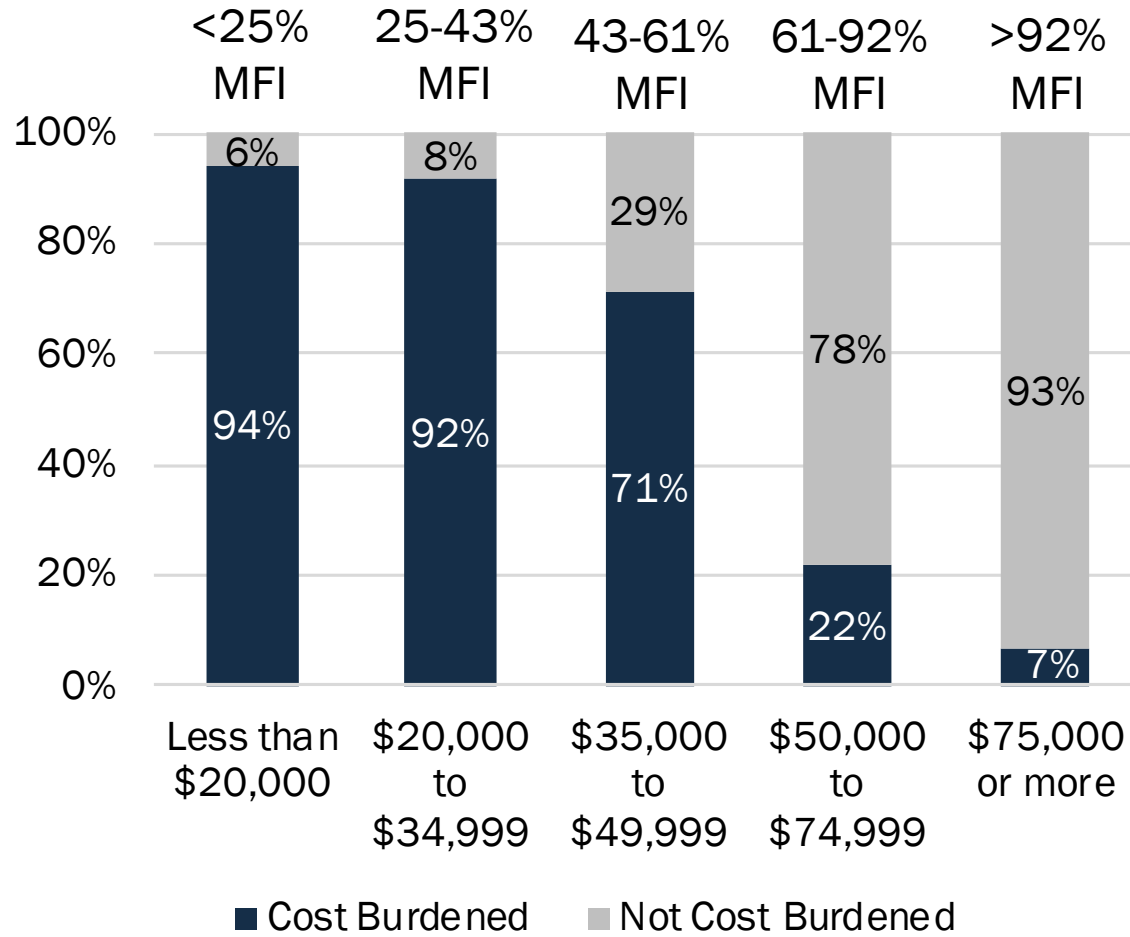


Source: 2014-2018 ACS, U.S. Census; PRC at PSU (2020-2040); and U.S. Department of HUD 2020 MFI.

Note: Median Family Income is estimated for a family of 4.

Low-Income Renters Struggle the Most to Afford Housing

Renter Cost Burden by Income, Tualatin, 2013-2017



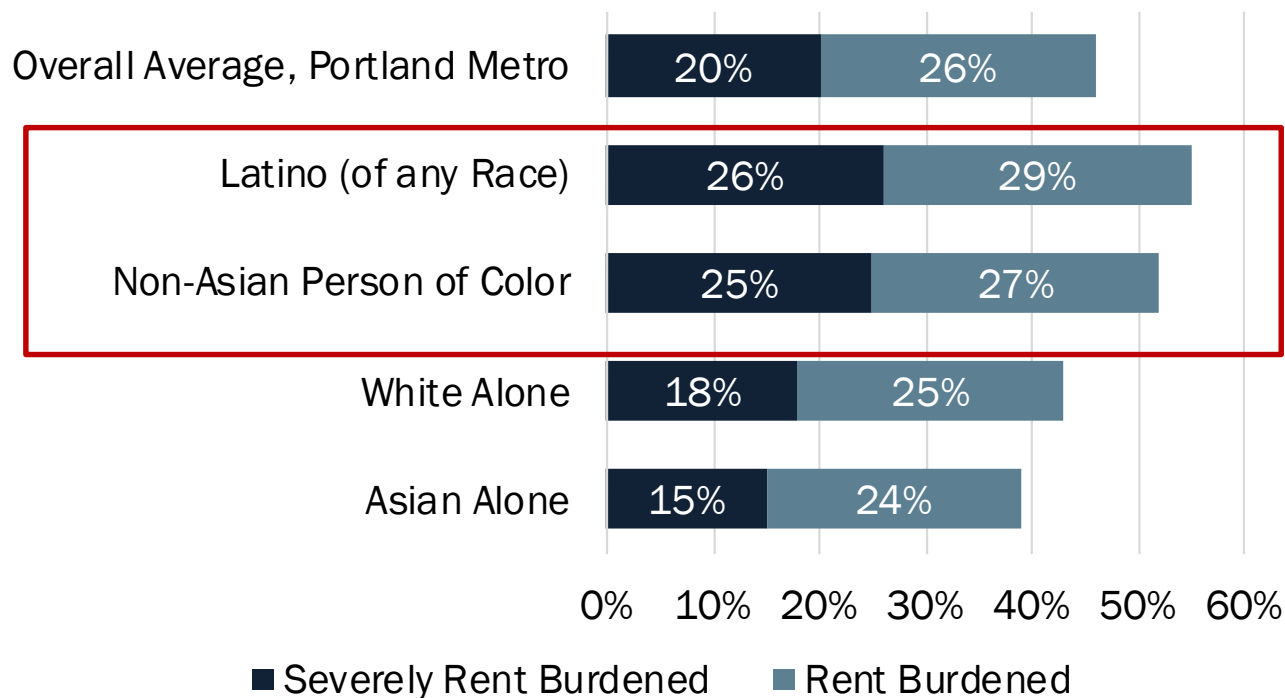
Source: 2013-2017 American Community Survey, U.S. Census and U.S. Department of HUD (2018).
Note: MFI is median family income for a family of 4.

Rent Burden by Race/Ethnicity, Portland Region

Cost Burden of Renters by Race and Ethnicity, Portland, Region, 2018

Latino and Non-Asian People of Color are more likely to be rent burdened and severely rent burdened than other groups.

Latino and Non-Asian People of Color are more likely to rent than other groups.

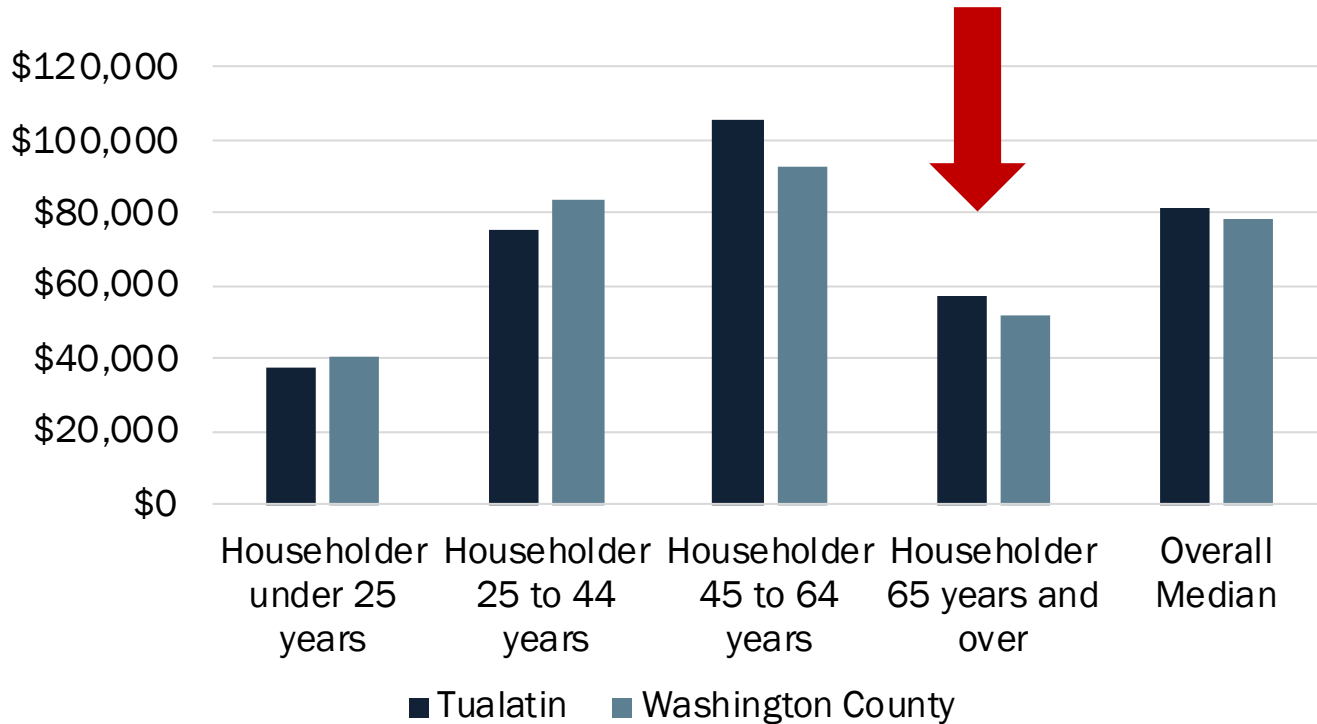


Source: U.S. Census, 2018 ACS 1-year PUMS Estimates

From the Report *Implementing a Regional Housing Needs Analysis Methodology in Oregon: Approach, Results, and Initial Recommendations* by ECONorthwest, August 2020

People Aged 65 and Older: Ability to Pay for Housing

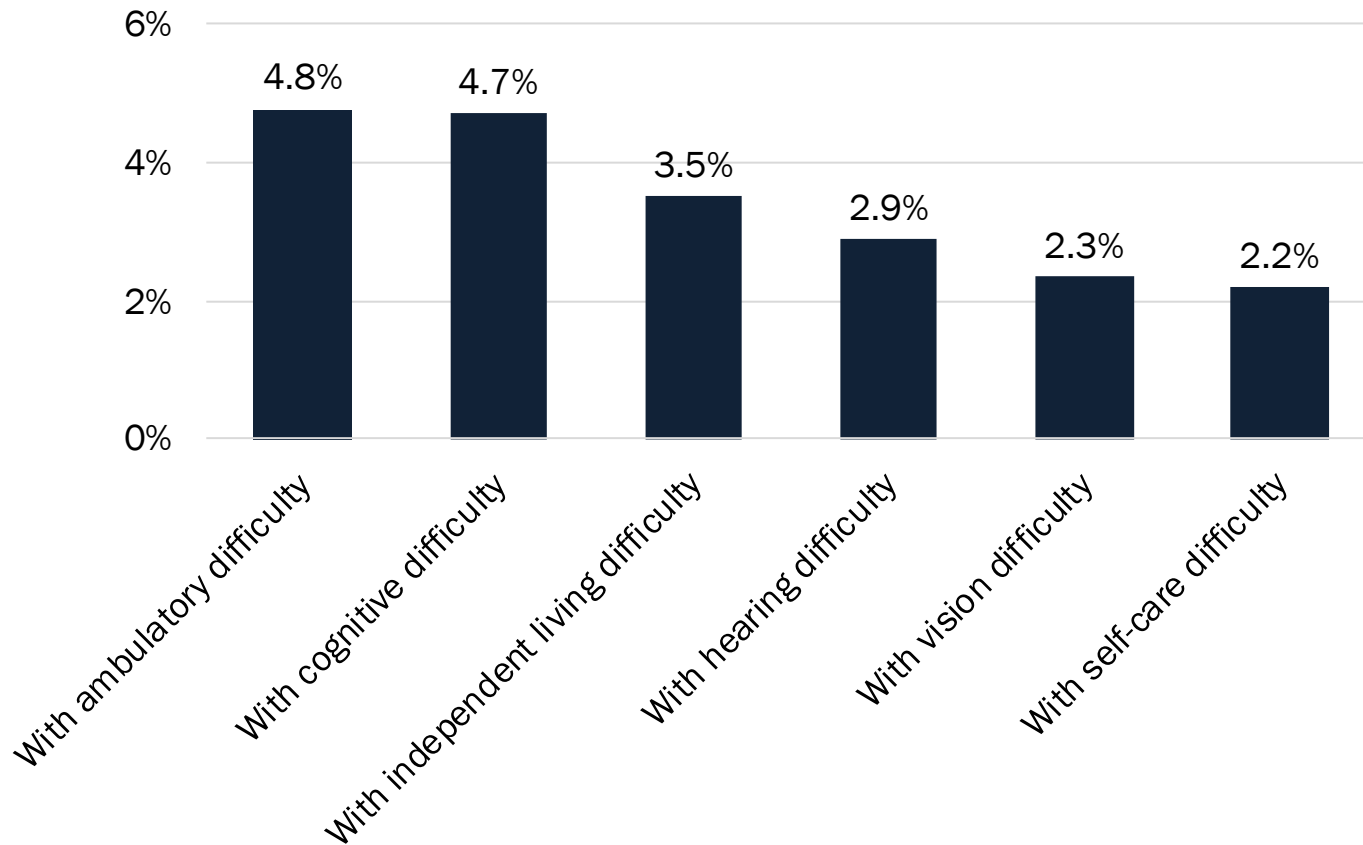
Median Household Income by Age, 2014-2018



In Tualatin, income for people over 65 years is 70% of the overall average.

People with a Disability

Share of People with a Disability by Type (% of Total Population), Tualatin, 2014-2018



65% of people with a disability are rent burdened in the **Portland Region**, compared with an overall average of 46% rent burdened



Review and Discuss Preliminary Policies for the HPS Report

Factors that Influence Housing Development

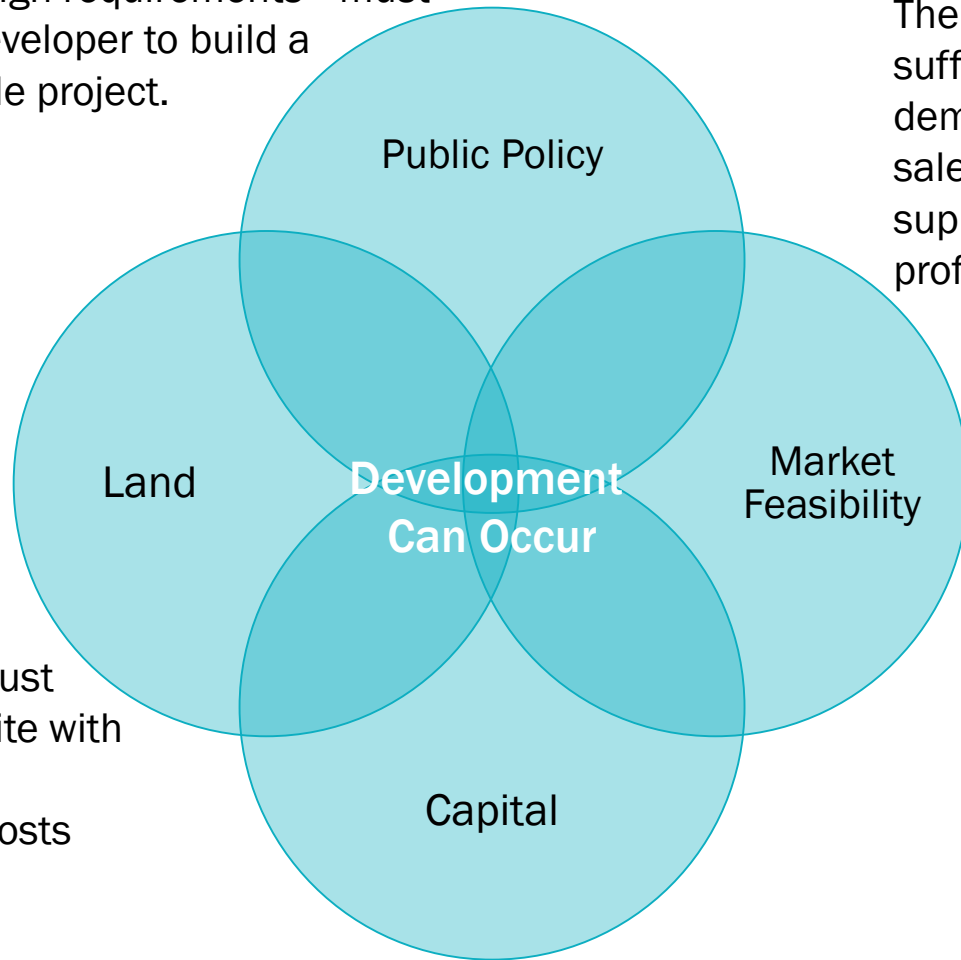
Policy—including zoning, density, and design requirements— must allow developer to build a profitable project.

There must be sufficient demand (rents, sales prices) to support a profitable project

Tualatin can directly influence public policy, land, and infrastructure.

Tualatin may have limited influence on market feasibility

Developer must control the site with reasonable acquisition costs



Developer must be able to access resources for investment (e.g., equity investment, bank loans)

Impact of Different Strategies

Types of Strategies to Support Housing Production



**Produce
Informational
Resources**



**Partner to
Leverage
Efforts and
Resources**



**Remove
Regulatory
Barriers**



**Waive or
reduce up-
front or
on-going
charges on
development**



**Allocate
Funding**



**Land
Acquisition
and
Disposition**

Less Impactful

More Impactful

The degree of impact varies depending on context.

- **Policy 1. Affordable Housing:** Strongly prioritize, encourage and support affordable rental housing development to increase affordable housing for households earning 0% to 60% of MFI.
- **Policy 2. Affordable Homeownership:** Encourage and support affordable homeownership to create opportunities for wealth creation.
- **Policy 3: Preservation of Affordable Housing:** Preserve affordable housing to prevent the loss of existing affordable housing units and to prevent resident displacement.

- **Policy 4. Preservation of NOAH:** Preserve naturally occurring affordable housing (NOAH), where possible, to prevent loss of affordable units and to mitigate for resident displacement.
- **Policy 5. Racial and Social Equity for Housing:** Implement all housing policies, projects, programs and partnerships through a racial and social equity lens.
- **Policy 6. Workforce Housing:** Encourage, plan for, and support the development of workforce housing for households earning 61% to 80% of MFI, for owners and renters, to increase the jobs-housing balance, reduce commute times, and provide attainable housing for workers in Tualatin.

- **Policy 7. Housing Stabilization:** Prevent and address homelessness to provide for safe living conditions for everyone living in Tualatin.
- **Policy 8. Housing Rehabilitation:** Plan for and support housing programs and initiatives that are responsive to the safety and health needs of households earning 0% to 80% of MFI.
- **Policy 9. Accessible and Specialized Design:** Encourage and support Universal Design, Lifelong Housing Certification, and other similar standards.

- **Policy 10. Mixed Use Housing and Redevelopment:** Encourage and support development of mixed-use, mixed-income, and multifamily housing in commercial zones and urban renewal areas for households earning 0% and 80% of MFI.
- **Policy 11. Regulatory and Zoning Changes:** Increase housing development opportunities through regulatory and zoning changes to accommodate a diverse range of housing types and price points to meet Tualatin's housing needs.
- **Policy 12. Transportation and Public Infrastructure:** Plan for and develop infrastructure to support affordable, workforce, mixed use, and mixed income housing.

- Continue to refine the measures and actions highlighted in the HPS
- Continue to interview housing producers

Mark your calendar!

The next City Council Meeting

focused on the HPS is on:

May 24, 2021

Questions?

DATE: December 1, 2020
TO: Tualatin Planning Commission
CC: Steve Koper and Karen Perl Fox, City of Tualatin
FROM: Beth Goodman, Sadie DiNatale, and Becky Hewitt, ECONorthwest
SUBJECT: Tualatin's Existing Housing Measures and Potential New Measures

The City of Tualatin completed a Housing Needs Analysis in 2019, as part of the Tualatin 2040 project. Tualatin was selected to be one of four cities in Oregon to develop a prototype Housing Production Strategy (HPS) by the Department of Land Conservation and Development, who contracted ECONorthwest to develop an HPS for Tualatin.¹

An HPS is a report that provides additional information about housing needs, beyond the information in the Housing Needs Analysis, and proposes a short list of housing measures (or policies or strategies) to address Tualatin's housing needs. This memorandum presents preliminary draft measures that may be included in the HPS. These measures will be discussed at the December 10, 2020 Planning Commission Meeting. The measures will be refined, further developed, and evaluated throughout the project.

Tualatin's Housing Measures and Gaps

This memorandum describes existing measures that Tualatin has implemented to support housing development and presents preliminary draft measures (or policies or strategies) that may be included in the HPS. This memorandum is one of three interim deliverables that will later become sections in the final Housing Production Strategy report. Tualatin's Planning Commission will discuss the findings of this memorandum at their first meeting of the project on December 10.

The two additional interim deliverables, which will be discussed at future meetings, are:

- **Memorandum providing additional evaluation and refinement of the selected, short-list of measures.** Tualatin's Planning Commission will discuss the findings of the memorandum on February 18, 2021.
- **Memorandum summarizing the information required for each measure.** Tualatin's Planning Commission will discuss the findings of the memorandum on March 18, 2021.

¹ This project is funded by Oregon general fund dollars through the Department of Land Conservation and Development. The contents of this document do not necessarily reflect the views or policies of the State of Oregon.

Existing Measures, Policies, or Strategies that Address Tualatin's Housing Needs

This City of Tualatin has the following housing measures (or policies or strategies) currently in place to address Tualatin's housing needs. These measures include:

- Prohibiting single-family detached housing in most high-density zones in Tualatin.
- Allowing one or more accessory dwelling units (ADUs) in residential zones per lot.²
- Applying density standards uniformly across zones that allow dwelling units on fee simple lots and on multifamily sites.
- Ensuring decisions about what kind and how much housing goes where is data-driven and focused on equitable outcomes instead of the best outcomes for those with the most money and/or privilege.
- Removing open space/common amenity requirements for low density residential.
- Providing information to small, local developers to help them understand land use permitting processes and to give developers a sense of clarity and certainty about the requirements so they can better provide smaller scale housing. Tualatin's existing measures generally focus on land use efficiency, such as allowing development of denser housing types, or measures to reduce development costs, such as removing open space requirements for some housing development. By and large, the types of policies that Tualatin has yet to adopt are policies to support:
 - Development of affordable rental housing and preservation of affordable housing stock to prevent displacement of existing residents
 - Prevention and reduction of homelessness
 - Expansion of workforce owner and rental housing to increase the jobs housing balance
 - Expansion of housing for people with special needs and seniors and development of housing to meet the cultural needs of diverse populations
 - Greater availability of diverse housing types through regulatory or zoning changes, including mixed-use housing and redevelopment in commercial areas
 - Planning for and developing transportation and public infrastructure to support affordable housing, workforce housing and mixed-use housing development.

The following section presents a list of preliminary measures to address these gaps in Tualatin's housing policies.

² Although, Tualatin's ADU provisions are not yet compliant in regard to HB 2001 off-street parking requirements.

Potential Measures, Policies, or Strategies for the Housing Production Strategy

- Preservation of Affordable Housing: Preservation of affordable housing stock to prevent displacement of existing residents
- Houselessness and Housing Stabilization: Prevent and reduce houselessness
- Workforce Housing Expansion: Expand development of workforce owner and renter housing to increase the jobs-housing balance
- Housing for People with Special Needs: Expand development of housing for people with special needs and seniors
- Housing for Diverse Populations: Housing to meet the cultural needs of diverse populations
- Social and Racial Equity: Develop a lens for housing policy decision-making through consideration of social and racial equity
- Regulatory and Zoning Change: Greater availability of a diversity of housing types
- Mixed Use Development and Redevelopment: Encourage development and redevelopment of housing in commercial areas
- Transportation and Public Infrastructure: Plan for and develop transportation and public infrastructure to support housing development including affordable housing, workforce housing and mixed-use housing development.

Exhibit 1 provides a list of potential measures (or policies or strategies) for inclusion in the Housing Production Strategy. These measures range from policies to adopt to programs to implement in support of housing. These measures represent a starting point for strategies to consider for inclusion in the Housing Production Strategy report. In the next months, ECONorthwest will work with City staff to refine the measures and begin the evaluation of the measures, considering information for each measure such as: the level of housing need (by income) each measure addresses, the role of the city for each measure, partners needed for each measure, the potential impact of the measure, the potential costs of the measure, and other criteria. In upcoming meetings for the project, we will present a revised list of measures, with that evaluation framework in place.

The measures are grouped according to the type of housing need they address, in the following groupings:

- Affordable Rental Housing Expansion: Expand affordable rental housing stock to include long-term affordable housing
- Preservation of Affordable Housing: Preservation of affordable housing stock to prevent displacement of existing residents
- Houselessness and Housing Stabilization: Prevent and reduce houselessness
- Workforce Housing Expansion: Expand development of workforce owner and renter housing to increase the jobs-housing balance
- Housing for People with Special Needs: Expand development of housing for people with special needs and seniors
- Housing for Diverse Populations: Housing to meet the cultural needs of diverse populations
- Social and Racial Equity: Develop a lens for housing policy decision-making through consideration of social and racial equity
- Regulatory and Zoning Change: Greater availability of a diversity of housing types
- Mixed Use Development and Redevelopment: Encourage development and redevelopment of housing in commercial areas
- Transportation and Public Infrastructure: Plan for and develop transportation and public infrastructure to support housing development including affordable housing, workforce housing and mixed-use housing development.

Exhibit 1. Potential Measures for inclusion in the Housing Production Strategy

Measure	Description
Affordable Rental Housing Expansion: Expand affordable rental housing stock to include long-term affordable housing	
<p>Adopt a Policy to Support Expansion of Development of Affordable Housing</p>	<p>Strongly prioritize development of affordable housing for households with incomes of 60% of MFI or below (\$55,200 or less for a family of four) and that aim to leverage funds to fill the gap. Take advantage of Federal, State, Metro, local, and other sources of funding to support development of affordable housing when they are available. As part of this strategy, ensure that city policies reflect a have a pro-affordable housing agenda for development of housing for rental and homeownership.</p> <p>Forming partnerships with other public agencies, nonprofit developers and service providers, and private developers and others involved with affordable housing development will be essential to expanding development of affordable housing.</p> <p>Affordable housing policies should maximize outcomes for development quality, design beautification, long-term sustainability and healthy outcomes.</p>
<p>Land for Affordable Housing Development</p>	<p>This strategy can be implemented in several ways: through the city playing a proactive role in parcel assembly for affordable housing sites or through use of excess or surplus city-owned property. The city could identify land where affordable housing development can occur by identifying excess or surplus publicly owned land, such as land in city-ownership, where affordable housing may be appropriate. The City may need to periodically review its list of city-owned properties to determine if other properties are appropriate for affordable housing development. The City should develop a policy to offer affordable housing developers the right of first refusal for purchasing city-owned land for affordable housing.</p> <p>The City can work with other public agencies to identify excess or surplus properties that may be appropriate for affordable housing development. In addition, Tualatin may consider reaching out to faith-based organizations to see if they have excess or surplus land they would consider having used for affordable housing development.</p> <p>The City can also assist in assembly of privately-owned parcels into single parcels where affordable housing development can occur. This may require the City to purchase smaller privately-owned parcels to assemble into a larger parcel. The City could sell, lease or possibly donate the parcel to an affordable housing developer to produce affordable housing.</p> <p>The City could consider forming a development partnership or collaboration with nonprofit and/or private affordable housing developers or other appropriate entities, such as an agency.</p>
<p>Evaluate Tax Exemptions</p>	<p>Evaluate tax exemption options to support development of affordable housing or mixed-use housing.</p>

Measure	Description
Evaluate Changes to SDCs and TDTs	Evaluate options for potential changes to SDCs and TDTs to support development of affordable housing. This strategy could include reducing, deferring, and/or financing System Development Charges (SDCs) at a low interest rate for needed housing types, reducing development costs. However, Tualatin has limited control of SDCs and collects on behalf of other service districts and providers. Parks is the City's only "city-only" SDC, which recently went through an extensive review.
Evaluate Construction Excise Tax (CET)	Evaluate implementation of a CET, starting with an analysis of the financial capacity of a CET. A CET could be levied on commercial, industrial, and residential development. Tualatin has limited land for new residential development. If a CET is levied on commercial or industrial development, the City would need to provide a clear use for funds and a nexus to housing for employees at businesses in Tualatin. This strategy would require discussions with major employers and the business community in Tualatin.
Evaluate a New Urban Renewal District with TIF Set Aside for Affordable Housing and Mixed Income Housing	<p>Continue the evaluation of establishing a new urban renewal district and consider including urban renewal projects that support development of multifamily housing affordable for households earning 60% of MFI or below and Mixed Income Housing that includes Affordable Housing. The evaluation of new urban renewal district is underway in Tualatin.</p> <p>As part of the urban renewal district, Tualatin could create a TIF set-aside for affordable housing development programs within designated Urban Renewal Areas (URAs). Target could be to begin setting aside funds for affordable housing projects as a medium-term action, over the next 5 years or so. For example: Portland City Council designates 45% of the gross amount of TIF for designated housing purposes (rental housing for households earning 60% of MFI or below and homeownership for households 80% of MFI or below. Tualatin is considering a TIF Set Aside in its current discussion of Urban Renewal District(s).</p>
Housing Trust Funds	<p>Housing Trust Funds are a flexible source of funding that can be used to support a variety of affordable housing activities. Because they are created and administered at the city, county, region, or state level, housing trust funds are not subject to the restrictions of federal subsidy programs and therefore can be designed specifically to address local priorities and needs. Tualatin would need to identify funding source(s) for a housing trust fund, which could include the city's general fund or other sources of funding.</p> <p>The housing trust fund could also include funds to preserve affordable housing, such as supporting acquisition or rehabilitation of naturally occurring affordable housing and regulated affordable housing nearing the end of its compliance period.</p>

Measure	Description
Encourage Diverse Rental Housing Types	Evaluate allowing and supporting development of other housing types in Tualatin that provide affordable housing, such as units designed for multiple unrelated living in the same dwelling with shared kitchen and bathrooms, tiny homes (dwelling units between 100 and 500 square feet), and other innovative small housing types. These small units are strongly needed to meet identified "Needed Housing" particularly for extremely low and very low income.
Flexible Regulatory Concessions for Affordable Housing	Evaluate development codes and processes to identify opportunities to make it easier to develop and build affordable housing. This could include updating the modifications / variance process and requirements, including making allowing modification / variance processes for affordable housing to have a simpler review process than typical, such as not requiring hearings.
Preservation of Affordable Housing: Preservation of affordable housing stock to prevent displacement of existing residents	
Preserving Low-Cost Rental Housing to Mitigate Displacement	Preventing displacement and preserving "naturally occurring" affordable housing through acquisition, low-interest loans/revolving loan fund for preservation, and/or code enforcement. Tualatin can identify partners with shared interests in housing in Tualatin and could lead to more low-cost renter housing. Identifying local or regional funding sources will be key. Tualatin's urban renewal program could include funds for rehabilitation and stabilization of existing low-cost rental housing.
Houselessness and Housing Stabilization: Prevent and reduce houselessness	
Provide Rental Assistance	Identify opportunities to provide rental assistance. The City is currently exploring an informal partnership or collaboration with the Community Action Agency on rental assistance and prevention of houselessness.
Develop Housing Options and Services to Address and Prevent Houselessness	The City of Tualatin should partner with agencies and nonprofit organizations that provide housing and services to people experiencing houselessness. This could include: (1) working with partners to support development of an emergency shelter for people experiencing houselessness, (2) working with service providers who provide rapid re-housing services to exit houselessness, (3) work with nonprofit housing developers and service providers to develop an application to the State for funding for permanent supportive housing, and (4) work with partners to support transitional housing development.

Measure	Description
Workforce Housing Expansion: Expand development of workforce owner and renter housing to increase the jobs-housing balance	
Plan for Workforce Housing Affordable to Workers in Tualatin	Ensure the City includes housing planning for workforce housing that is affordable to people who work at businesses in Tualatin, such as households earning between 61% to 80% median family income (\$55,201 to \$74,000 for a family of four).
Employer Assisted Housing	Identify opportunities to partner with or support employers who are interested in developing an employer-assisted housing program.
Participate in Land Bank	Determine whether to participate in a land bank, which can help communities provide land for workforce housing development. Tualatin, however, has limited land availability at this time. This tool may work better through use of existing public or City-owned land or as land becomes available through redevelopment. The City could take a proactive role in land assembly, either public or purchase of private lands.
Affordable Homeownership	<p>This strategy has two parts: (1) homeownership education and (2) identifying barriers to development of affordable homeownership opportunities. Tualatin can partner with nonprofit organizations that offer homeownership education to low- and middle-income households. The City's role in the partnership may be to promote the educational opportunities and refer people in need of homeownership education to the nonprofit.</p> <p>Tualatin should develop a comprehensive review of the impediments to the development of homeownership opportunities and actionable steps to remove those impediments.</p>
Encourage Diverse Housing Types for Affordable Homeownership	Evaluate allowing and supporting development of other housing types in Tualatin that provide affordable homeownership opportunities, such as small homes, skinny homes, very small homes (dwelling units between 100 and 500 square feet), reuse of cargo containers for housing, and other innovative small housing types. These small units can help meet identified needs for workforce affordable homeownership opportunities.

Measure	Description
Housing for People with Special Needs: Expand development of housing for people with special needs and seniors	
Accessible Design	Provide incentives in the development code to increase the number of units designed to meet Universal Design, Lifelong Housing Certification, and other similar standards. This strategy could include pre-approved plan sets (e.g. SF and townhomes with barrier-free / universal design), within the context of ADA and FHA rules.
Housing for Diverse Populations: Housing to meet the cultural needs of diverse populations	
Encourage Diverse Housing Types in High Opportunity Neighborhoods	Enable developments that support multiple unit sizes, types, and tenure options to promote diverse housing options in high-opportunity neighborhoods, with a goal of reversing historical patterns of racial, ethnic, cultural and socio-economic exclusion. Use an analysis of “Access to Opportunity” to decide which zones or locations (via zoning overlay) to determine where this is appropriate. The purpose of this strategy is to promote access to opportunity (e.g., high performing schools, multiple transportation options, services, etc.) to households with a range of backgrounds and incomes. This strategy may work well with the incentives for development of affordable and workforce housing described in this strategy.
Social and Racial Equity: Develop a lens for housing policy decision-making through consideration of social and racial equity	
Implementation of all Housing Policies through a Lens of Social and Racial Equity and Inclusion	Develop a social and racial equity and inclusion lens to evaluate all housing policies.
Adopt Affirmatively Furthering Fair Housing as a Housing Policy in Comprehensive Plan	<p>Amend the comprehensive plan to explicitly make Affirmatively Furthering Fair Housing a Housing Policy. This strategy is important to prevent and address housing discrimination. Tualatin may consider flexibility in expressly adopting federal guidance, which may change, in a long-term planning document. Tualatin may consider whether the Comp Plan which is implemented through the Development Code is the appropriate home for policies not implemented in that manner.</p> <p>A part of this policy will be ensuring there are opportunities for education about fair housing to residents, property owners, property managers, realtors, lenders and others involved with real estate transactions with access to Fair Housing information and referrals. Ensure that city staff know how to identify potential Fair Housing violations and make referrals to the Fair Housing Council of Oregon and state and local enforcement agencies. Partner with and fund Fair Housing Council of Oregon to provide periodic Fair Housing Audit Testing, customized outreach and education and other specialized services.</p>

Measure	Description
Regulatory and Zoning Change: Greater availability of a diversity of housing types	
Increase Allowable Densities in High Density Zones	Evaluate increasing densities in the Residential High and Residential High Density / High Rise residential designations by allowing buildings that are five to eight stories tall. Ensure that these zones have appropriate minimum densities to ensure that land in these zones is used for higher density housing. As part of this change, the City might evaluate merging the High Density zone and the High Density / High Rise zones into one zone.
Up-zone Land	Evaluate opportunities to re-zone Residential Low Density and Residential Medium Low-Density residential land for higher-density housing in selected areas.
Reduce Off-Street Parking Requirements	Evaluate off-street parking requirements for multifamily housing to identify opportunities for reduction in parking requirements. Tualatin could consider allowing reduction of parking requirements near transit and for affordable housing with tenants who generally own fewer cars, like seniors. In addition, the City should consider allowing public on-street parking in ROW within a certain radius to count towards off-street parking requirements.
Small Dwelling Unit Developments	<p>Tualatin should consider small scale units with affordable housing income limits, that is not part of HB 2001 by allowing land division where small lots or parcels are created below the standard lot/parcel size for dwelling units that are limited in size. Tualatin should consider this in the context of new cottage cluster regulations because this development type would be similar to cottage cluster development. This would involve calculating density differently for the dwelling units due to their limited size. For example:</p> <ul style="list-style-type: none"> a. Dwelling units 600 square feet or smaller: 0.25 of a dwelling unit. b. Dwelling units 601 to 1,200 square feet: 0.50 of a dwelling unit.
Expedite Permitting for Affordable Rental Housing and Affordable Homeownership	<p>Expedited permitting will help to reduce costs and financial vulnerabilities of development and construction of affordable housing.</p> <p>This strategy would prioritize review of development proposed for affordable rental housing at 0-60% of MFI and below and Affordable Homeownership at 80% of MFI and below.</p> <p>Consider projects with direct or indirect funding from local government as essential and projects with long-term affordability covenants through tax abatement or inclusionary requirements as high priority.</p> <p>Assigning a designated staff person to shepherd these projects through the development and construction process in order to expedite them will be essential.</p>

Measure	Description
Providing Information and Education to Developers of Needed Housing	The City informally provides information to small, local developers to help them understand land use permitting processes and to give developers a sense of clarity and certainty about the requirements so they can better provide smaller scale housing at an affordable level. The City could create a formal process to provide this information to include all housing developers, especially aimed at those that can produce the identified "Needed Housing." The City could promote development of "Needed Housing" through a City housing program with variety of venues such as developers' roundtable, informational sessions with developers, promotion of incentives and funding resources and more.
Evaluate Staff Capacity	Determine whether the City will need to add staff to implement the policies in the housing production strategy.
Align Lot Division Density with Zoning Density	Identify and resolve conflicting regulations that can cause unintentional reductions in density, such as the density allowance in the code not matching the density allowance through lot division is considered when a developer would like to create for-sale housing on fee-simple lots. In Tualatin generally, zones that allow dwelling units on fee simple lots and on multifamily sites apply density standards uniformly.
Mixed-Use Development and Redevelopment: Encourage development and redevelopment of housing in commercial areas	
Rezone Land for Mixed-Uses	Identify opportunities to rezone industrial or commercial land for mixed-use that includes employment and residential uses.
Identify Underutilized Commercial Areas Ripe for Mixed-Use Redevelopment	Identify opportunities for redevelopment of mixed-use districts and initiate an area planning process to guide redevelopment. This may be connected with newly forming urban renewal district(s) or may be other commercial areas.
Conversion of Commercial Space to Residential Uses	Identify and evaluate opportunities for housing above ground floor retail and change the development code to allow more housing above ground floor retail in commercial areas. In addition, consider opportunities for conversion of some ground floor retail to allow housing on the ground floor

Measure	Description
Transportation and Public Infrastructure: Plan for and develop transportation and public infrastructure to support affordable housing, workforce housing and mixed-use housing.	
Increase Density in Town Center, near Transit Stations and Regional Multi-Use Trails	The City can consider adopting policies to increase near transit stations, with higher levels of density near high capacity/high frequency stations, then stepping back into residential areas, as well as automatically up zone land near transit stations based on transportation corridor classifications so that wider ROWs get more flexibility in land use by right. The policy can (and should) be put in place when the transit station location is determined, before transit is developed. Tualatin should consider this housing-transportation strategy near Town Center area, near existing WES Station and future WES substations.
Identify Opportunities for Transit-Oriented Development and Communities	The City can provide financial incentives to developers to create transit-oriented communities. Funding can be used for site acquisition, infrastructure projects and residential/mixed-use projects . Metro TOD Grants could be applied for as funding resource. This strategy could be connected with the strategies about Affordable Rental Housing Expansion.
Capital Improvements Programming (CIP) and Public Facility Planning	<p>The City can prioritize work in a Capital Improvements Programming (CIP) and public facilities planning so that projects are constructed sooner to support development of affordable or workforce housing, coordinating housing planning with CIP work to prioritize those projects that would support development (e.g. new water line, sewer pumping station). This planning can make it easier to understand infrastructure costs and allow for planning for more development capacity in areas for higher density housing.</p> <p>Tualatin could consider this strategy as part of future urban renewal planning, which traditionally focuses on employment uses. Identifying where infrastructure constraints are or could be a barrier to denser housing development would be a first step.</p>

DATE: February 1, 2021
TO: City of Tualatin City Council
CC: Steve Koper and Karen Perl Fox
FROM: Beth Goodman, Becky Hewitt, and Sadie DiNatale, ECONorthwest
SUBJECT: Summary of Strategies for the HPS

The Department of Land Conservation and Development contracted ECONorthwest to develop a Housing Production Strategy (HPS) for the City of Tualatin.¹ This memorandum presents a short description of proposed policies and strategic actions that may be included in the HPS. The strategies documented in this memorandum are subject to changes based on discussions with the Tualatin Planning Commission and City Council. This memorandum is an interim deliverable of the project and will later become a section of the final HPS report.

This memorandum presents policy recommendations and a short description of strategic actions to implement the proposed policies. At the February 18, 2021 Planning Commission meeting, we will discuss the policy recommendations and strategic actions to get feedback on each. We will revise the policy recommendations and strategic actions based on feedback from the Planning Commission and City Council (meeting on February 22, 2021).

For the March 18, 2021 Planning Commission meeting, we will bring back the revised policy recommendations and a more detailed version of each strategic action. The final HPS report will include the more information about each strategic action, such as a more detailed description, reason for including it, steps for implementation, and other information.

Draft recommended policies and strategic actions for discussion

The remainder of this memorandum is organized into 12 policies. Each policy includes recommendation for a “package” of actions that the City should take to implement the policy. This package includes recommendations for policies for the City to adopt into the Comprehensive Plan² and an implementation program of strategic actions that relate to that policy.

The “package” of actions are intended to work together to achieve the policies. Removing some strategic actions may make it more difficult to achieve the desired outcomes of the policies. Implementing many of the strategic actions will require building relationships among City staff and with outside organizations and agencies. The critical partnerships will be identified for each strategic action in the final HPS report.

¹ This project is funded by Oregon general fund dollars through the Department of Land Conservation and Development. The contents of this document do not necessarily reflect the views or policies of the State of Oregon.

² Some policies may remain in the Housing Production Strategy document (rather than being adopted into the Comprehensive Plan) but the Housing Production Strategy will be adopted by the City/

Policy 1. Affordable Housing

Policy: Strongly prioritize, encourage and support affordable rental housing development to increase affordable housing for households earning 0-60% Median Family Income.

We recommend that the City adopt the following policy into the Comprehensive Plan:

Strongly prioritize, encourage, support, and promote the development of affordable rental housing for households earning 0-60% Median Family Income.

Implementing this policy will require developing an affordable rental housing program to encourage and support affordable housing development for households earning 0-60% Median Family Income. The strategic actions to implement this program are described below.

Strategic Actions:

- a) Adopt a property tax exemption program for affordable rental housing. Evaluate which of the two available options under state statute (one of which is limited to affordable housing owned/operated by nonprofit organizations) is better suited to the needs of housing providers in Tualatin.
- b) Evaluate options for potential changes to SDCs and TDTs to support development of affordable housing. This strategy could include reducing, deferring, and/or financing System Development Charges (SDCs) at a low interest rate for needed housing types, reducing development costs. However, Tualatin has limited control of SDCs and collects on behalf of other service districts and providers. Parks is the City's only "city-only" SDC, which recently went through an extensive review.
- c) Evaluate implementation of a CET, starting with an analysis of the financial capacity of a CET. A CET could be levied on commercial, industrial, and residential development. Tualatin has limited land for new residential development. If a CET is levied on commercial or industrial development, the City would need to provide a clear use for funds and a nexus to housing for employees at businesses in Tualatin.
- d) Evaluate, develop and promote a Tax Increment Financing (TIF) set-aside of a minimum of 30% for affordable housing development to serve households earning 0-60% Median Family Income, to apply to existing and future urban renewal areas in the City. TIF set-aside funds would also potentially be available for affordable housing units within market rate, mixed-use and mixed-income development.
- e) Evaluate, develop and promote financial resources for local contribution to affordable housing development such as for gap funding and/or for program/project development or to establish or contribute to a Housing Trust Fund Initiative. Consider sources such as foundation grants, private gifts, or other sources.
- f) Identify land potentially suitable for affordable housing acquisition, assemblage or disposition including, but not limited to, surplus and excess land located nearby transit, quality schools, health facilities, parks, shopping and other amenities. City may reach out to agencies, institutions, developers and other property owners that may have excess or surplus land, such as churches, to encourage affordable housing development. (*City to*

consider and determine roles they are able and willing to take in this process, such as acquisition, assemblage, disposition or partnerships.)

- g) Evaluate allowing and supporting development of other housing types in Tualatin that provide affordable housing, such as units designed for multiple unrelated living in the same dwelling with shared kitchen and bathrooms, small scale homes (dwelling units between 100 and 500 square feet), and other innovative small housing types.
- h) Evaluate development codes and processes to identify opportunities to make it easier to develop and build affordable housing. This could include updating the modifications / variance process and requirements, including making allowing modification / variance processes for affordable housing to have a simpler review process than typical, such as not requiring hearings.

Policy 2. Affordable Homeownership

Policy: Encourage and support affordable homeownership to create opportunities for wealth creation.

We recommend that the City adopt the following policy into the Comprehensive Plan:

Encourage and support affordable homeownership education and development to increase equitable opportunities for homeownership and generational wealth creation.

The strategic actions to implement this policy are described below.

Strategic Actions:

- a) Develop a comprehensive review of the impediments to homeownership opportunities and actionable steps to remove those impediments.
- b) Partner with a non-profit homeownership education program, such as the Portland Housing Center and promote the educational opportunities and refer people to the program who are interested.
- c) Partner with a homeownership development organization, such as Habitat for Humanity that develops and constructs affordable homes to own for households earning 0-80% Median Family Income.
- d) Encourage development of diverse affordable rental housing types by allowing and supporting development of other housing types in Tualatin that provide affordable housing, such as units designed for multiple unrelated living in the same dwelling with shared kitchen and bathrooms, small scale homes (dwelling units between 100 and 500 square feet), and other innovative small housing types.

Policy 3. Preservation of Affordable Housing

Policy: Preserve affordable housing to prevent the loss of existing affordable housing units and to prevent resident displacement.

We recommend that the City adopt the following policy into the Comprehensive Plan:

Preserve affordable housing to prevent the loss of existing affordable housing units and to prevent resident displacement.

The strategic actions to implement this policy are described below.

Strategic Actions:

- a) Encourage and support preservation of affordable rental housing for households earning 0-60% Median Family Income. When affordable housing properties are at risk of demolition or conversion to market rate, the City could assist the property owner by identify options to prevent loss of affordable housing units, such as through financial restructuring, extension of second round of Low Income Housing Tax Credits if applicable, or sale of the property to a non-profit affordable housing developer that agrees to long-term (30-60 years) preservation the property.
- b) Develop a Healthy Housing Initiative to address life safety, mold, lead and ventilation issues. This program could be proactive inspection of multifamily properties to identify these types of issues and offer an education component to provide information on how to prevent these issues from developing.

Policy 4. Preservation of Naturally Occurring Affordable Housing (NOAH)
Policy: Preserve naturally occurring affordable housing, where possible, to prevent loss of affordable units and to mitigate for resident displacement.

We recommend that the City adopt the following policy into the Comprehensive Plan:

Preserve naturally occurring affordable housing to prevent loss of affordable units and to prevent and mitigate for resident displacement.

Implementing this policy will require developing a program to preserve “naturally occurring affordable housing” through acquisition, low-interest loans/revolving loan fund for preservation, code enforcement or other approaches. The strategic actions to implement this program are described below.

Strategic Actions:

- a) Establish a tax abatement, low-interest loan program, or other financial incentives for low-cost market rate apartments that agree to make needed improvements (e.g. to address code violations or health/safety issues) without displacing existing residents and/or stabilize or reduce rents.
- b) Evaluate Multi-Unit Property Tax Exemption (MUPTE) as a cost reduction tool in exchange for low-income units with rent increase protections. Housing is subject to a housing contract with a public agency and must show that the exemption is necessary to preserve or establish low-income units. Exemption is for 10 years (set in statute, not by city) accept that low-income housing can be extended for as long as the housing is subject to a public assistance contract.

Policy 5. Racial and Social Equity for Housing

Policy: Implement all housing policies, projects, programs and partnerships through a racial and social equity Lens.

We recommend that the City adopt the following policies into the Comprehensive Plan:

Implement all City housing policies through a racial and social equity lens, which recognizes historical inequities in housing to underserved communities and aims to rectify inequities going forward by establishing an equitable housing program and a measurable action plan toward equitable housing.

City of Tualatin affirmatively furthers access to decent, affordable housing with convenient access to the services and destinations Oregonians need to thrive without regard to their race, ethnicity, color, religion, national origin, sex, familial status, mental or physical disability, source of legally-derived income, marital status, sexual orientation or gender identity.

Promote access to opportunity by encouraging and supporting affordable housing, workforce housing and mixed use housing that meets the cultural needs of diverse populations by providing multiple unit sizes, types and tenure options in high opportunity areas.

The strategic actions to implement this policy are described below.

Strategic Actions:

- a) Develop an equitable housing plan. The plan could include, for example, initial steps, action plan with goals and a method to measure progress to achieve more equitable housing and continuously examine ways to make improvements to the housing system to achieve equity.
- b) Identify impediments to Fair Housing and create an Analysis of Impediments.
- c) Ensure there are opportunities for education about fair housing to residents, property owners, property managers, and those involved in real estate transactions. Conduct fair housing training for Council, Planning Commission, and other relevant policymakers and staff.
- d) Encourage development of diverse housing types in high opportunity neighborhoods, , with a goal of reversing historical patterns of racial, ethnic, cultural and socio-economic exclusion.

Policy 6. Workforce Housing

Policy: Encourage, plan for, and support the development of workforce housing for households earning 61%-80% Median Family Income, for both owner and renter, in order to increase the jobs-housing balance, reduce commute time and provide attainable housing for workers in Tualatin.

We recommend that the City adopt the following policies into the Comprehensive Plan:

Encourage, plan for, and support the development of workforce owner and rental housing, 61-80% Median Family Income to increase the jobs-housing balance, reduce commute time and provide attainable housing for workers in Tualatin.

The strategic actions to implement this policy are described below.

Strategic Actions:

- a) Establish a tax abatement for new multifamily development that includes a portion of units affordable at between 61 and 80% of MFI under the Multiple Unit Property Tax Exemption program.
- b) Identify opportunities to partner with or support employers interested in developing an employer-assisted housing program.
- c) Evaluate potential partnerships with organization(s) to establish a land bank for affordable housing, workforce housing and/or mixed use housing or combination of these types.

Policy 7. Housing Stabilization

Policy: Prevent and address homelessness to provide for safe living conditions for everyone living in Tualatin.

We recommend that the City adopt the following policy into the Comprehensive Plan:

Prevent and address homelessness to provide for safe living conditions for everyone living in Tualatin.

The strategic actions to implement this policy are described below.

Strategic Actions:

- a) Develop a rental and utility assistance partnership to stabilize households with incomes between 0% to 80% of MFI.
- b) Evaluate partnerships, programs or opportunities to rapidly rehouse people experiencing homelessness.

Policy 8. Housing Rehabilitation

Plan for and support housing programs and initiatives that are responsive to the safety and health needs of households earning 0-80% of Median Family Income.

We recommend that the City adopt the following policy into the Comprehensive Plan:

Plan for and support housing programs and initiatives that are responsive to the safety and health needs of households earning 0-80% of Median Family Income.

Implementing this policy will require researching, evaluating, and developing a housing rehabilitation program, for both ownership and rental housing, suitable for Tualatin. The strategic actions to implement this program are described below.

Strategic Actions:

- a) Establish and develop a local housing rehabilitation program to improve housing safety and health conditions for households earning 80% or less of the Median Family Income. The program may offer incentives to support rehabilitation for owner-occupied units of households earning 80% or less of Median Family Income to make needed repairs or maintenance to the home, such as a low interest revolving loan fund or rehab right program. Evaluate adding a weatherization component to this program or partnering with an existing weatherization program.
- b) Develop a Healthy Housing Initiative to address life safety, mold, lead and ventilation issues for single-family housing. This program could be proactive inspection of single-family properties to identify these types of issues. In addition, this program can include an education component to provide information on how to prevent these issues from developing.

Policy 9. Accessible Design and Other Specialized Design

Policy: Encourage and support Universal Design, Lifelong Housing Certification, and other similar standards.

We recommend that the City adopt the following policy into the Comprehensive Plan:

Encourage and support Universal Design, Lifelong Housing Certification, and other similar standards.

The strategic actions to implement this program are described below.

Strategic Actions:

- a) Research, evaluate, and develop standards in the City's development code to increase development of housing accessible for people with disabilities and other populations that need housing with specialized design.
- b) Evaluate providing incentives in the development code to increase the number of housing units designed to meet Universal Design, Lifelong Housing Certification, and other similar standards.

Policy 10. Mixed Use Housing and Redevelopment

Policy: Encourage and support development of mixed-use, mixed-income and multifamily housing in commercial zones and urban renewal areas for households earning between 0-80% Median Family Income.

We recommend that the City adopt the following policy into the Comprehensive Plan:

Encourage and support development of mixed-use, mixed-income and multifamily housing in commercial zones and urban renewal areas for households earning 0-80% or less of Median Family Income.

This policy may include affordable housing, 0-60% or less of Median Family Income and/or workforce housing, 61%-80% or less of Median Family Income.

The strategic actions to implement this program are described below.

Strategic Actions:

- a) Identify and evaluate opportunities to rezone commercial or industrial land for mixed-use that includes employment and residential uses.
- b) Identify and evaluate underutilized commercial areas ripe for mixed-use or mixed-income redevelopment.
- c) Identify and evaluate opportunities to redevelop to create mixed-use districts and initiate an area planning process to guide development.
- d) Identify and evaluate opportunities for housing above ground floor retail and change the development code to allow more housing above ground floor retail in commercial areas. In addition, consider opportunities for conversion of some ground floor retail to allow housing on the ground floor.
- e) Identify, evaluate and promote financial incentives for developers of mixed-use housing. Evaluate the Vertical Housing Development Zone Program with zone proposed to be located in the urban renewal districts' commercial, residential or mixed use zones.

Policy 11. Regulatory and Zoning Changes

Policy: Increase housing development opportunities through regulatory and zoning changes to accommodate a diverse range of housing types and price points to meet the housing needs in Tualatin.

We recommend that the City adopt the following policy into the Comprehensive Plan:

Increase housing development opportunities through regulatory and zoning changes to accommodate a diverse range of housing types and price points to meet Tualatin's housing needs as identified in the most currently adopted Housing Needs Analysis.

The strategic actions to implement this program are described below.

Strategic Actions:

- a) Existing densities for multifamily are too low to allow for efficient development of the type of housing the zones are intended to allow for. Consider increasing maximum densities and revising other standards, including maximum lot coverage and minimum front setbacks, to allow for more efficient multifamily development in zones that allow it outright (High Density, High Density High-Rise, Medium Density High, and Medium Density Low).
- b) Evaluate opportunities to re-zone Residential Low Density and Residential Medium Low-Density residential land for higher-density housing in selected areas.
- c) Evaluate off-street parking requirements for multifamily housing to identify opportunities for reduction in parking requirements. Tualatin could consider allowing reduction of parking requirements near transit and for affordable housing with tenants who generally own fewer cars, like seniors. In addition, the City should consider

allowing public on-street parking in ROW within a certain radius to count towards off-street parking requirements.

- d) Tualatin should consider small scale units with affordable housing income limits, that is not part of HB 2001 by allowing land division where small lots or parcels are created below the standard lot/parcel size for dwelling units that are limited in size. Tualatin should consider this in the context of new cottage cluster regulations because this development type would be similar to cottage cluster development. This would involve calculating density differently for the dwelling units due to their limited size. For example:
 - a. Dwelling units 600 square feet or smaller: 0.25 of a dwelling unit.
 - b. Dwelling units 601 to 1,200 square feet: 0.50 of a dwelling unit.
- e) Expedite permitting to help reduce costs and financial vulnerabilities of development and construction of affordable housing.
- f) Provide additional information to developers of needed housing. The City informally provides information to small, local developers to help them understand land use permitting processes and to give developers a sense of clarity and certainty about the requirements so they can better provide smaller scale housing at an affordable level. The City could create a formal process to provide this information to include all housing developers, especially aimed at those that can produce housing affordable at 80% of MFI and below.
- g) Determine whether the City will need to add staff to implement the policies in the housing production strategy.

Policy 12. Transportation and Public Infrastructure

Policy: Plan for and develop transportation and public infrastructure to support affordable housing, workforce housing, mixed use housing and mixed income housing.

We recommend that the City adopt the following policy into the Comprehensive Plan:

Plan for and develop transportation and public infrastructure to support affordable housing, workforce housing and mixed-use housing.

The strategic actions to implement this program are described below.

Strategic Actions:

- a) Evaluate increasing density near transit stations with higher levels of density near high capacity/high frequency stations, and considering stepping back into residential areas with automatically up zone to land near transit stations and transportation corridor. Metro TOD Grants could be applied for as funding resource.
- b) Prioritize capital improvements programming for affordable housing, workforce housing and mixed use housing with a component that includes a specified percentage of units for each of these types of housing..



Basalt Creek Parkway Project Update

| 02/22/2021

Land Use & Transportation

co.washington.or.us



I-5/99W Connector Study (2003-2009)

Study recommendation:

Three east-west arterials vs. a single expressway

- North = Herman/Tualatin Road extension
- Central = Tualatin-Sherwood Road expansion
- South = Basalt Creek Parkway

Why? To provide access for planned industrial development south of Tualatin-Sherwood Road; disperse trips off Tualatin-Sherwood Road to other arterials

2035 Regional Transportation Plan called for:

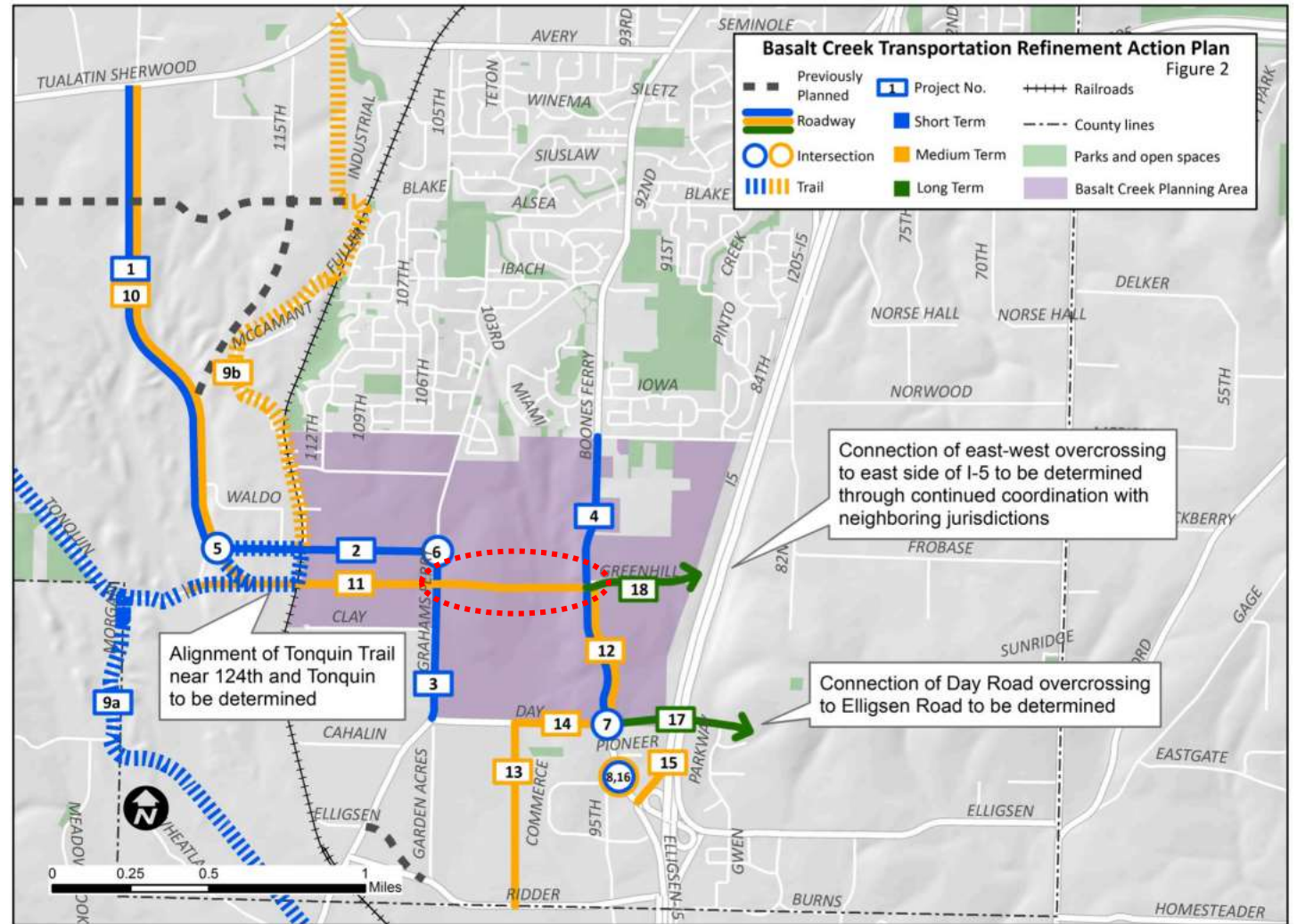
- Planning and constructing 124th Avenue Extension/Basalt Creek Parkway
- Support industrial access from Tonquin, SW Tualatin and Basalt Creek areas





Basalt Creek Transp. Refinement Plan (2011-2013)

- Determined major transportation system for Basalt Creek area
- Identified 19 projects including Basalt Creek Parkway extension



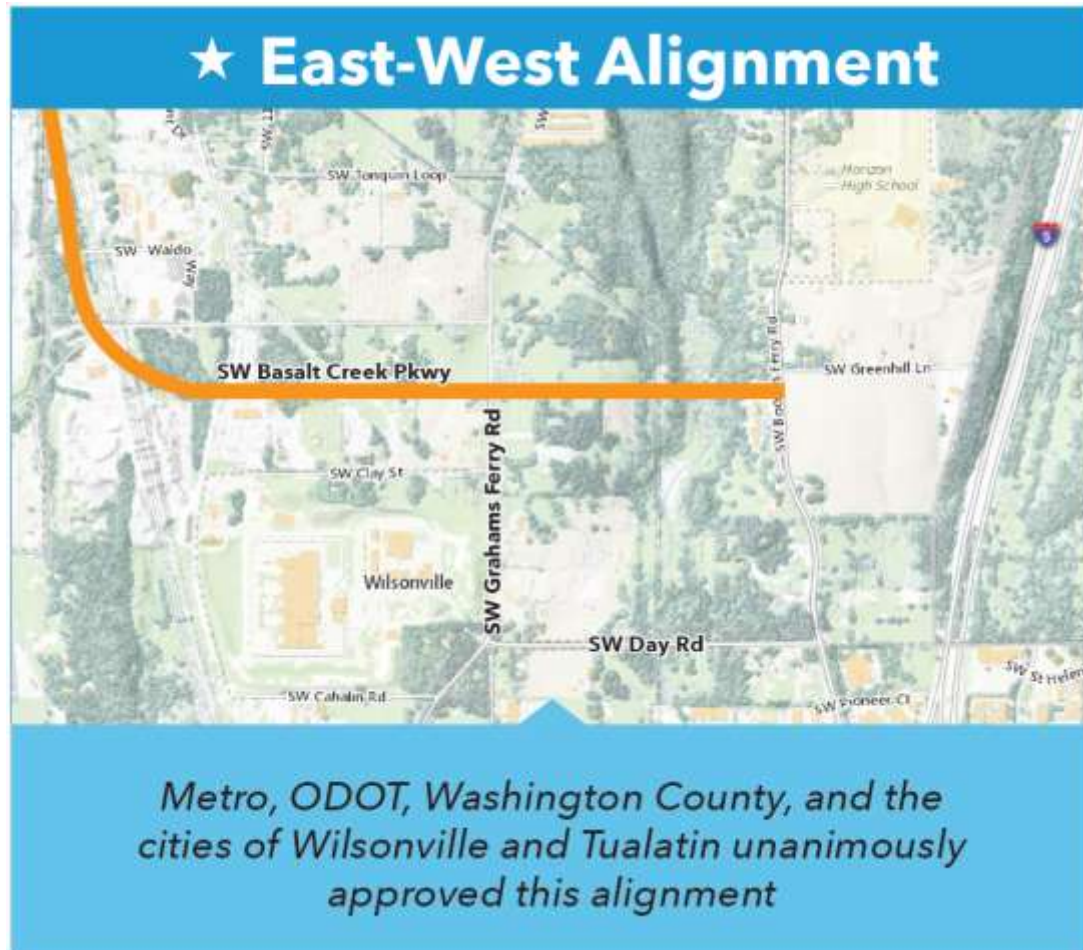


Basalt Creek Transp. Refinement Plan





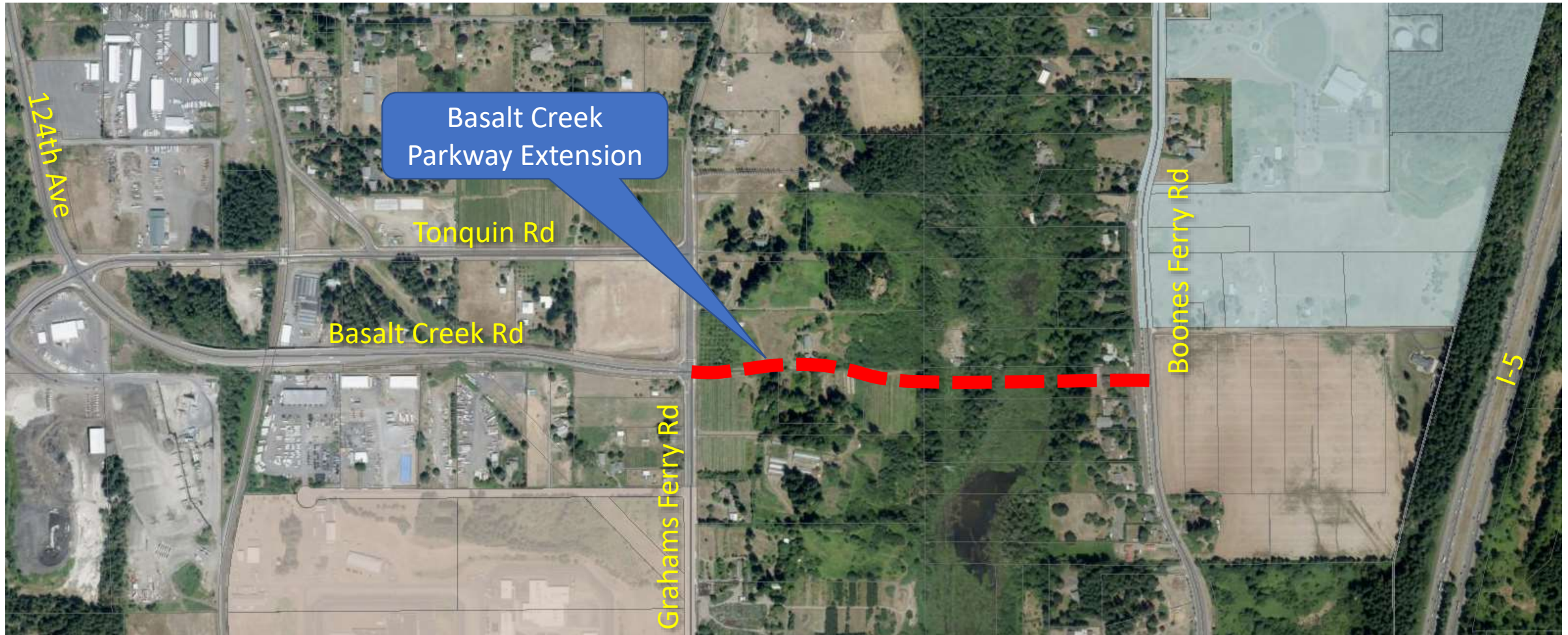
Basalt Creek Transp. Refinement Plan



Tualatin City Council adopted the Basalt Creek Transportation Refinement Plan at their December 10, 2012 Meeting



Overview of area





Refining the preferred alignment



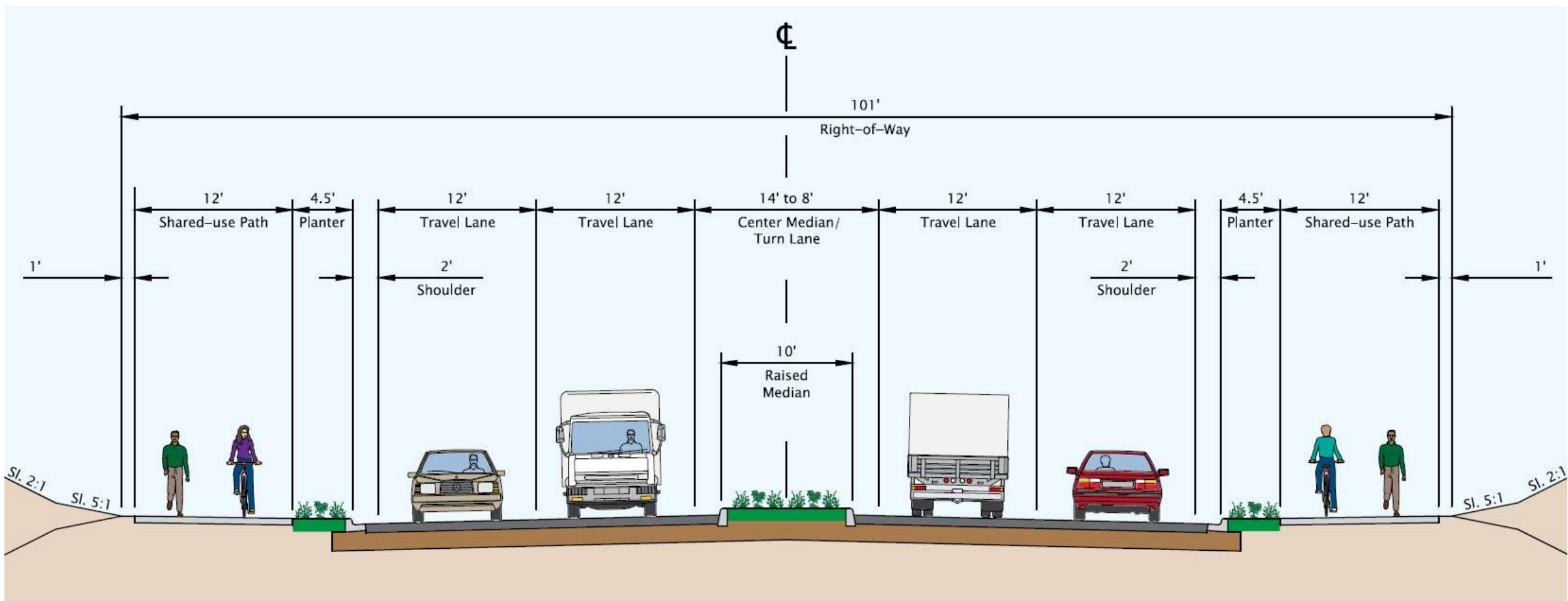


Basalt Creek Parkway extension rendering



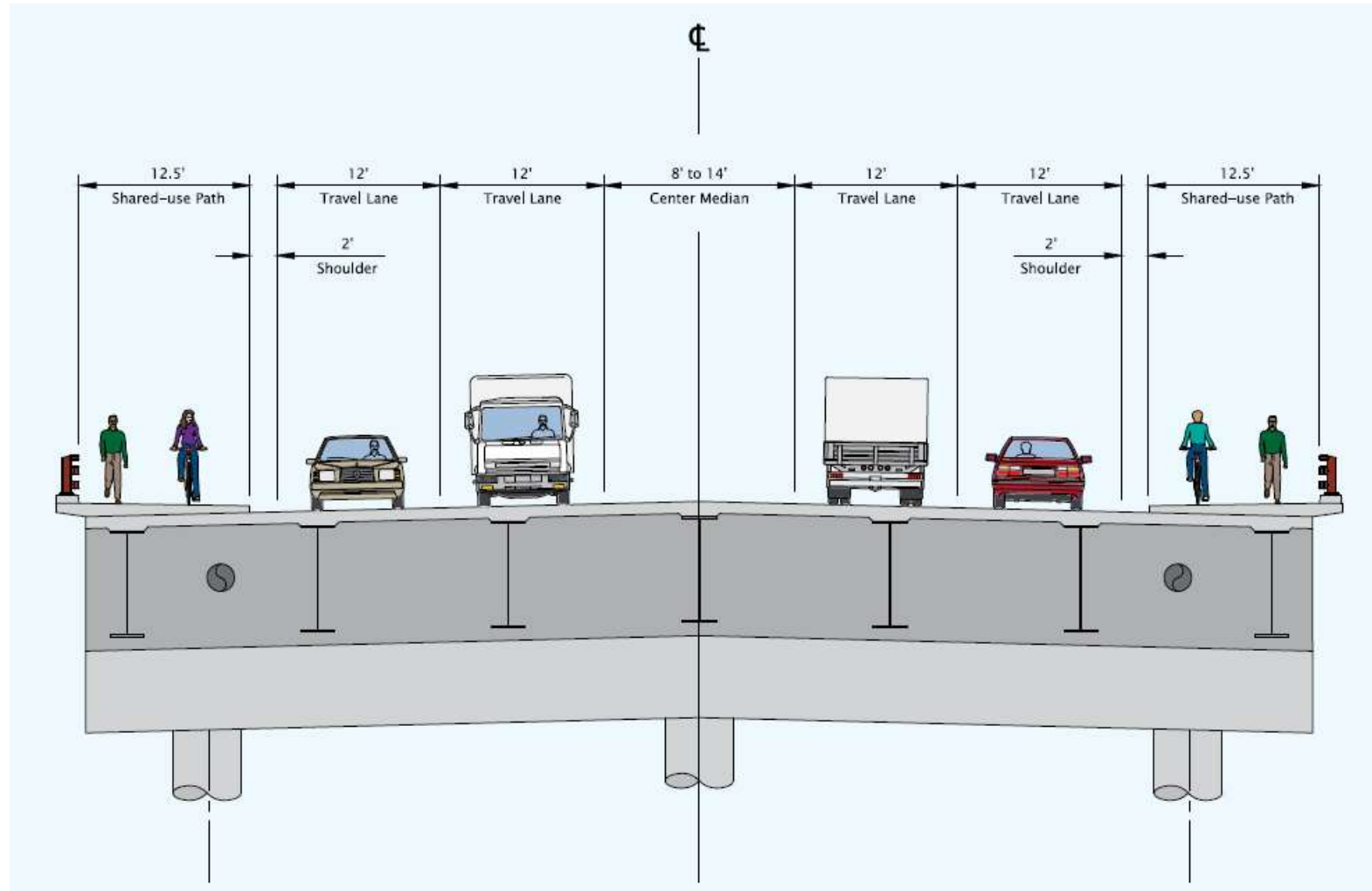


Typical roadway cross-section





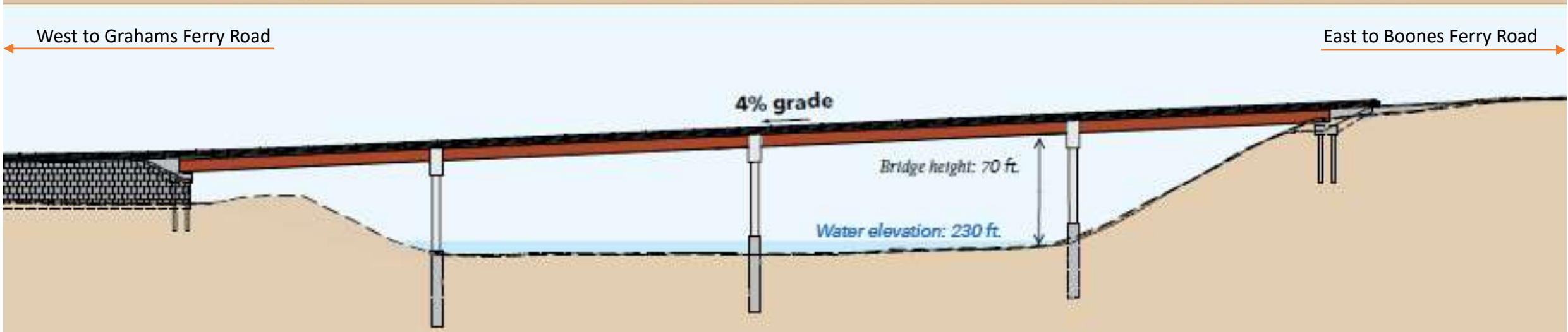
Typical bridge cross-section





Selected bridge alternative

4-Span Continuous Steel Plate Girders



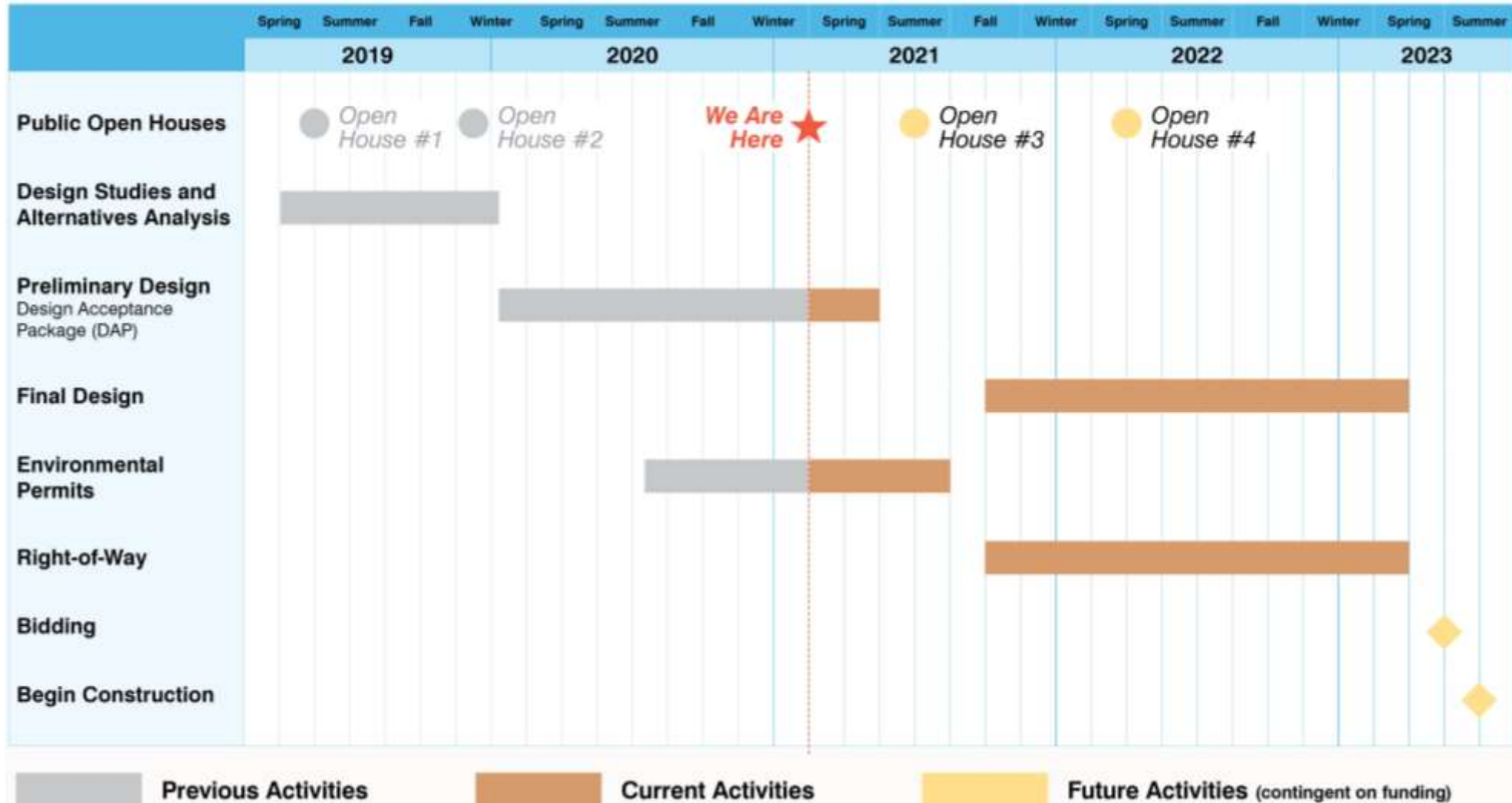
Description: Welded steel I-girders with a concrete deck riding surface and a three-tube steel railing

Justification:

- Equal or lowest construction cost
- Minimal long-term maintenance
- Meets seismic design criteria
- Smallest foundations result in least environmental impacts



Project schedule





Environmental reports and permits

Reports in process:

- Biological Resource Technical Report
- Endangered Species Act/Threatened and Endangered Species Studies
- Wetland delineation and functional assessment reports
- Department of Environmental Quality permit
- Department of State Lands permit
- United States Army Corps of Engineers permit
- Cultural and Historic Resources report
- Noise analysis

Note: This is not a complete list of all permits required



Technical reports

Reports in process:

- Hazardous materials
- Geotechnical
- Hydraulics
- Stormwater



Public outreach summary

Basalt Creek Transportation Refinement Plan (2011-2013)

- Four public meetings
- Six public open houses
- One neighborhood meeting
- Six community group meetings
- Six briefings to Tualatin and Wilsonville City Councils



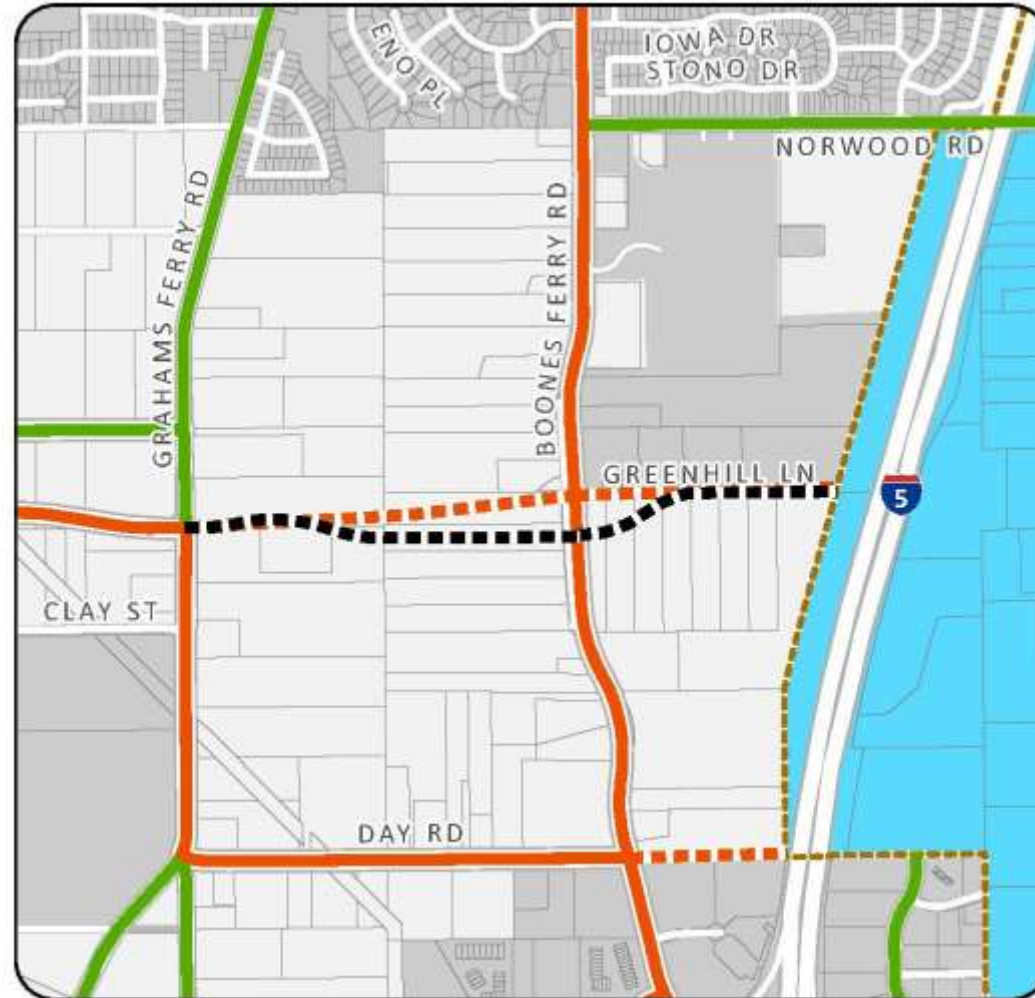
Public outreach summary

Basalt Creek Parkway Extension project:

- Project open houses
 - Alignment review (June 11, 2019)
 - 49 public attendees; 7 comment forms submitted
 - Preferred alignment (October 23, 2019)
 - 56 public attendees; 5 comment forms submitted
- City Council Meetings
 - Tualatin: 4/23/2015 and 4/22/2019
 - Wilsonville: 10/21/2019
- Boones Ferry Frontage Road property owner meeting 3/24/2017
- Project newsletter and website update, October 2020
- Upcoming open house summer 2021



Transportation System Plan update





Basalt Creek Parkway extension next steps

Final design amendment in process with ODOT

Application for construction funding spring 2021

Public open house summer 2021



Questions?

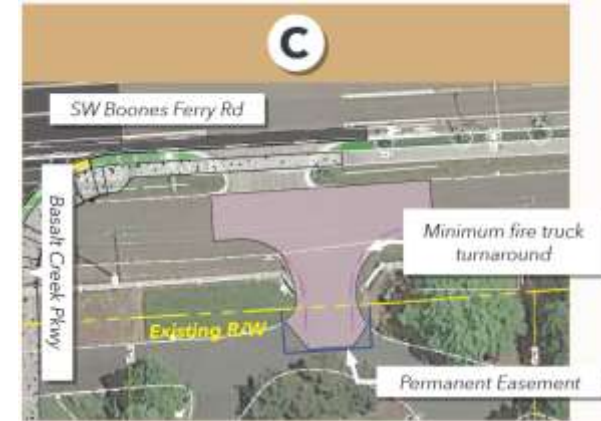
Renus Kelfkens, P.E.
Senior Project Manager

renus_kelfkens@co.washington.or.us

503-846-7808

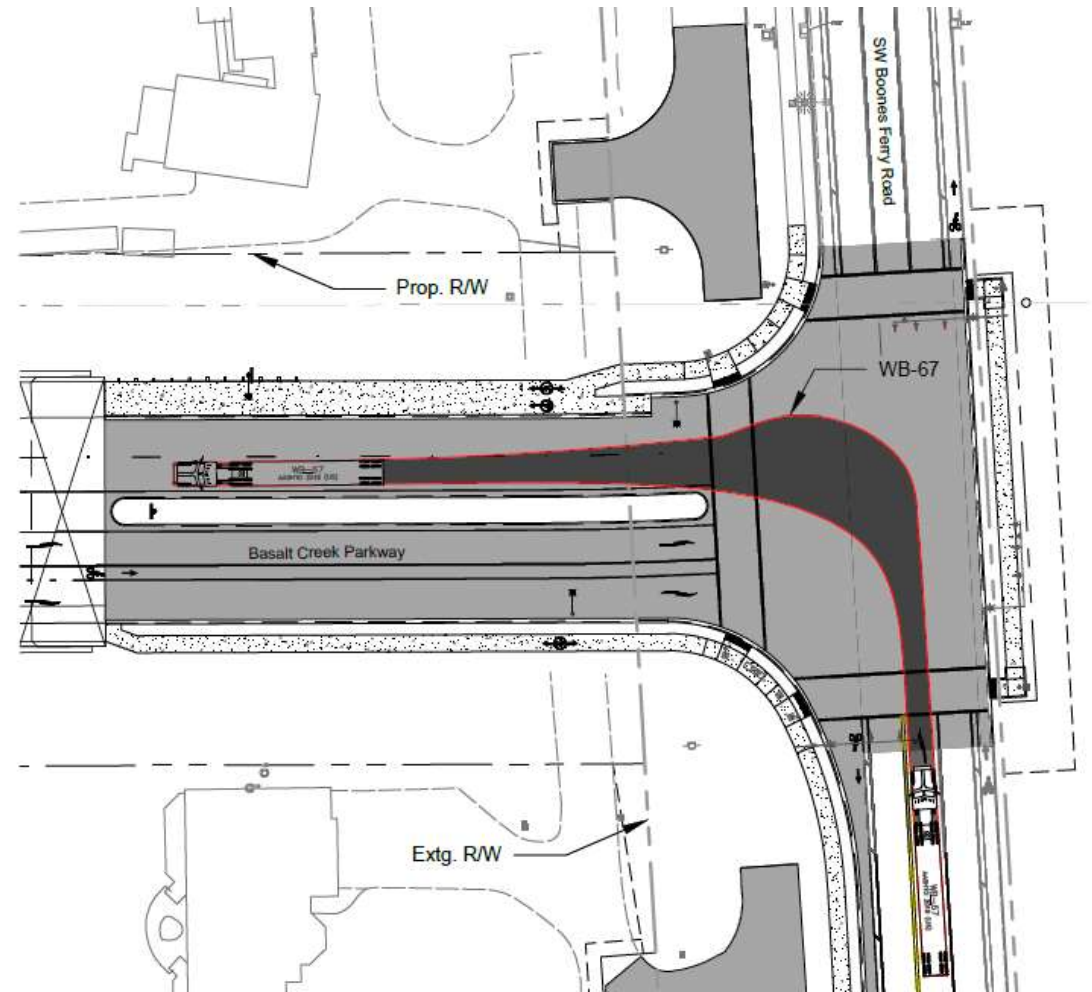
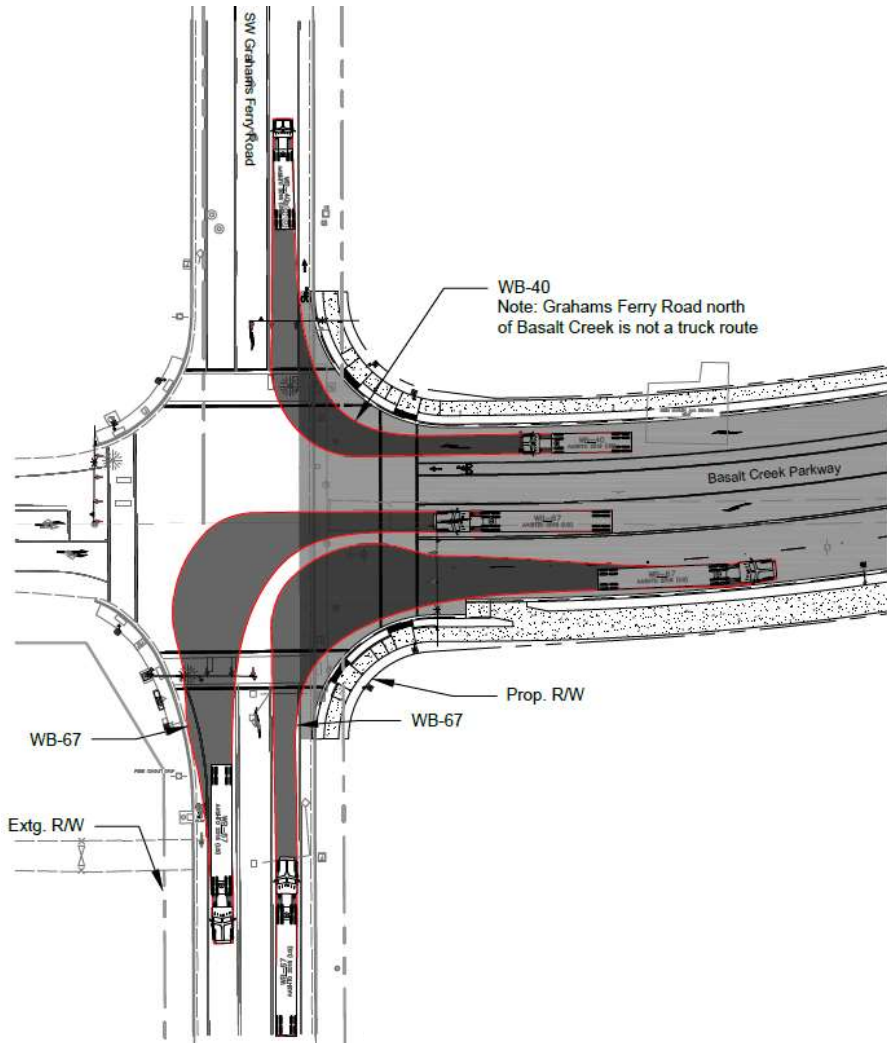


Boones Ferry Frontage Road





Truck turning movements



Proclamation

Declaring March 1, 2021 as COVID-19 Memorial Day

WHEREAS, COVID-19 (SARS-CoV-2) is an illness caused by a virus that can transmit from person to person and has spread across the world, creating a global pandemic that is having catastrophic effects on human life, our community, and our economy; and

WHEREAS, to mitigate the spread of COVID-19, observance of public health orders to social distance and stay at home have created challenges for small businesses, workers, and schools which are working to comply with limited resources; and

WHEREAS, local and state governments, health departments, and public servants have taken bold actions to protect residents, support struggling local economies, and find innovative ways to provide services; and

WHEREAS, in response to the rapid spread of COVID-19 and stay-at-home orders, essential workers have stepped up to provide critical services to help protect our communities and save lives, sacrificing their own health and safety; and

WHEREAS, more than 2.4 million people worldwide and 485,000 in the United States have lost their lives due to COVID-19, and, in Oregon alone, more than 2,137 lives have been lost to this deadly virus. Each life lost to COVID-19 mattered and leaves a hole in the hearts of loved ones, family members, and the surrounding community; and

WHEREAS, public health guidance and policies targeted at prevention, such as social distancing, wearing masks in public, and staying home help mitigate the spread of COVID-19, prevent illness, and lessen the burden on individuals and society.

NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, Oregon that:

March 1, 2021 is designated as COVID-19 Memorial Day in remembrance of those who have lost their lives and in honor of those who continue to suffer from the impact of this virus.

INTRODUCED AND ADOPTED this 22nd day of February, 2021.

CITY OF TUALATIN, OREGON

BY _____
Mayor

ATTEST:

BY _____
City Recorder

Equity Resolution

WHEREAS, certain communities have been historically marginalized affecting socio-economic wellbeing and access to resources and services, including communities of color, genders, abilities, sexual orientations, and ages; and

WHEREAS, racism impacts economic and health outcomes to an extent that racism is now considered a public health issue; and

WHEREAS, the global pandemic, known as COVID-19 has impacted the health, social, and economic fabric of the Tualatin community; and

WHEREAS, the disproportionate impact of COVID-19 has been on communities of color; and

WHEREAS, the City of Tualatin and the Tualatin Police Department condemn acts of violence as was witnessed in the killing of George Floyd; and

WHEREAS, the City of Tualatin supports ongoing efforts and values of empathy, transparency, authenticity, partnership, collaboration and consistency in local responses to racial tension and is committed to equity, fairness, and justice in protecting its most vulnerable residents.

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

The City of Tualatin is committed to responding to the COVID-19 crisis in a racially equitable way.

The City of Tualatin will work with our counties and continue to dedicate our efforts to identifying and addressing the ways that COVID-19 may exacerbate existing inequities in our community.

The City of Tualatin will continue its ongoing analysis and support in strengthening, acknowledging, and honoring the Tualatin Police Department's leadership through efforts such as Community Conversations, Community Policing, and de-escalation training and techniques in ensuring the health and safety of our residents.

The City of Tualatin supports ongoing efforts that promote inclusion, access, accountability and the other anti-racist policies in our city and is committed to setting a tone that rejects dehumanizing language in our society that can result in historically marginalized groups to be perceived as "other."

The City of Tualatin supports increasing access to social and health services for marginalized communities with measures such as translation services.

This resolution confirms the City of Tualatin's commitment to local actions that promote equity and the City Council encourages all who read this to support these values of equity.

INTRODUCED AND ADOPTED this 22nd day of February, 2021.

CITY OF TUALATIN, OREGON

BY _____
Mayor

ATTEST:

BY _____
City Recorder

Join us for a Housing Webinar!

February 25th 5-6 pm

Are you interested in learning how development code standards can influence housing opportunities?

The webinar will cover current barriers to building “middle housing” like duplexes and triplexes, potential code changes that can influence how housing is built, and future opportunities to comment on these proposed code changes.

There will be time for a question and answer session following a presentation. A recording will also be posted to our website for those unable to attend.

Learn more at:

www.tualatinoregon.gov/planning/middle-housing

Join by Zoom: <https://us02web.zoom.us/j/86881936792?pwd=d1luRWNIWFQzQUhGZU5BTIFHOUwyUT09>

Meeting ID: 868 8193 6792

Passcode: HOME

Join by phone: 253.215.8782

Direct questions to: planning@tualatin.gov or 503.691.3026





City of Tualatin

CITY OF TUALATIN
Staff Report

TO: Honorable Mayor and Members of the City Council
THROUGH: Sherilyn Lombos, City Manager
FROM: Nicole Morris, Deputy City Recorder
DATE: February 22, 2021

SUBJECT:

Consideration of Approval of the City Council Work Session and Regular Meeting Minutes of February 8, 2021

RECOMMENDATION:

Staff respectfully recommends the Council adopt the attached minutes.

ATTACHMENTS:

- City Council Work Session Meeting Minutes of February 8, 2021
- City Council Regular Meeting Minutes of February 8, 2021



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL WORK SESSION MEETING FOR FEBRUARY 08, 2021

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

Work Session

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

1. Land Use 101.

Assistant Planning Manager Steve Koper, Planning Assistant Erin Engman, and City Attorney Sean Brady presented an informational briefing on the land use process. Manager Koper presented on topics covering zoning, the Oregon Land Use Act, the Urban Growth Management Function Plan from Metro, the Comprehensive Plan, and the Development Code.

Mayor Bubenik asked how you design a comprehensive plan that allows the development code to remain flexible. Manager Koper stated subarea design or a corridor plan are options to include in the comprehensive plan to help guide areas and keep flexibility.

Planner Engman presented on when land use is required and the process for each type.

Councilor Pratt asked how a private homeowner would know if they needed a permit. Planner Engman stated the process for residential properties is smaller in scope and would most likely fall under general building permits for minor projects.

City Attorney Brady presented information on types of land use hearings including legislative and quasi-judicial, appeals, ex parte contacts, bias, and conflicts of interest.

Council Hillier asked for an example of when the council would not meet a decision within the 120 days. Attorney Brady stated it typically happens when you have to meet with both the Planning Commission and the Council and the timing of the meeting schedules.

Councilor Brooks asked if having index funds is a conflict of interest. Attorney Brady stated his advice on the topic isn't binding but he would think it is not.

Council President Grimes asked about campaign contributions as potential conflicts. Attorney Brady stated there is an exemption for those in state law making them not a conflict.

2. Labor Relations 101.

Human Resource Director Stacy Ruthrauff presented an information briefing on labor relations. Topics covered included collective bargaining, bargaining in good faith, the bargaining process, and the Council's role in bargaining.

Council Reyes asked why a union may reach out to a Councilor. Director Ruthrauff stated to discuss bargaining issues directly.

Council President Grimes asked for clarification about what items should remain in executive session and what can be discussed at a regular meeting. Director Ruthrauff stated all financial implications should be discussed in executive session.

3. Council Meeting Agenda Review, Communications & Roundtable.

Councilor Hillier stated she attended the TTSD State of the District meeting.

Councilor Sacco stated she attended the Regional Water Consortium meeting.

Councilor Pratt stated she attended the C4 meeting. She mentioned the letter that was submitted from Beth Dittman and TPARK regarding acknowledging native lands and people who live here. She asked to have it placed on a Council agenda. Council consensus was reached to discuss at a future work session.

Councilor Brooks spoke to the National League of Cities Real Equity Resolution and requested Council consider adoption at the next Council meeting. Council consensus was reached to modify the resolution and place it on the next meeting agenda.

Councilor Brooks stated she attended the Regional Water Consortium meeting, the Policy Advisory Board meeting, and the Tualatin River Keepers annual meeting.

Council President Grimes shared information regarding scheduling of COVID vaccinations for those who are eligible.

Mayor Bubenik shared information on vaccine distribution from the Governor's Office. He stated he attended the Westside Economic Alliance meeting, the Greater Portland Inc. meeting, the League of Oregon Cities Capital Day virtual event, and the Tualatin Chamber of Commerce Board planning session.

Adjournment

Mayor Bubenik adjourned the meeting at 6:50 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Frank Bubenik, Mayor



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR FEBRUARY 08, 2021

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

Call to Order

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

Moment of silence for those who have lost their lives to COVID-19

Announcements

1. Employee of the Year

City Manager Lombos announced Information & Maintenance Services Director Bates Russell as Tualatin's 2020 Employee of the Year. The Council congratulated him.

Councilor Pratt read the proclamation declaring Bates Russell as Tualatin's 2020 Employee of the Year.

Public Comment

None.

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 Reyes, Councilor Pratt, Councilor Hillier, Councilor Sacco

MOTION PASSED

1. Consideration of Approval of the City Council Work Session and Regular Meeting Minutes of January 25, 2021
2. Consideration of **Resolution No. 5340-21** Authorizing the City Manager to Sign Amendments to Intergovernmental Agreements for Library Services between the City of Tualatin and Washington County

Public Hearings

1. Consideration of **Ordinance No. 1453-21** Related to Plan Text Amendment 21-0001, Adopting an Updated Stormwater Master Plan (2019) for the City of Tualatin and Updating Comprehensive Plan policies and Relevant Development Code References to Reflect the Updated Plan

Mayor Bubenik opened the hearing.

Community Development Director Kim McMillian and Associate Planner Tabitha Boschetti presented Stormwater Master Plan updates. A video on the cities Stormwater Master Plan was shared. Director McMillian stated the last update to the plan was made in 1972. She stated the plan addresses aging infrastructure, capacity issues, erosion of streambanks, water quality facilities, and growth. It was noted the plan does not recommend specific regulations just references the appropriate regulations and standards. Director McMillian stated the plan recommends 21 projects totaling roughly \$12 million over 10 years. She stated the plan doesn't look at future development areas as plans are tailored to specific development projects that pay for the necessary improvements.

Councilor Brooks asked how the new regulations are stricter, how Washington County is taking measurements from the air around water and streams applies to the city, and how impervious surfaces are measured and how they can be implemented in uses such as rain gardens. Director McMillian explained the hydro modification standards are more stringent in detention standards. She stated the County and Clean Water Services are using drones for topography mapping, she noted she is unsure what specific project they may be doing that for. Director McMillian stated the city currently uses rain gardens in low impact developments such as single family lots and larger ponds as they function better in subdivisions. Director McMillian explained the model for measuring impervious surfaces is complex and was developed by Clean Water Services and is ran by staff on a case by case basis.

Councilor Pratt asked for more information regarding the Basalt Creek area and how stormwater will be managed. She specifically asked if the area is looked at as a whole or on a lot by lot basis. Director McMillian stated each subdivision will address its own stormwater issues. She noted one of the developments in the Basalt Creek area is currently looking at the more stringent guidelines and planning accordingly. Councilor Pratt asked when the area will be added to the Master plan. Director McMillian stated incorporation will be driven by the developments timing.

Councilor Sacco asked if this is a living document that changes with standards. Director McMillian stated this type of plan is typically updated every ten years but can be looked at any time.

Assistant Planner Tabitha Boschetti spoke to the public outreach around the plan. She presented information on the Plan Text Amendment (PTA) noting it will update Comprehensive Plan chapter 9, the capital project map in the Comprehensive Plan, and references and clarifying language in the Comprehensive Plan and the Development Code. Planner Boschetti stated the Tualatin Planning Commission has forwarded a recommendation to approve the PTA.

Councilor Brooks asked if the plan includes information about how trees provide filtration and cooling for streams. Director McMillian stated stream health is addressed in the plan and speaks to tree growth. Councilor Brooks would like to see tree preservation included in the plan for all of its positive benefits for stormwater. City Manager Lombos stated tree preservation is addressed in the Urban Forestry Plan and in the Clean Water Services Tree For All plan. Councilor Brooks asked about the coordination of the plans so that tree preservation is maintained. Director McMillian stated Clean Water Services has to approve these types of items when a new development plan is submitted and they look at all of these types of issues at that time.

PUBLIC COMMENT

Grace and John Lucini presented concerns with the lack of a stormwater master plan for the Basalt Creek area. They submitted a letter that is included in the packet with five specific questions and requested a formal response.

Councilor Pratt asked if the Lucini's five specific questions will be addressed. Manager Koper stated the Council could direct staff to respond.

Councilor Brooks asked why Basalt Creek is not part of the plan when they are part of the city. City Manager Lombos stated the plan is from 2019 and the area was annexed in 2020 after the work was complete. Councilor Brooks expressed concerns with not including the Basalt Creek area as the master plans are only updated every 10 years. Director McMillian stated all the regulations are in place which wouldn't preclude new development from following them.

Mayor Bubenik closed the hearing.

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

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

MOTION PASSED

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

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

Motion to adopt Ordinance 1453-21 related to Plan Text Amendment 21-0001, adopting an updated Stormwater Master Plan (2019) for the City of Tualatin and updating Comprehensive Plan policies and relevant Development Code references to reflect the updated plan made by Council President Grimes, Seconded by Councilor Pratt.

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

DISCUSSION

Councilor Brooks asked if language around Basalt Creek can be included in the motion. Councilor Sacco stated an appendix can be added at a later date.

MOTION PASSED

Motion to direct staff to answer the Lucini's questions that were submitted and bring back a proposed addendum approach for the Basalt Creek area made by Councilor Brooks, Seconded by Councilor Sacco.

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

MOTION PASSED

General Business

1. Consideration of **Resolution No. 5341-21** Declaring Certain Private Property Necessary to Acquire in Order to Construct the Martinazzi Avenue And Sagert Street Intersection Improvement Project

Public Works Director Jeff Fuchs presented a resolution to declare certain private property necessary to acquire in order to complete construction on the Martinazzi Ave and Sagert Street intersection. He stated the project improves the worst intersection in Tualatin. Director Fuchs stated construction is slated for this summer. He stated right-of-way will need to be acquired to allow for road widening, bike lanes, sidewalks, and a traffic signal pole. The temporary construction easement will be needed during construction to allow work to occur and minor grading to be done to match existing ground. Director Fuchs spoke to the city process to date including identifying property needs, preparation of an appraisal for the property, negotiating with property owners, and delivery of the final proposal agreement in an attempt to purchase before condemnation. City Attorney Brady spoke to the resolution being of necessity which authorizes the city to continue to negotiate and seek agreement with the property owner. He stated if an agreement cannot be reached it authorizes the city to proceed in acquiring the property through condemnation.

Councilor Pratt asked about the timing of the process. Attorney Brady stated the city would issue the 40 day offer letter and then enter into the condemnation process if an agreement cannot be reached.

Councilor Pratt asked if the homerun rule applies. Attorney Brady stated the homerun rule is the legal basis for this action.

Council President Grimes asked for clarification about the temporary construction easement and the condition in which it is returned. Director Fuchs stated the site would be returned to its similar state when returned.

Motion to adopt Resolution No. 5341-21 declaring certain private property necessary to acquire in order to construct the Martinazzi Avenue and Sagert Street Intersection Improvement Project made by Councilor Sacco, Seconded by Council President Grimes.

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

Adjournment

Mayor Bubenik adjourned the meeting at 8:52 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Frank Bubenik, Mayor



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council
THROUGH: Sherilyn Lombos, City Manager
FROM: Nicole Morris, Deputy City Recorder
DATE: February 22, 2021

SUBJECT:

Consideration of Approval of Liquor License Renewals for 2021

RECOMMENDATION:

Staff respectfully recommends the Council approve endorsement of the liquor license renewals for 2021 as listed in Attachment A.

EXECUTIVE SUMMARY:

Annually, the Oregon Liquor Control Commission (OLCC) requires that all liquor licenses are renewed. According to the provisions of City Ordinance No. 680-85, establishing procedures for liquor license applicants, applicants are required to fill out a City application form, from which a review by the Police Department is conducted according to standards and criteria established in the Ordinance. The liquor license renewal applications are in accordance with all ordinances and the Police Department has conducted reviews of the applications.

According to the provisions of Section 5 of Ordinance No. 680-85 a member of Council or the Public may request a public hearing on any of the liquor license renewal requests. If such a public hearing request is made, a hearing will be scheduled and held on the license. It is important that any request for such a hearing include reasons for said hearing.

FINANCIAL IMPLICATIONS:

A renewal fee of \$35 has been paid by each applicant.

ATTACHMENTS:

-Attachment A- Liquor License Renewals 2021

2021 Liquor License Renewals- February 22, 2021

ANTHONY VINCE NAIL SPA
BASICS MARKET-TUALATIN
BUSHWHACKERS
C. I. BAR & GRILL
CAFÉ YUMM #100013
CHIPOTLE MEXICAN GRILL #1015
CHOZA PDX
CLAIM JUMPER RESTAURANT
EL JUAN COLORADO
HAYDEN'S LAKEFRONT GRILL
INDUSTRY
ISLAND GRILL
JACKSONS #533- SHELL GAS STATION
LEE'S KITCHEN
MOD PIZZA
PASTINI PASTARIA
PLAID PANTRY #160
ROYAL PANDA
RUE CLER
SAFEWAY #1047
STAFFORD HILLS CLUB
SUSHI HANA
SUSHI TRAIN
THE GRAND HOTEL AT BRIDGEPORT
TUALATIN CHEVERON
TUALATIN COUNTRY CLUB
TUALATIN GAS AND FOOD
TUALATIN INDOOR SOCCER
TUALATIN LIQUOR
TUALATIN STATION BAR & GRILL



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Casey Ferguson, Project Engineer
Kim McMillan, Community Development Director
Sean Brady, City Attorney

DATE: February 22, 2021

SUBJECT:

Consideration of **Resolution No. 5342-21** Authorizing the City Manager to execute an Intergovernmental Agreement with Clean Water Services for Construction of the Martinazzi Sanitary Sewer Trunk Line Upsizing Project

RECOMMENDATION:

Staff recommends Council authorize the City Manager to sign the Intergovernmental Agreement

EXECUTIVE SUMMARY:

- The city intends to upsize eight segments of sanitary sewer on the SW Martinazzi trunk line corridor.
- The project is endorsed by the Capital Improvement Program Prioritization Committee. This committee is made up of representatives from CWS and the partner agencies.
- An Intergovernmental Agreement will allow this project partnership.

OUTCOMES OF DECISION:

Authorizing the City Manager to sign the IGA will allow the work to proceed with the City assuming the role of managing partner and Clean Water Services assuming the role of financial partner.

ALTERNATIVES TO RECOMMENDATION:

Council could decide not to authorize signature of this agreement. This would result in the City not receiving any funding from Clean Water Services.

FINANCIAL IMPLICATIONS:

The City's share of the cost of the proposed project cost is zero dollars. Clean Water Services has agreed, through this IGA, to incur all costs associated with this sewer.

ATTACHMENTS:

- Resolution 5342-21 Authorizing City Manager to execute IGA with Clean Water Services
- Intergovernmental Agreement with Clean Water Services

RESOLUTION NO. 5342-21

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH CLEAN WATER SERVICES FOR CONSTRUCTION OF THE MARTINAZZI SANITARY SEWER TRUNK LINE UPSIZING PROJECT

WHEREAS, Clean Water Services is a county service district formed under Oregon Revised Statutes Chapter 451;

WHEREAS, the City of Tualatin is an Oregon municipal corporation;

WHEREAS, ORS 190 authorizes Tualatin and Clean Water Services to enter into an intergovernmental agreement (IGA) and to delegate to each other authority to perform their respective functions as necessary;

WHEREAS, the Martinazzi sanitary sewer trunk line requires upsizing and the project is endorsed by the Capital Improvement Program Prioritization Committee, which is made up of representatives from Clean Water Services and the partner agencies;

WHEREAS, the City intends to construct the project and Clean Water Services intends to finance the project; and

WHEREAS, the IGA is in the public interest as the IGA provides the most efficient way to construct the project.

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

Section 1. The City Manager is authorized to execute an Intergovernmental Agreement with Clean Water Services for the Martinazzi Sanitary Sewer Trunk Line Upsizing Project, which is attached as Exhibit 1, and incorporated by reference.

Section 2. The City Manager is authorized to make administrative modifications to the Intergovernmental Agreement to fully implement its intent.

Section 3. This resolution is effective upon adoption.

Adopted by the City Council this ____ day of _____, 2020.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder

Exhibit 1

Resolution No. 5342-21

INTERGOVERNMENTAL AGREEMENT BETWEEN CITY OF TUALATIN AND CLEAN WATER SERVICES FOR CONSTRUCTION OF MARTINAZZI SANITARY SEWER UPSIZING PHASE 1

This Agreement, dated _____, _____, is between Clean Water Services (District) a county service district organized under ORS Chapter 451 and the City of Tualatin (City) an Oregon Municipality.

A. RECITALS

ORS 190.003 - 190.110 encourages intergovernmental cooperation and authorizes local governments to delegate to each other authority to perform their respective functions as necessary.

City intends to undertake the Martinazzi Sanitary Sewer Upsizing Phase 1 (Project) to provide sufficient hydraulic capacity in the sewer system. This Project has been endorsed by the Capital Improvement Program Prioritization Committee.

NOW, THEREFORE, the parties agree as follows:

B. PROJECT DESCRIPTION

The Project consists of replacing approximately 1,257 linear feet of 12-inch diameter sanitary sewer line with 15-inch diameter sewer line at two locations on the Martinazzi Sanitary Sewer Trunk. The first location replaces approximately 453 linear feet of sanitary sewer located at the intersection of Martinazzi Avenue and Blake Street and crossing through residential lots to Makah Court, commencing at Clean Water Services Manhole 22122 and ending at Manhole 22125. The second location replaces approximately 804 linear feet of sanitary sewer located at the intersection of Martinazzi Avenue and Chelen Street and north to Seminole Trail commencing at Clean Water Services Manhole 22108 and ending at Manhole 22111. See attached Exhibit A for the Project location.

The capital assets resulting from the completion of this Project shall be recognized in the financial statements of the City at 100 percent of the final cost. City will have responsibility, care and control of the newly constructed assets and will be responsible for ongoing maintenance, in accordance with the 2005 operating agreement and all subsequent amendments between District and City.

C. DEFINITIONS

1. Capital Improvement Program Prioritization Committee – This Committee has been established by District and the Member Cities of Beaverton, Cornelius, Forest Grove, Hillsboro, Tigard, Tualatin, and Sherwood.

2. Financial Partner –City or District will assume this role, primarily for the purpose of funding a portion of the Project.
3. Managing Partner –City or District will assume this role, primarily for the purpose of administering the Project.

D. DISTRICT OBLIGATIONS

District is the Financial Partner and shall perform all Tasks identified on Exhibit B for the Financial Partner, the List of Standard Obligations, attached hereto unless the Task is checked “Not Applicable”. District shall assign Linda Hulme as District’s Project Manager.

E. CITY OBLIGATIONS

City is the Managing Partner and shall perform all services identified on Exhibit B for the Managing Partner unless the Task is checked “Not Applicable”. City shall assign Mike McCarthy as City’s Project Manager.

F. GENERAL TERMS

1. Laws and Regulations. City and District agree to abide by all applicable laws and regulations.
2. Term of this Agreement. This Agreement is effective from the date the last party signs it and shall remain in effect until the Project is complete and the parties’ obligations have been fully performed or this Agreement is terminated as provided herein.
3. Amendment of Agreement. City and District may amend this Agreement from time to time, by mutual written agreement.
 - A. Proposed changes of scope during the Project implementation must be reviewed and endorsed by the Capital Improvement Program Prioritization Committee. Changes necessitated by conditions discovered during design or construction, but consistent with the original scope of the Project, may be approved by the Managing Partner without further approval.
 - B. The construction contract amount of the Project may be increased by up to 20% without re-negotiating the Agreement, provided the increase shall not exceed the not to exceed amount contained in Exhibit B.
4. Termination. This Agreement may be terminated immediately by mutual written agreement of the parties, or by either of the parties notifying the other in writing prior to award of a construction contract, with the termination being effective in 30 days.
5. Integration. This document constitutes the entire agreement between the parties on the subject matter hereof and supersedes all prior or contemporaneous written or oral

understandings, representations or communications of every kind on the subject. No course of dealing between the parties and no usage of trade shall be relevant to supplement any term used in this Agreement. Acceptance or acquiescence in a course of performance rendered under this Agreement shall not be relevant to determine the meaning of this Agreement and no waiver by a party of any right under this Agreement shall prejudice the waiving party's exercise of the right in the future.

6. Indemnification. Within the limits of the Oregon Tort Claims Act, codified at ORS 30.260 through 30.300, each of the parties shall indemnify and defend the other and their officers, employees, agents, and representatives from and against all claims, demands, penalties, and causes of action of any kind or character relating to or arising from this Agreement (including the cost of defense thereof, including attorney fees) in favor of any person on account of personal injury, death, damage to property, or violation of law, which arises out of, or results from, the negligent or other legally culpable acts or omissions of the indemnitor, its employees, agents, contractors or representatives.
7. Attorney Fees. If any dispute arises concerning the interpretation or enforcement of this Agreement or any issues related to the U.S. Bankruptcy Code (whether or not such issues relate to the terms of this Agreement), the prevailing party in any such dispute shall be entitled to recover all of its attorney fees, paralegal fees, costs, disbursements and other expenses from the non prevailing party, including without limitation those arising before and at any trial, arbitration, bankruptcy, or other proceeding and in any appeal.
8. Resolution of Disputes. If any dispute out of this Agreement cannot be resolved by the project managers from each party, the City Manager and District's Chief Executive Officer will attempt to resolve the issue. If the City Manager and District's Chief Executive Officer are not able to resolve the dispute, the parties will submit the matter to mediation, each party paying its own costs and sharing equally in common costs. In the event the dispute is not resolved in mediation, the parties will submit the matter to arbitration. The decision of the arbitrator shall be final, binding and conclusive upon the parties and subject to appeal only as otherwise provided in Oregon law.
9. Interpretation of Agreement.
 - A. This Agreement shall not be construed for or against any party by reason of the authorship or alleged authorship of any provision.
 - B. The paragraph headings contained in this Agreement are for ease of reference only and shall not be used in construing or interpreting this Agreement.
10. Severability/Survival. If any of the provisions contained in this Agreement are held illegal, invalid or unenforceable, the enforceability of the remaining provisions shall not be impaired. All provisions concerning the limitation of liability, indemnity and conflicts of interest shall survive the termination of this Agreement for any cause.
11. Approval Required. This Agreement and all amendments, modifications or waivers of any portion thereof shall not be effective until approved by 1) District's Chief Executive Officer or the Chief Executive Officer's designee and when required by applicable

District rules, District's Board of Directors and 2) City. Proposed changes of scope must also be approved by the Capital Improvement Program Prioritization Committee.

- 12. Choice of Law/Venue. This Agreement and all rights, obligations and disputes arising out of the Agreement shall be governed by Oregon law. All disputes and litigation arising out of this Agreement shall be decided by the state courts in Oregon. Venue for all disputes and litigation shall be in Washington County, Oregon.
- 13. Electronic Signature. This Agreement may be executed in several counterparts, each of which will be an original, all of which will constitute one and the same instrument. An electronic signature will be considered an original. The individuals signing this Agreement certify that they are authorized to execute this Agreement on behalf of the City and District respectively.

CLEAN WATER SERVICES

CITY OF TUALATIN, OREGON

By: _____
Chief Executive Officer or Designee

By: _____
City Manager or Designee

Date: _____

Date: _____

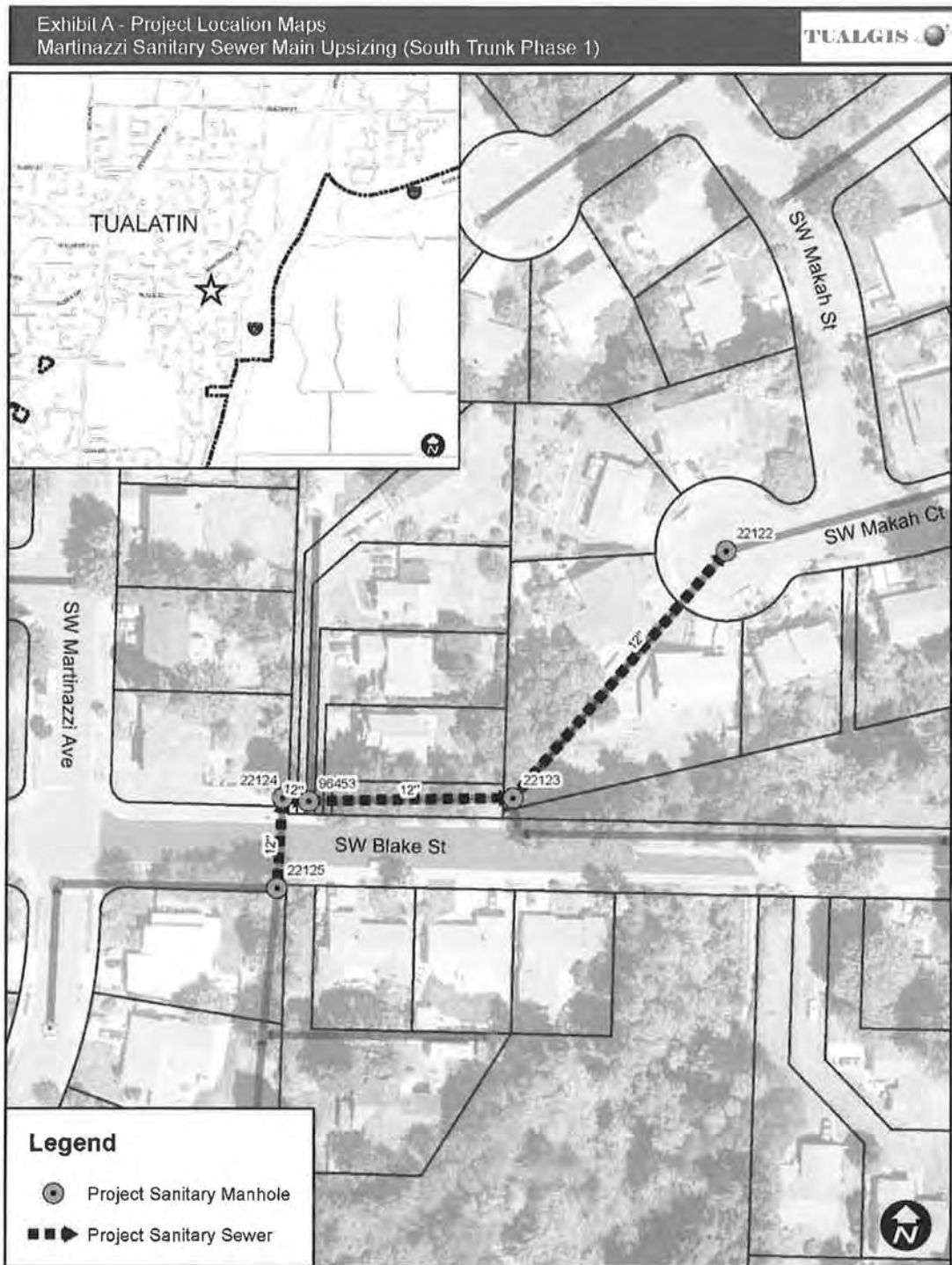
APPROVED AS TO FORM

APPROVED AS TO FORM

District Counsel

City Counsel

Exhibit A Project Location Map



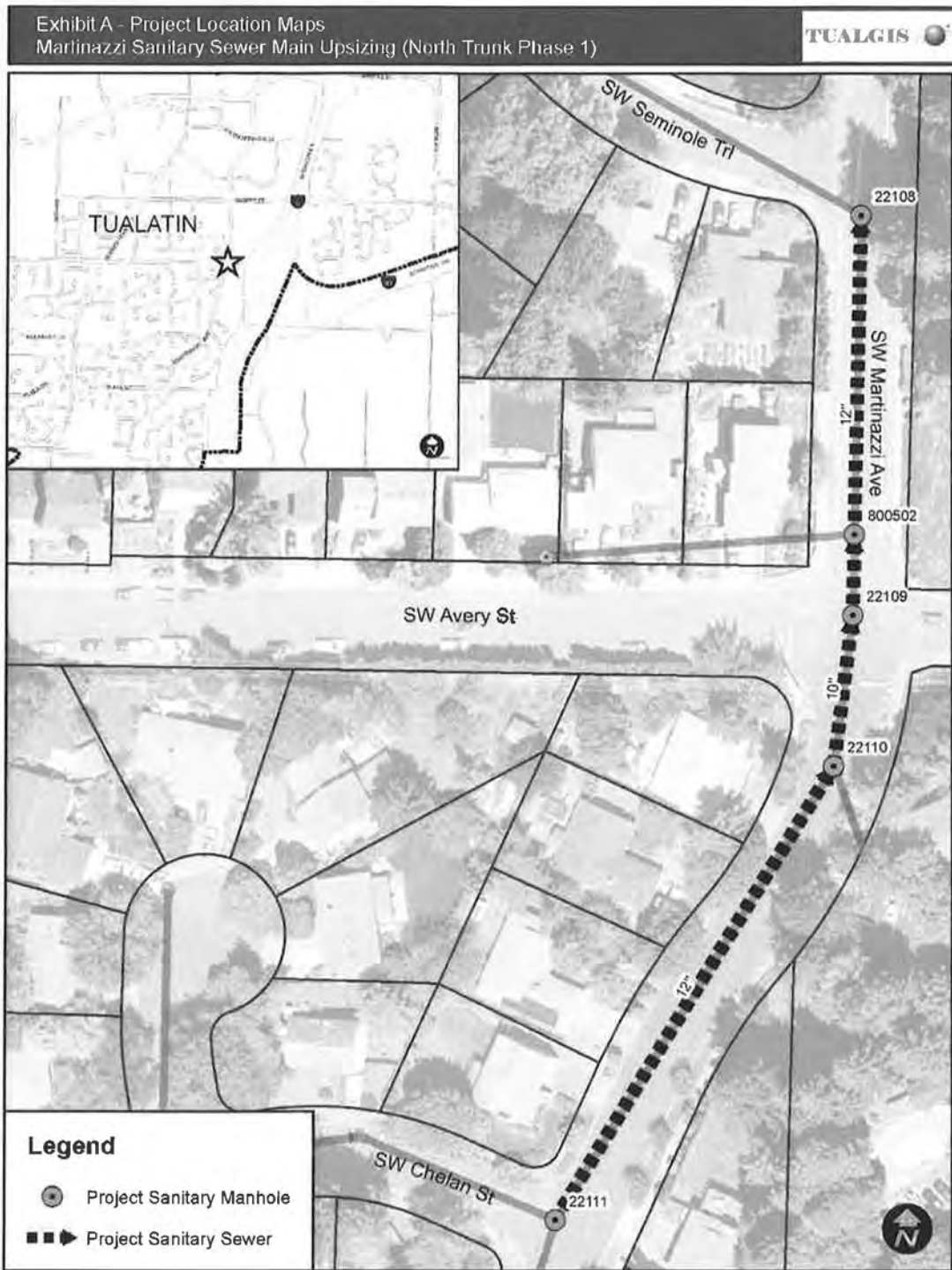


EXHIBIT B**LIST OF STANDARD OBLIGATIONS**

Task	Not Applicable
<u>Managing Partner shall:</u>	
Provide Financial Partner at least ten days to review the plans and specifications for the Project and incorporate Financial Partner's comments into the plans.	<input type="checkbox"/>
Provide any required notice and communicate with the neighborhood and property owners within the Project limits. Respond to public calls arising from work being completed under this Agreement.	<input type="checkbox"/>
Prepare and submit invoices of the Project costs to Financial Partner quarterly and upon completion of the Project.	<input type="checkbox"/>
Make all required payments to the construction contractor.	<input type="checkbox"/>
Prepare and submit a Project summary of completed tasks to Financial Partner with each invoice.	<input type="checkbox"/>
Prepare all contracts and bid documents, advertise for bids, and select a construction contractor for the Project.	<input type="checkbox"/>
Construct the Project and provide construction inspection and management services for the Project.	<input type="checkbox"/>
If requested, hold progress meetings with Financial Partner during the field investigation and design phases of the Project. Financial Partner may review options and provide input on the Project.	<input type="checkbox"/>
Pay 0 percent of the following costs for the Project: administration, easements, field inspection, design, construction and construction administration (Project Costs).	<input type="checkbox"/>
Require all contractors to include Financial Partner as an additional insured on insurance coverage required for construction work performed in completing the Project.	<input type="checkbox"/>
Take the lead in coordinating public involvement related to the Project.	<input type="checkbox"/>
Waive any land use or permit fees (except plumbing inspection fees) for work related to the Project.	<input type="checkbox"/>
City currently has sewer fund balances, including a sewer development charge (SDC) balance. City has been allowed to retain these balances to "spend down" on sewer-related projects within the City, regardless of funding responsibilities. Funding for the Project shall include \$ _____ from City's existing sewer fund balances.	<input checked="" type="checkbox"/>

EXHIBIT B

LIST OF STANDARD OBLIGATIONS

Task	Not Applicable
<u>Infiltration and Inflow Abatement projects</u>	
Obtain written permission from each property owner to inspect their sanitary sewer lateral and to line or replace it if deficient.	<input checked="" type="checkbox"/>
Establish whether each property has a cleanout at the structure. If no cleanout exists, Managing Partner will install one.	<input checked="" type="checkbox"/>
Inspect and evaluate each sanitary sewer lateral and main with a television camera. Managing Partner will line or replace all deficient sewer laterals and mains.	<input checked="" type="checkbox"/>
Other: (please describe) _____	<input checked="" type="checkbox"/>
<u>Financial Partner shall:</u>	
Review the plans and specifications for the Project and provide Managing Partner with written comments and/or approval within 10 days of receiving them.	<input type="checkbox"/>
Have the right to approve the final acceptance of the Project after construction.	<input type="checkbox"/>
Pay Managing Partner 100 percent of the Project Costs.	<input type="checkbox"/>
Pay invoices submitted by Managing Partner for actual costs incurred within 30 days of approving the invoice. The invoice shall include full progress payment amounts, including typical construction retainage.	<input type="checkbox"/>
Pay a total not to exceed of \$841,800.00 toward the cost of the Project.	<input type="checkbox"/>
Assist Managing Partner in communicating with the property owners and Project stakeholders.	<input checked="" type="checkbox"/>
Other: (please describe)	<input checked="" type="checkbox"/>

RESOLUTION NO. 5532-21

A RESOLUTION DECLARING A STATE OF EMERGENCY RELATED TO WINTER STORM EVENTS

WHEREAS, under Tualatin Municipal Code (TMC) Chapter 1-7, the City established an emergency operations plan;

WHEREAS, the City activated its emergency operations plan in response to the heavy snow and ice, tree falls, and power outages that resulted from the winter storm occurring on February 12-15, 2021;

WHEREAS, under ORS 401.309 and TMC 1-07, the City may declare a state of emergency by resolution of the City Council; and

WHEREAS, a declaration of state of emergency is necessary to ensure the City of Tualatin has the appropriate resources to respond to the emergency, to protect life and property, and to minimize danger to life and property.

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

Section 1. A State of Emergency for the entire City of Tualatin is immediately in effect and will remain in effect until March 31, 2021, unless sooner terminated or extended by the Tualatin City Council.

Section 2. The following conditions have resulted in the need for a state of emergency:

- A. Several inches of ice and snow;
- B. A significant portion of Tualatin residents without power;
- C. Streets and throughways completely or partially blocked;
- D. Extensive damage to trees and property, some trees remaining hazardous;
- E. Traffic signals and other electronic safety signs are down;
- F. Hazardous driving and walking conditions; and
- G. Widespread damage throughout the City which will last for the foreseeable future, requiring extensive cleanup and repairs.

Section 3. The City Manager, or designee, is authorized to take all necessary steps authorized by law to coordinate response and recovery efforts from this emergency, including, but not limited to, requesting public assistance from United States of America federal government the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as Amended (Stafford Act), Title 42 of the United States Code (U.S.C.) § 5121 et seq., the State of Oregon, and Washington and Clackamas Counties.

Section 4. The City Manager, or designee, is authorized to take the following measures as necessary, or as may become necessary, to protect public safety or to efficiently

conduct activities to minimize or mitigate the effects of the emergency:

- A. Continue to implement its emergency operations plan, in accordance with TMC 1-7;
- B. Coordinate and utilize mutual aid agreements;
- C. Redirect funds for emergency use;
- D. Close or restrict access to public streets, City parks, and City facilities as necessary where dangerous conditions may exist, due to power outages, or other dangers.
- E. Communicate public information about the emergency, closures, clean-up efforts, and other mitigation efforts;
- F. To respond to damage, procure needed goods and services in accordance with ORS 279B.080 (Emergency Procurements) and TMC 1-21-110(7) (Contracts Required by Emergency Circumstances) and without compliance with normal procurement; and
- G. Order such other measures as are found to be immediately necessary for the protection of life and/or property.

Section 5. The emergency provisions above regarding City closures are enforceable as code violations and may be prosecuted in municipal court by municipal citation, as provided in TMC 1-7-070 and other relevant provisions of the Tualatin Municipal Code.

Section 6. This resolution is effective upon adoption.

Adopted by the City Council this 22nd day of February, 2021.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder