



TUALATIN CITY COUNCIL MEETING

MONDAY, APRIL 25, 2022

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, April 25. These statements will be included in the official meeting record, but not read during the meeting.

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

Phone: +1 669 900 6833

Meeting ID: 861 2129 3664

Password: 18880

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

Work Session

- 1. 5:00 p.m. (60 min) – Parks Funding Survey and Engagement Outreach Results.** The 2018 Parks and Recreation Master Plan identified community need for additional parks, recreation facilities, trails, water access, and natural areas. Planning consultant Barney & Worth, Inc. and DHM Research were retained to conduct opinion research and analysis for a potential parks funding measure. This work has included: Stakeholder Interviews, Focus Groups, additional research, and two surveys. The surveys focused on Tualatin voters' preferences regarding projects and dollar amounts for a potential parks funding measure. Barney & Worth, DHM Research, and City staff will present the results of surveys and discuss process and next steps.
- 2. 6:00 p.m. (30 min) – Non-Profit Corporation Low-Income Housing Tax Exemptions.** The City has a request from Community Partners for Affordable Housing, Inc. (CPAH) to implement a property tax waiver allowed under State statute. Oregon Revised Statutes Chapter 307 allows governing jurisdictions to pass a non-profit affordable

housing property tax waiver. In order to provide a waiver, the Council must pass an ordinance implementing a program. Staff will present the requirements of the program and are seeking direction of whether or not to return with a draft ordinance creating a property tax waiver.

- 3. 6:30 p.m. (30 min) – Council Meeting Agenda Review, Communications & Roundtable.** Council will review the agenda for the April 25th City Council meeting and brief the Council on issues of mutual interest.
-

7:00 P.M. CITY COUNCIL MEETING

Call to Order

Pledge of Allegiance

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

Announcements

1. Proclamation Recognizing the Winona Grange on its 125th Birthday
2. Proclamation Declaring the Week of May 1 – 7, 2022 as “Public Service Recognition Week”

Public Comment

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

Consent Agenda

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

1. Consideration of Approval of the Work Session and Regular Meeting Minutes of April 11, 2022
2. Consideration of Updates to the Intergovernmental Agreement with the Cooperative Public Agencies of Washington County (CPAWC) Association to Retain Membership

Special Reports

1. Metro Update Presented by Metro Councilor Gerritt Rosenthal

General Business

If you wish to speak on a general business item please fill out a Speaker Request Form and you will be called forward during the appropriate item. The duration for each individual speaking is

limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.

1. Consideration of **Ordinance No. 1466-22** and **Resolution No. 5612-22** Adopting Metro Regional Service Standards

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: Ross Hoover, Parks and Recreation Director
Kyla Cesca, Office Coordinator

DATE: April 25, 2022

SUBJECT:
Parks Funding Survey and Engagement Outreach Results

EXECUTIVE SUMMARY:

2018 Parks and Recreation Master Plan identified community need for additional parks, recreation facilities, trails, water access, and natural areas. Planning consultant Barney & Worth, Inc. and DHM Research were retained to conduct opinion research and analysis for a potential parks funding measure. This work has included: Stakeholder Interviews, Focus Groups, additional research, and two surveys. The surveys focused on Tualatin voters' preferences regarding projects and dollar amounts for a potential parks funding measure. Barney & Worth, DHM Research, and City staff will present the results of surveys and discuss process and next steps.

Attachments:
Presentation



Tualatin Parks Funding Final Opinion Research Results *and Next Steps*



Barney & Worth, Inc.



DHM Research

City Council – April 25, 2022

Agenda

Opinion Research Results: *Latest News*

- Telephone Survey
- Online Survey
- Conclusions

Questions / Discussion

Funding Measure – *Success Formula & Game Plan*

2022 Election Calendar

Opinion Research

*Combines qualitative and quantitative methods
over 2+ years*

January 2020	Campbell Delong telephone survey (251 residents)
2020	Tualatin Community Survey (570 residents)
November 2021	Stakeholder interviews (18)
November 2021	Focus groups (2 groups, 23 participants)
February – March, 2022	Telephone Survey (302 registered voters)
February – March, 2022	Online Survey (890)

DHM Telephone Survey Results

Transportation remains top issue for voters (36%), followed by crime (13%) and affordable housing (10)%

80% of voters are satisfied with park and recreation services.

- Down from 95% satisfied in 2016
- “Very satisfied” lowest among tested city services

DHM Telephone Survey Results

Top parks funding priorities

- Upgrade lighting, restrooms, and safety features at existing parks (54% high priority)
- Construct new walking and biking trails that connect parks, schools, and shopping areas (49% high priority)

Improving existing parks and trails is a higher priority than creating new parks and trails in areas of the city that do not have them (51% vs. 32%)

DHM Telephone Survey Results

Effective support messages

- Tualatin is blessed with natural areas and wildlife. This bond measure will ensure that these are protected and that they are accessible to everyone. (79% good reason)
- Tualatin should be a fun place to live and for children to grow up. Investing in our parks will bring many years of joy and happiness to the people who live here. (75%)
- The bond will fund new walking and biking trails for recreation and to connect parks, schools, and shopping. This will make it easier to move safely around the city without getting stuck in traffic. (72%)

Core messaging themes: connections, accessibility, nature, children, joy, and transportation benefits

The National Sour Mood

For the First Time Since 1972, More Americans Say They're Not Too Happy vs. Very Happy



Source: New York Times 2/20/22

But Not So Sour in Tualatin

	Right Direction	Wrong Track
Tualatin (2017)	76%	16%
Tualatin (2022)	51%	19%
Salem (Jan 2022)	18%	62%
Portland (Dec 2021)	9%	83%
Statewide (Feb 2022)	18%	73%

Online Survey Results

Who participated?

- *890 respondents!*
- All 7 CIOs represented
- 89% use parks several times per week or month
- Most are parents of school age children
- Long-time residents: 5+ years (74%)
- Activities: walk, bike or run (92%), observe nature (59%), walk dog (55%), play organized sports (41%), use playgrounds (48%)

Online Survey Results

What's important?

Value: Improve parks / trails citywide (64%)

Priority Projects:

1. System of connecting trails (61%)
2. Partner with schools on sports fields (35%)
3. Set aside land for future (35%)
4. Tualatin River central access point for canoes and kayaks (35%)
5. Lighting for sports fields and courts (34%)
6. More nature parks and natural areas (34%)

Online Survey Results

Solid support for parks funding measure

41% Strongly support

28% Support with questions / reservations

24% Need more information

7% Will not support

Opinion Research – Conclusions

Priorities Still Seem Clear

Money Allocated to Parks Goals

1. Create a **walkable, bikeable** community with **interconnected trails**.
2. **Maintain parks** and promote high quality customer service
3. **Expand access** to parks to parts of the community that lack them.

Importance of Park Investments

1. **Connected trails**
2. **Upgrades to existing parks**
3. **“Nature parks,”** natural areas, wildlife viewing
4. River access
5. Playground equipment
6. Large lawns for multiple use



Opinion Research – Conclusions

Priorities Still Seem Clear

- Priority projects for “swing voters”: **connected trails, park renovation, playground equipment**
- Less popular projects: dog parks, buy land, improve/expand playfields, implement “Parks Master Plan”

Opinion Research – Conclusions

The “Ask” Needs to be Right-Sized

	Yes	No
1 st Test (no amount)	48%	45%
2 nd Test (\$125/year)	44%	50%
Final Test (after reasons for / against)	46%	49%

Source: DHM Telephone Survey, February – March 2022



5,300 “Yes” Votes – *Success Formula*

1. Community-driven; **authentic public engagement**
2. **Something for everyone**
3. Include **voters’ priority** projects
4. **Be mindful:**
 - Most residents *do not regularly visit parks*
 - Most think *our parks are in good condition*
5. **“Right-size” the funding ask** – not more than voters are ready to support

“Right-Size” the Funding Request

What typical homeowners would pay*

Monthly		Annually
\$5.38	\$20 million	\$65
\$6.73	\$25 million	\$81
\$8.08	\$30 million	\$97
\$10.23	\$38 million	\$123

Too much!

*Based on \$280,000 taxable value

Matching Projects to the Funding Request

	\$20 million	\$30 million	\$40 million	\$50 million
Connected Trails				
Tualatin River Greenway	•	•	•	•
Little Woodrose	•	•	•	•
Koeller Wetland	•	•	•	•
Ice Age			•	•
Park Upgrades				
Atfalati	•	●	●	●
Veterans Plaza		•	•	•
Stoneridge		•	•	•
Tualatin Community Park		•	•	●
Play Equipment / Splashpad				
Ibach	•	•	•	•
Jurgens		•	•	•
Atfalati		•	•	•
Natural Areas / Parks				
Sweek Woods	•	•	•	•
Jurgens Park Expansion		•	•	•
Land Aquisition		•	•	•
Multi-Use Grass Areas				
School Partnerships	•	•	•	•
City Fields	•	•	•	•
River Access				
TCP Water Access Plaza	•	•	•	•

Spreading Projects Citywide



Tualatin River Access



Game Plan

- ✓ Sharpen the ask
- ✓ Develop a crowd-sourced project list and map
- ✓ Launch a branded public education campaign
- ✓ Identify leadership; organize a grassroots movement
- ✓ Capitalize on the Tualatin Moving Forward brand
- ✓ Draft a solid ballot title
- ✓ *Get out the vote!*

Tualatin
MOVING FORWARD 
PARKS
Connecting Parks—Paths—and People



Better Parks Better Paths *Something for Everyone*



2022 Election Calendar

January	Launch Grassroots Campaign
February – March	Online Survey
February – March	Telephone Survey
March – April	Refine Funding Options/Messaging
April 25	City Council Discussion
April – October	Grassroots Public Engagement
April – May	Develop Funding Request
May 17	Primary Election
May – June	Draft Ballot Title, etc.
July – August	City Council Action
August – September	File Ballot Measure
August – October	Public Education (under ORS)
November 8, 2022	Election Day



Questions / Discussion



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council
THROUGH: Sherilyn Lombos, City Manager
FROM: Don Hudson, Assistant City Manager/Finance Director
DATE: April 25, 2022

SUBJECT:
Non-Profit Corporation Low-Income Housing Tax Exemptions

EXECUTIVE SUMMARY:

The City has a request from Community Partners for Affordable Housing, Inc. (CPAH) to implement a property tax waiver allowed under State statute. Oregon Revised Statutes Chapter 307 allows governing jurisdictions to pass a non-profit affordable housing property tax waiver. In order to provide a waiver, the Council must pass an ordinance implementing a program. Staff will present the requirements of the program and are seeking direction of whether or not to return with a draft ordinance creating a property tax waiver.



NON-PROFIT CORPORATION LOW INCOME HOUSING TAX EXEMPTIONS

CITY COUNCIL WORK SESSION – APRIL 25, 2022



EXEMPTION CRITERIA

- Property owned by a tax-exempt non-profit under IRS Code 501(c)(3) or (4)
- Certain requirements of liquidation of assets
- Property is occupied by low income persons or held for future development as low income housing
 - Income at or below 60 percent of the area median income
- Property, or portion of property, is actually and exclusively used for purposes described in IRS Code 501(c)(3) or (4)
- The exemption has been approved by the City Council

PROCESS

- Corporation files an application annually
 - Description of property
 - Description of charitable purpose of project and whether all or a portion of the property is being used for this purpose
 - Certification of income levels of low income occupants
 - Description of how the tax exemption will benefit project residents
 - Description of development of project if the property is being held for future low income housing development
 - Declaration that the corporation has been granted an exemption from income taxes under IRS Code 501(c)(3) or (4)
- Within 30 days of application, Council would determine whether the applicant qualifies for the exemption
- City certifies exemption to County Assessor

NEXT STEPS IF COUNCIL GIVES DIRECTION TO PROCEED

- Communicate with other taxing districts
 - If 51% or more of total rate of taxation agree to exemption, tax levy of all taxing districts is exempted
- Develop application and process
- Return at future Council meeting with draft ordinance

Proclamation

Recognizing the Winona Grange on its 125th Birthday

WHEREAS, Tualatin's Winona Grange was founded in 1895 and is the oldest social service organization in the city. Named for the eldest daughter of J.R.C. Thompson who died at a young age, Grange members today are gardeners or those who care where their food comes from and are well known for garden seed projects; and

WHEREAS, originally formed to bring isolated farm families together, Grange members became forces in bringing electricity and mail delivery to rural areas. The organization is recognized for its effective lobbying against the high rates railroads charged to transport grain and other crops to market; and

WHEREAS, meetings of the Winona Grange were originally held in the school and then upstairs over a store; the present building was erected by volunteers in 1940. Tualatin's Grange has served as a community center where family members of all ages gather for community education and social activities; and

WHEREAS, COVID forced the postponement of the 125th anniversary event originally scheduled in 2020.

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

The City of Tualatin recognizes the Winona Grange on the occasion of its 125th birthday!

INTRODUCED AND ADOPTED this 25th day of April, 2022.

CITY OF TUALATIN, OREGON

BY _____
Mayor

ATTEST:

BY _____
City Recorder



City of Tualatin

CITY OF TUALATIN
Staff Report

TO: Honorable Mayor and Members of the City Council
THROUGH: Sherilyn Lombos, City Manager
FROM: Stacy Ruthrauff, Human Resources Director
DATE: April 25, 2022

SUBJECT:
Proclamation Declaring the Week of May 1 – 7, 2022 as “Public Service Recognition Week”

RECOMMENDATION:
In honor of the hard work performed by the dedicated employees of the City of Tualatin, it is recommended that the City Council adopt the Proclamation recognizing May 1 – 7, 2022 as Public Service Recognition Week.

FINANCIAL IMPLICATIONS:
none

ATTACHMENTS:
-Public Service Recognition Week Proclamation 2022

Proclamation

*Declaring the Week of May 1 - May 7, 2022 as
"Public Service Recognition Week"*

In Honor of the Public Employees of the City of Tualatin

WHEREAS, public service is an honorable calling that involves a wide variety of challenging and rewarding professions, including providing recreational services, maintaining public safety, improving transportation, protecting our environment, and performing administrative and management activities which are essential to efficient and effective operation of government; and

WHEREAS, Tualatin's city employees contribute significantly to the quality of life for the Tualatin community, with their commitment to excellence, high ethical standards, and diversity of skills; and

WHEREAS, excellence in the delivery of public service helps keep Tualatin strong, prosperous, and a wonderful place in which to live, work, play, and volunteer; and

WHEREAS, this commemoration provides an opportunity to express our appreciation for the many contributions public employees make to our daily lives.

NOW, THEREFORE, IT IS PROCLAIMED by the Tualatin City Council that the week of May 1-7, 2022 be Public Service Recognition Week in the City of Tualatin and the Council encourages everyone to recognize the accomplishments and contributions of public employees.

INTRODUCED AND ADOPTED this 25th day of April, 2022.

CITY OF TUALATIN, OREGON

BY _____
Mayor

ATTEST:

BY _____
City Recorder



City of Tualatin

CITY OF TUALATIN
Staff Report

TO: Honorable Mayor and Members of the City Council
THROUGH: Sherilyn Lombos, City Manager
FROM: Nicole Morris, Deputy City Recorder
DATE: April 25, 2022

SUBJECT:
Consideration of Approval of the Work Session and Regular Meeting Minutes of April 11, 2022

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

ATTACHMENTS:

- City Council Work Session Meeting Minutes of April 11, 2022
- City Council Regular Meeting Minutes of April 11, 2022



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL WORK SESSION MEETING FOR APRIL 11, 2022

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

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

1. *Washington County Major Streets Transportation Improvement Program (MSTIP) – Tualatin Project Candidate Selection.*

Principal Transportation Engineer Mike McCarthy presented Tualatin's project selections for the Major Streets Transportation Improvement Program (MSTIP). He shared an overview of the MSTIP program and funding. Engineer McCarthy stated there is currently a call for projects for the next funding cycle. He spoke to project eligibility and scoring stating desired outcomes for the projects include equity, economic vitality, natural environment, safety, and livability. Engineer McCarthy shared the five eligible projects in Tualatin: Boones Ferry Road- Norwood to I-5, Herman Road/Cipole intersection and Herman Road from 124th to Cipole, Tualatin-Sherwood Road/Boones Ferry Road intersection, 65th Ave and Borland Road, and the Bridgeport Interchange Area Management Plan. He shared the project description, total estimated cost, and the rating on the County Equity index for each project.

Councilor Brooks asked if the Elligsen Road area can be included since new housing will be added to the area. Engineer McCarthy stated they can emphasize how new housing and jobs will be coming to the area.

Councilor Pratt stated the Boones Ferry Road project is the project she hears most about from the community.

Councilor Brooks stated the interchange along Boones Ferry Road is already a failing interchange, she would like to see it work better for the I-5 area.

Councilor Pratt asked if coordination among entities including ODOT would help with funding of the Boones Ferry Road interchange. Engineer McCarthy stating having them on board would help to move the project forward.

Councilor Pratt asked how heavily used the Herman Road/Cipole Intersection is. Engineer McCarthy stated it is used for truck traffic. Mayor Bubenik stated many residents use this as a bypass for Tualatin-Sherwood Road.

Council President Grimes stated the Architectural Review Board last month reviewed a new facility that is being put in along 124th and Cipole that will have 14 truck bays, so truck traffic will increase in the area.

Councilor Sacco asked if the bike improvements along Boones Ferry Road Intersection would be affected by any upgrades. Engineer McCarthy stated the bike lanes shouldn't be too affected by any new construction in the area.

Councilor Brooks would like to see something done to help ease traffic congestion along Boones Ferry Road at Tualatin-Sherwood Road. She stated it is a key place to keep traffic moving.

Councilor Hillier asked how creative these projects can get so they can better adapt to high traffic times. Engineer McCarthy stated getting solid traffic numbers in the area will help them to be more creative in their solutions.

Mayor Bubenik shared concerns with the traffic signal at 65th and Borland and the impacts the Sagert Farms development has had on the area.

Mayor Bubenik asked about ODOT involvement in the Bridgeport Interchange Area Management Plan. Engineer McCarthy stated ODOT has control over the two major lights in the area.

Mayor Bubenik would like to see all the projects submitted for consideration of funding.

Councilor Brooks wants to make sure when projects are submitted that noise mitigation and tree loss are considerations.

Councilor Sacco asked what the risk and benefits are to submitting all the projects. Engineer McCarthy stated there is a benefit to submitting them all so they get on the County's radar. He stated the down side is the amount of staff time it takes to prepare the applications.

Councilor Sacco asked if the City can prioritize the projects when they are submitted. Engineer McCarthy stated the city does not get a say on the priority of the projects.

Council President Grimes stated she is fine with submitting all the projects for consideration.

Councilor Hillier asked if any of the projects on the list have been submitted before. Engineer McCarthy stated they have not. Councilor Hillier stated she is in favor of submitting all five projects.

Councilor Reyes would like to see the Boones Ferry and Tualatin-Sherwood intersection be the highest priority project. She stated any relief in that area would be beneficial.

Councilor Brooks stated she is in support of all the projects.

Councilor Pratt asked if the city would be in charge of the design of the projects. Engineer McCarthy stated the city gets a seat at the table but the County leads design and construction of the projects.

2. Metro Regional Waste Plan and Residential Services Standards

Management Analyst Lindsay Marshall and Metro Staff Sara Kirby and Pam Peck presented Metro's Regional Waste Plan and Residential Services Standards. Ms. Peck stated the Regional Waste Plan is the vision and policy direction for the next twelve years and is a plan of action to advance racial equity, protect the environment and health, and improve the garbage and recycling system. She stated there are two key items the plan looks at: reducing environmental impacts and the advancement of racial equity. Ms. Peck stated the new plan addresses racial equity and includes 40 actions to address the historical inequities. She spoke to stakeholder and community engagement that was conducted during the planning process. Ms. Peck spoke to the plan elements that made up the 19 goals and over 100 related actions. She stated equity

principles include community restoration, community partnership, and community investment. Ms. Kirby stated project goals include shared prosperity, product design and manufacturing, product consumption and use, product end of life, and disaster resilience. She stated the advancing equity goal is a unique characteristic of the plan and includes 40 plus action items that focus on advancing racial equity including improving garbage and recycling for those living in multifamily homes, an adaptable and resilient recycling system, and preparation for debris management following a disaster. Ms. Kirby stated the goals and actions are designed to create a more equitable and resilient garbage and recycling system by improving collection services for residents. She stated the improvements to the Regional Service Standards include additional specifications for multifamily regional service standards and updates to general education provisions. Ms. Kirby stated changes are based on previous local government and Metro collaborative research work. These new standards are being adopted across the county and collection providers are in the process of implementing the improved standards.

Councilor Pratt asked if the single family standards will have bulk collection services at the home or a specified location. Ms. Kirby stated it is a new standard they are working on with cities to implement and is being done differently in different cities.

Councilor Pratt asked how involved Metro will be in ensuring compliance for businesses. Ms. Kirby stated cities are working on implementation and compliance plans in conjunction with the respective Counties. Washington County Education Supervisor Megan Shuler stated they just started working with large businesses throughout the county to help with assistance and resources. She stated each city will manage the compliance process.

Councilor Pratt asked if more work is being done to have additional processing centers for food scraps. Ms. Peck stated they are working on a System Facility Plan to help make sure they can meet the goals within the Waste Management Plan.

Councilor Reyes asked if the surveys that were conducted as part of the plan were done specifically in Tualatin. She expressed concerns with residents in the suburbs being properly engaged with on the plan. Ms. Peck stated they worked with community partner organizations to reach out. She noted outreach happened four years ago. Councilor Reyes stated she has never seen these surveys come out and noted the amount of people who took the surveys is low for a three county survey. Ms. Peck stated the surveys were concentrated towards historically marginalized citizens.

Councilor Reyes asked if costs will go up to citizens to provide services based on the new standards. Ms. Peck stated they anticipate costs minimally going up to provide these new services. She stated they will be doing research on the costs for these new improvements. Ms. Kirby explained the cost analysis they did on the changing of the color of collection bins.

Councilor Brooks asked if the color coding will apply to businesses. Ms. Kirby stated the standard will only be for multi-family properties.

Mayor Bubenik asked if new service standards will address different size apartment complexes. Ms. Kirby stated they are still working on additional actions around service standards based on volume and space availability.

Mayor Bubenik asked about Ridwell and how they envision recycling in the future. Ms. Peck stated they are finalizing permitting for Ridwell's Facility. She stated they are still having conversations around the rulemaking for the Recycling Modernization Act.

Mayor Bubenik asked how this will impact the tipping fees and the rate increases associated with it. He would like to see impacts flatten and be less up and down. Ms. Peck stated they charge two fees: a fee at the transfer station and the system fee. She stated the mixed solid waste fee is based on services. The regional system fee is charged across the state and is used to fund programs. Ms. Peck stated the Metro Council has directed staff to work to incorporate steady rate increases over a five year period instead of steep inclines.

Council directed staff to draft standards and bring them back for consideration.

3. Proclamation Request for Tualatin Grange 125th Birthday.

Council consensus was reached to bring the proclamation forward at the April 25th meeting.

Adjournment

Mayor Bubenik adjourned the meeting at 6:54 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Frank Bubenik, Mayor



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR APRIL 11, 2022

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.

Pledge of Allegiance

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

Announcements

1. New Employee Introduction- Police Records Specialist Melissa Von

Police Chief Bill Steele introduced Police Records Specialist Melissa Von. The Council welcomed her.

2. Proclamation Declaring April 22, 2022 as Earth Day in the City of Tualatin

Councilor Brooks read the proclamation declaring April 22, 2022 as Earth Day in the City of Tualatin.

3. Proclamation Declaring the Week of April 17-23, 2022 as Volunteer Appreciation Week in the City of Tualatin

Mayor Bubenik presented information regarding Tualatin volunteers noting 785 volunteers served 10,800 volunteer hours in the past year.

Councilor Pratt read the proclamation declaring April 17-23, 2022 as Volunteer Appreciation Week in the City of Tualatin.

Mayor Bubenik presented the Outstanding Volunteer Awards. The nomination process included City employees nominating volunteers based on a list of criteria. Winners were announced for each category:

Outstanding Youth Volunteers – Satvika Vadapu, Ava Marsh, and Aaliyah De La O

Lifetime Achievement Award – Bobbi and Sheldon Siegel

Outstanding Adult Volunteer – Beth Dittman and Tim and Lori Kellogg

Outstanding Volunteer Groups – Emergency Outreach Assistance Group and the Juanita Pohl Center Guest Services Team

Public Comment

Brent Beebe submitted a letter in opposition to the zoning change to 10 acres alongside Norwood and Boones Ferry Road as requested by Westlake Consultants.

Consent Agenda

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

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 Special Work Session Meeting Minutes of March 17, 2022 and Work Session and Regular Meeting Minutes of March 28, 2022
2. Consideration of Approval of Late Liquor License Renewal for 2022

Special Reports

1. Tualatin Valley Fire and Rescue State of the District Presentation

Tualatin Valley Fire and Rescue District Deputy Chief of Operations Kenny Frentress presented their annual State of the District presentation. He stated over the past year they have been able to maintain a fast and effective response. Chief Frentress stated staffing has been difficult over the past year due to illness and injury but they have been able to hire many new recruits. He stated they are focusing on developing new leaders as they will see 38% of their management staff retire over the next five years. Chief Frentress stated over the next year they will also focus on wildland fire operations. He stated the bond was passed in November and they will be replacing vehicles and fleet apparatus, making improvements to stations, safety upgrades, and land purchases. Chief Frentress stated in 2021 Tualatin had 3,434 incidents with just over 80% of the calls being EMS and 12% for fire. He stated in September they opened a new station in Charbonneau. Chief Frentress stated they are currently conducting a pilot program called the Community Health and Resource Management (CHARM) Program which focuses on high utilizers of 911 and allows other heavy assets to remain in service for more critical calls. He stated they are preparing for the upcoming wildfire season with additional training. Chief Frentress stated they have started an interactive newsletter that helps homeowners prepare for emergencies in their areas.

Mayor Bubenik asked if the calls had remained consistent even though there has been growth in the City. Chief Frentress stated they have remained between 3,200 and 3,400 calls over the last five years.

Mayor Bubenik asked how often batteries need to be replaced in smoke detectors. Chief Frentress stated twice yearly.

Mayor Bubenik asked how residents can put out grease fires. Chief Frentress stated it is important to have a fire extinguisher nearby and place a lid over the pan. He stated do not add water to the fire.

Councilor Pratt asked what system is in place for handling resources during structure fires. Chief Frentress stated they are regional fire district so they move resources around based on need.

Mayor Bubenik asked how the new station on McEwan is and what kind of calls they have been receiving. Chief Frentress stated the new station has help to distribute calls between Tualatin and Lake Oswego.

Council Communications

Councilor Pratt stated she attended the Tualatin Police Foundation meeting and the C4 committee meeting.

Councilor Brooks stated she met with Public Works Director Rachel Sykes to discuss the upcoming messaging around the Water Consortium and leak detection. She shared April 24-30 is water week where they focus on legislative advocacy for safe, reliable, and affordable drinking water. Councilor Brooks acknowledged the upcoming Earth Day events.

Councilor Sacco clarified information regarding the public comment made tonight stating the apartment complexes mentioned are not the CEPA complex.

Mayor Bubenik stated he attended the Washington County Town Hall hosted by Senator Merkley, the Arbor Day tree planting event, and the Westside Economic Alliance breakfast.

Adjournment

Mayor Bubenik adjourned the meeting at 8:11 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: Rachel Sykes, Public Works Director
Bert Olheiser, Street / Storm / Sewer Division Manager

DATE: April 25, 2022

SUBJECT:

Consideration of Updates to the Intergovernmental Agreement with the Cooperative Public Agencies of Washington County (CPAWC) Association to Retain Membership

RECOMMENDATION:

Staff recommends that Council approve a renewal/update to the IGA, allowing the City to remain a member of the CPAWC association.

EXECUTIVE SUMMARY:

Since 1994, the City of Tualatin has been a member of CPAWC, a working group of thirty public agencies that joined together with the intent of increased coordination amongst public works entities. Membership in the group (via IGA), allows the City to share equipment, execute joint purchasing efforts, share resources and information, and promote regional solutions/economies of scale. CPAWC administration is seeking an update to the IGA: current signatures from member agencies has been requested. All other provisions of the IGA will remain the same.

Membership in CPAWC has offered the City of Tualatin many benefits. A few examples are listed below:

- During the ice storm event in 2021, Tualatin was able to easily borrow dump trucks and backhoes from Clean Water Services and Washington County for debris removal.
- Cooperative purchase of de-icer for winter roadway maintenance with the City of Lake Oswego.
- Shared training opportunities, for topics such as traffic control and confined space.
- Use of Washington County loader equipment for stormwater maintenance needs.

Membership in CPAWC is beneficial for sharing knowledge and resources for routine operational needs, but is also a crucial element in emergency preparedness and response. A shared regional approach leads to budgetary and operational efficiencies, collaborative approach to shared issues, and networking opportunities for public works leaders.

OUTCOMES OF DECISION:

Updated signature on the IGA will allow Tualatin to remain in the CPAWC association.

ALTERNATIVES TO RECOMMENDATION:

Not updating the IGA could lead to the end of our membership in this association. This is not recommended.

FINANCIAL IMPLICATIONS:

The City's membership in CPAWC is low cost, with annual dues set at \$150.

ATTACHMENTS:

- CPAWC IGA

INTERGOVERNMENTAL AGREEMENT
FOR
EQUIPMENT AND SERVICES

Cooperative Public Agencies of Washington County

This Agreement is entered into by and between the undersigned public entities pursuant to the authority provided by ORS Chapter 190.

WHEREAS:

1. Each party owns certain equipment and services which may be useful to another party for public works construction, operations, maintenance, and related activities;
2. The parties agree that sharing equipment and services promotes the cost-effective and efficient use of public resources; and
3. The parties desire to enter into an agreement to establish procedures for sharing equipment and services and defining legal relationships and responsibilities.

Therefore, in consideration of the mutual covenants herein, it is:

AGREED:

1. The parties shall make available to each other vehicles, equipment, machinery, and related items and services in the manner and on the terms and conditions provided for herein.
2. Equipment shall be provided upon reasonable request at mutually convenient times and locations. The provider retains the right to refuse to honor a request if the equipment is needed for other purposes, if providing the equipment would be unduly inconvenient, or if for any other reason the entity determines in good faith that it is not in its best interest to provide a particular item at that time;
3. The entity receiving the equipment ("user") shall take due care in its operation, storage, and maintenance. Equipment shall be used only for its intended purpose. User shall permit the equipment to be used only by properly trained operators under adequate supervision and shall be responsible for repairs necessitated by misuse or negligent operation. User shall perform written maintenance checks prior to and after use and shall provide routine daily maintenance of equipment during the period in which the equipment is in user's possession. User shall not, however, be responsible for scheduled maintenance (P.M.) or repairs.

4. Provider shall endeavor to provide equipment in good working order and to inform user of any information reasonably necessary for the proper operation of the equipment. The equipment, however, is provided "as is", with no representations or warranties as to its fitness for a particular purpose. User shall be solely responsible for selecting the proper equipment for its needs and inspecting equipment prior to use. It is acknowledged by the parties that the provider is not in the business of selling, leasing, renting, or otherwise providing equipment and that the parties are acting only for their mutual convenience and efficiency.
5. The parties shall provide equipment storage space to each other, at no charge, upon request, when mutually convenient. It is recognized that such storage is for the benefit of the party requesting it. The party storing the equipment shall be responsible only for providing a reasonably safe and secure area.
6. The provider may, in its sole discretion, require that equipment be operated only by provider's personnel. In so doing, provider shall be deemed an independent contractor. The provider shall meet the technical standards of the user, but shall retain full control over the manner and means of using the equipment.
7. User will reimburse provider for equipment and services based on the rates used for its internal financial management of personnel and equipment. These rates are included in the Equipment Sharing Catalog. Supplies will be charged at provider's invoice cost, plus 15%, or may be replaced by user. On May 15 of each year, all parties will each total all reimbursement for equipment and personnel. Reimbursement shall be paid within thirty (30) days of billing and payment for any monetary difference may be billed at that time to any or all providers.
8. The parties are independent contractors. Nothing herein shall alter the employment status of any worker providing services under this Agreement. Such worker shall at all times continue to be subject to all standards of performance, disciplinary rules, and other terms and conditions of the employer. No user shall be responsible for the direct payment of any salaries, wages, compensation, or benefits for provider's workers performing services on behalf of user under this Agreement. No user shall be liable for compensating or indemnifying any employee of a provider for any injury or work arising in any way out of work provided pursuant to this Agreement.
9. Each party shall be solely responsible for its own acts and those of its employees and officers under this Agreement. No party shall be responsible or liable for consequential damages to another party arising out of providing or using equipment or services under this Agreement. Providers requiring that their personnel operate equipment shall, within the limits of the Oregon Tort Claims Act, hold harmless, indemnify and defend the user, its officers, agents, and employees from all claims arising solely by reason of any act or failure to act by the provider. Notwithstanding the above, the user shall bear sole responsibility for ensuring that it has the authority to request the work, for its designs, and for any representations made to the provider regarding site conditions or other aspects of the project.

10. Any party may terminate its participation by providing thirty (30) days written notice to the other parties. Any amounts due and owing by a terminating party shall continue as a debt and shall be paid within thirty (30) days of termination.
11. Nothing herein shall be deemed to restrict the authority of any of the parties to enter into separate agreements governing the terms and conditions for providing services on a specifically identified project.
12. This Agreement shall be effective upon the date of execution by the last signatory as evidenced on the attached pages.
13. Any public entity not a party to this Agreement when it first becomes effective may become a party to it by signing the Agreement, after being approved by its governing body. Upon the signing of the Agreement by the additional party and sending a copy of the Agreement to all other parties, the Agreement shall become binding among all the parties that have signed the Agreement.

IN WITNESS WHEREOF, the parties, by the signatures of their authorized representatives, executed this Agreement, effective on the date shown below each signature.

Agency: _____

Authorized Signatory (print): _____

Authorized Signature: _____

Title: _____ Date: _____

CPAWC President: _____

Date: _____



Metro



Metro Regional Action Update

Spring 2022

Our problems are real.

Our progress is real.

Real progress:
Regional homeless
services

456

people placed into supportive housing

1,406

households receiving regional rental assistance

700

new regionally-funded shelter beds

July to December 2021





'It gives me a lot of hope': Arbor Lodge winter shelter helps people into permanent housing

Real progress: Metro's housing bond

180

affordable homes open

2,800

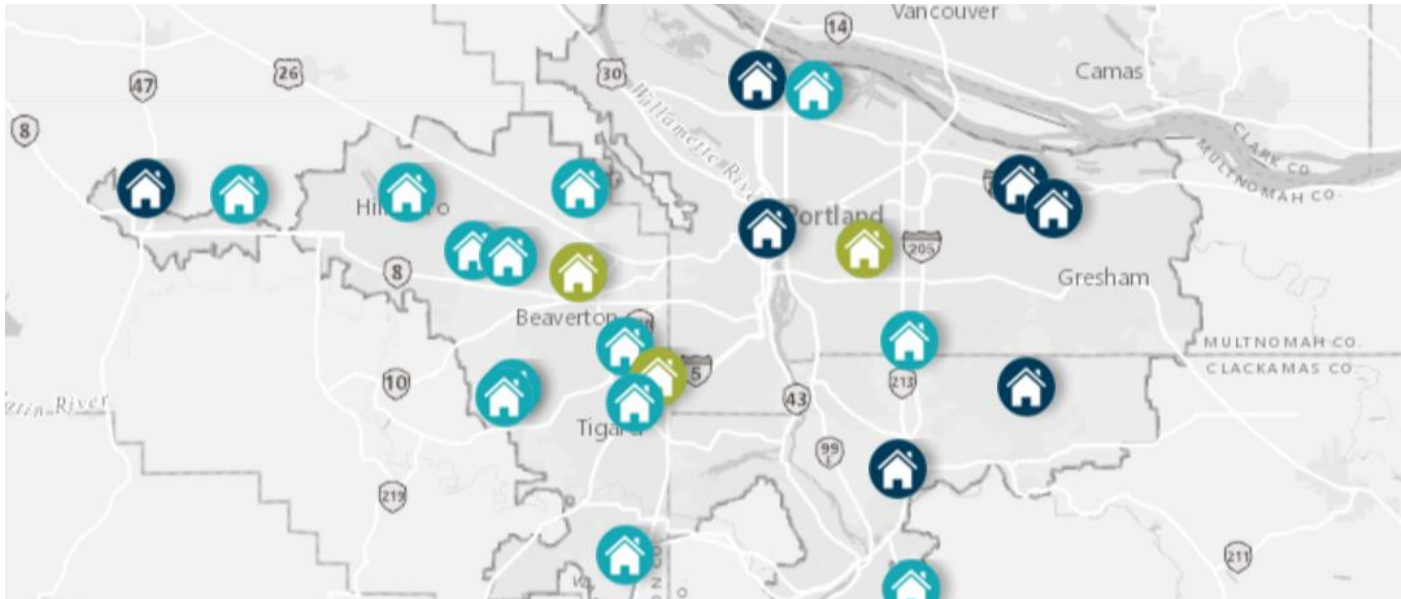
more in design, permitting or construction

12,000

people will have affordable homes
from Metro's bond alone



Real progress: Metro's housing bond



Legend



Pre-construction



Under construction



Complete

Real progress: Providing support

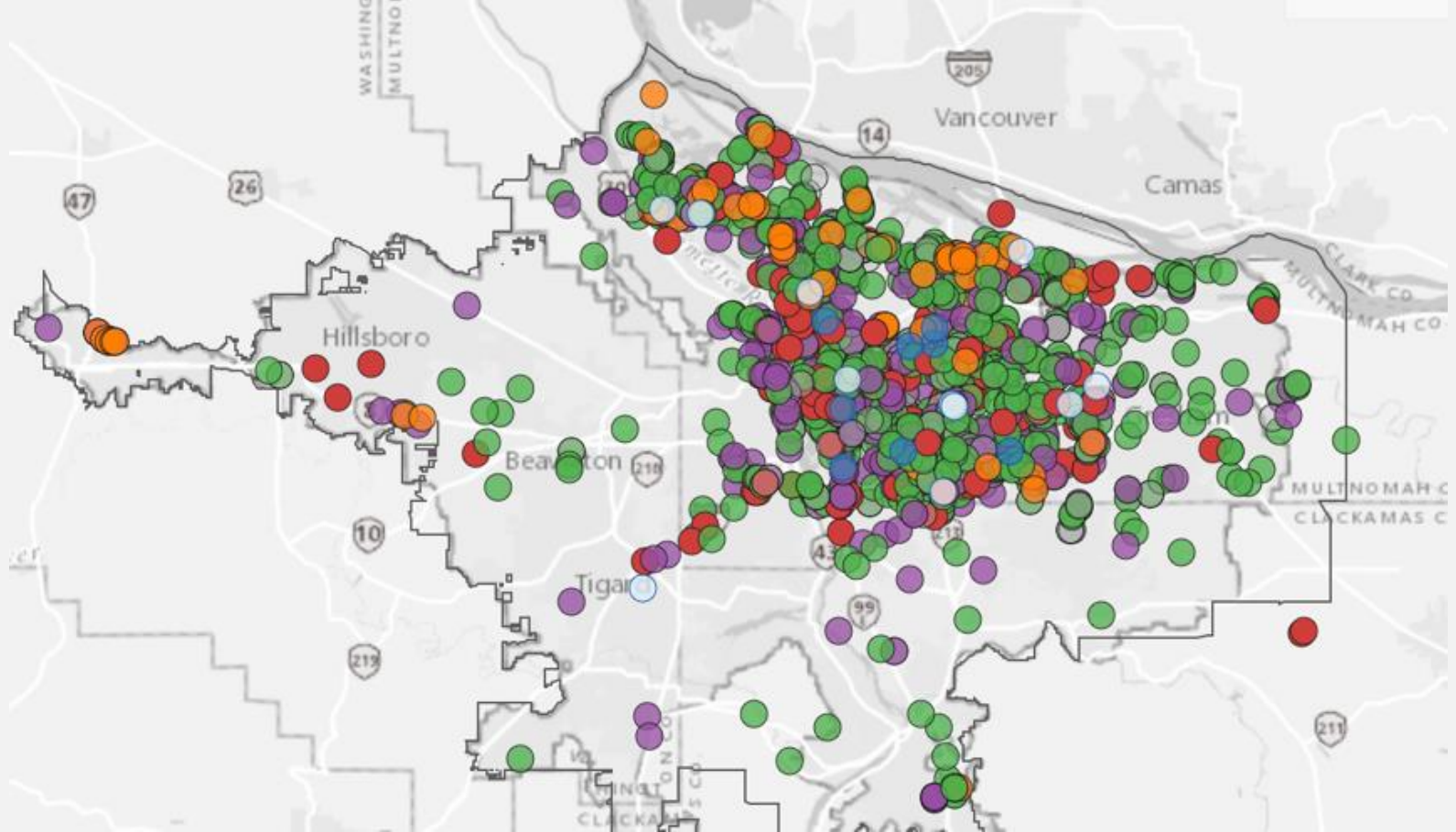
- More outreach staff
- More addiction recovery
- Greater regional coordination



Real progress: Keeping the region clean

- Better solution for food waste
- Removing waste from streets
 - 2X RID Patrol Crews
 - 826 tons of trash removed in 12 mo
 - 3 day average response time





Metro RID Patrol Data dashboard
ridpatrol.oregonmetro.gov

Real progress:

Transportation ties us together

- Planning for the future:
Regional Transportation Plan
- Regional flexible funds
- Projects of regional impact



Working for the region: Supporting the economy

- Oregon Convention Center
- Expo Center
 - Celebrating 100 years
- Portland'5
 - National reopening model
- The Zoo



Working for the region: Parks & Nature

- Critical during pandemic
- Focus on equity
- Regional projects/grants
- New Parks
 - Chehalem Ridge & Newell Creek Canyon





Creating a region that works for everyone

Thank you!

oregonmetro.gov

Gerritt Rosenthal, Metro District 3
gerritt.rosenthal@oregonmetro.gov





City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council
THROUGH: Sherilyn Lombos, City Manager
FROM: Lindsay Marshall, Management Analyst II
DATE: April 25, 2022

SUBJECT:

Consideration of **Ordinance No. 1466-22** and **Resolution No. 5612-22** Adopting Metro Regional Service Standards

RECOMMENDATION:

Staff recommend adopting **Ordinance No. 1466-22** and **Resolution 5612-22** which will bring the City into compliance with the Residential Service Standard as required by the Regional Waste Plan and Metro Code 5.15.130. The ordinance will apply to all residential customers, including single-family and multifamily customers, and the Resolution will apply to franchised solid waste haulers. A separate resolution is required for the haulers in order to comply with the City's franchise, Ordinance 1318-11. Combined, the Ordinance and Resolution outline new minimum service standards for garbage and recycling collection.

EXECUTIVE SUMMARY:

The Regional Waste Plan (RWP) sets the policy direction for the region's solid waste and recycling system. The 2030 RWP is different from previous plans in that its values, principles, goals and actions specifically reflect the needs and aspirations of members of the regional community who haven't historically had a strong voice in the development of environmental plans, policies and programs.

Service Standards

The Regional Residential Service Standards set the base level of service to for all government recycling collection programs in the Metro area. Changes to Residential Service Standards deliver on three actions under Goal #10 of the 2030 RWP, which states: *Provide regionally consistent services for garbage, recyclables and other priority materials that meet the needs of all users:*

- 10.1 - Provide comprehensive collection services and supporting education and assistance for source-separated recyclables, source-separated food scraps and garbage, in compliance with state, regional and local requirements, including the Regional Service Standard, Business Recycling Requirement, and Business Food Waste Requirement in Metro Code.
- 10.2 - Implement minimum service levels or performance standards for all collected materials for multifamily and commercial tenants.

- 10.3 - Implement regional standards for collection container colors, signage and other related informational materials for single-family, multifamily and commercial services.

A local government must adopt and implement the residential service standard as required by the Regional Waste Plan.

The Residential Service Standards require that a local government must:

- (a) Provide comprehensive single-family residential solid waste collection services including collection of acceptable recyclable materials;
- (b) Provide comprehensive multifamily residential solid waste collection services including collection of acceptable recyclable materials;
- (c) Implement minimum service levels for all collected materials for multifamily residential customers;
- (d) Develop and implement standards for collection areas, to ensure adequate access to collection receptacles;
- (e) Provide supporting solid waste outreach and education programs and materials to all residential solid waste generators;
- (f) Implement regional standards for collection container colors, signage and related informational materials; and
- (g) Provide bulky waste collection service.

Single-Family Residential Service Standards

For all single-family residential customers:

1. Provide at least one receptacle, with capacity of at least 60 gallons, for the collection of all acceptable recyclable materials except glass and motor oil.
2. At least one receptacle for source-separated glass collection will be provided. The receptacle for glass must have a capacity of at least five gallons.
3. Weekly collection of acceptable recyclable materials, glass, motor oil, and yard debris on the same day of the week as garbage must be provided, unless exempted.
4. Provide at least one receptacle for yard debris collection. The receptacle must have a capacity of at least 60 gallons.
5. Bulky waste collection services must be provided.
6. Property owners and managers must provide access to on-site garbage and recycling collection service to renters of single-family residential properties

Multifamily Residential Service Standards

Given that twenty-five percent of people in the Portland metro area live in multifamily communities, apartments, and condos and that these communities face unique challenges when dealing with garbage and recycling, new standards for multifamily services were adopted to implement high-priority Regional Waste Plan actions.

Garbage and recycling services for these properties have often not met the needs of their residents for many years and are not nearly as good as services provided to people living in single-family homes. The garbage and recycling bins can be inconsistent and confusing, and often there aren't enough of them. This results in loose garbage in and around garbage and recycling areas, which creates safety issues for both residents and haulers. The inconsistency and confusion have also led to a twenty-one percent contamination rate of the recyclable stream—which means that twenty-one percent of items put in the recycling bins do not belong there. Compare this to the single-family home contamination rate of nine percent.

The new standards will help meet the needs expressed by people living in multifamily communities, apartments, and condos so they can effectively navigate their garbage and recycling system. It will also create safer conditions for residents and collection companies while decreasing the contamination rate of the recyclable stream.

Significant changes include:

- required use of regional signage on bins and in collection areas
- per unit service volume minimums for garbage, mixed recycling and glass streams
- weekly minimum collection frequency for all streams
- collection container color standard for all material streams.

For all multifamily residential customers minimum per unit service volumes must be provided according to the table below. All material streams are collected at least weekly. On call services are exempt from collection frequency and minimum per unit service volume requirements.

Garbage	Acceptable Recyclable Materials	Source-separated Glass
20 gallons per unit per week	20 gallons per unit per week	1 gallon per unit per week

Regularly-occurring bulky waste collection service must be provided by July 1, 2025.

Receptacle colors, signage, and information materials must comply with the regional standards for collection receptacles for all multifamily residential customers by the following dates, which have been established by Metro Code and rule:

1. All receptacles ordered after July 1, 2022 must comply with the color standard below and must be labeled with the correct Metro-approved regional signage.
2. All plastic receptacles for garbage, acceptable recyclable materials, and yard debris and/or food scraps ordered after July 1, 2022 must contain at least 30% post-consumer recycled content.
3. All receptacles must be labeled with the correct Metro-approved regional decals for acceptable recyclable materials, glass, yard debris, and garbage by December 31, 2023. All previous garbage and recycling instructional decals must be completely removed from each receptacle and replaced with correct and approved regional decals.
4. Garbage receptacles must be gray or black, acceptable recyclable materials receptacles must be blue, yard debris and/or food scraps receptacles must be green and source-

separated glass receptacles must be orange by July 1, 2028.

5. Color standards do not apply to compactors and drop boxes.

OUTCOMES OF DECISION:

Adoption of Ordinance No. 1466-22 and Resolution No. 5612-22 would bring the City into compliance with the Residential Service Standard as required by the Regional Waste Plan and Metro Code 5.15.130. The ordinance would apply to all residential customers, including single-family and multifamily customers, and the Resolution would apply to franchised solid waste haulers. A separate resolution is required for the haulers in order to comply with the City's franchise, Ordinance 1318-11. Combined, the Ordinance and Resolution would outline new minimum service standards for garbage and recycling collection.

FINANCIAL IMPLICATIONS:

Adoption of the ordinance and resolution will not fiscally affect the City. Minimum service volumes should not result in additional costs for garbage and recycling customers. However, for those who live in multifamily housing communities that have not had enough garbage and recycling services to meet the needs of residents, new containers may need to be added and the frequency of garbage and recycling collection may need to increase to ensure the right level of service. Property owners or managers make the decision about how the costs of garbage and recycling are shared, but are limited by state law in how much they can charge residents for these changes ([Oregon Revised Statutes, Title 10, Residential Landlord and Tenant, Chapter 90.315](#)).

ATTACHMENTS:

- Ordinance 1466-22 Solid Waste and Recycling Residential Service Standards for the Public
- Resolution 5612-22 Solid Waste and Recycling Residential Service Standards for Haulers

ORDINANCE NO. 1466-22

AN ORDINANCE IMPLEMENTING RESIDENTIAL SERVICE STANDARDS FOR SOLID WASTE AND RECYCLING.

WHEREAS, the administrative rules for Metro Code Chapter 5.15 became effective on April 4, 2021;

WHEREAS, the administrative rules set forth various standards for solid waste and recycling collection for residential customers in order to ensure compliance with the Regional Solid Waste Management Plan;

WHEREAS, the Council has adopted the standards in the administrative rules by resolution in accordance with Ordinance 1318-11, in order to ensure franchised haulers comply with the standards;

WHEREAS, Metro has determined that people living in multifamily communities, apartments, and condos face unique challenges when dealing with garbage and recycling, and has therefore established new standards for multifamily services to implement high-priority Regional Waste Plan actions; and

WHEREAS, the Council desires to enact standards that will be applicable to the general public in order to ensure compliance with the Regional Solid Waste Management Plan.

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

Section 1. Tualatin Municipal Code Chapter 9-12 (Solid Waste and Recycling Standards) is created to read as follows:

TMC 9-12-010 Definitions.

As used in this Chapter following terms mean:

- (1) "Acceptable Recyclable Materials" means mixed waste paper, newspaper, magazines, corrugated cardboard, steel cans, aluminum, scrap metal, plastic bottles and jars, round plastic containers and tubs, kraft paper, aseptic containers, glass bottles and jars, motor oil and yard debris.
- (2) "Landlord" means the owner, lessor or sublessor of a single family or multifamily residential property. "Landlord" includes a person who is authorized by the owner, lessor or sublessor to manage the premises or to enter into a rental agreement, and any person who has oral or written authority, either express or implied, to act for or on behalf of a landlord.

TMC 9-12-020 Access to On-Site Garbage and Recycling Collection Services

All landlords must provide access to on-site garbage and recycling collection services for tenants.

TMC 9-12-030 Service Requirement for Multi-Family Residential Properties

- (1) Unless service is provided through an on-call service, all landlords of multi-family residential properties must ensure that at least weekly collection of garbage, acceptable recyclable materials and source separated glass occurs at the following minimum per service volumes:
 - a. Garbage: 20 gallons per unit per week;
 - b. Acceptable Recyclable Materials: 20 gallons per unit per week;
 - c. Source Separated Glass: 1 gallon per unit per week.

- (2) Landlords are not required by this section to ensure weekly collection of motor oil.

- (3) Landlords are not required by this section to ensure yard debris collection if no yard debris is generated on-site, or the landlord meets one of the following conditions:
 - a. Uses a landscape maintenance firm that transports yard debris to a Metro-authorized facility;
 - b. Manages its yard debris on-site such as composting or mulching;
 - c. Self-hauls its yard debris to a Metro-authorized facility;
 - d. Uses another preapproved method.

TMC 9-12-040 Duty to Source Separate Glass

No person may mix glass with other acceptable recyclable materials within any collection receptacle.

Section 2. Severability. Each section of this ordinance, and any part thereof, is severable. If any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance remains in full force and effect.

Section 3. Effective Date. As provided in the Tualatin Charter, this ordinance is effective 30 days from the date of adoption.

ADOPTED by the City Council this 25th day of April, 2022.

CITY OF TUALATIN, OREGON

BY _____
Mayor

ATTEST:

BY _____
City Recorder

RESOLUTION NO. 5612-22

A RESOLUTION IMPOSING SOLID WASTE COLLECTION REQUIREMENTS ON THE CITY'S FRANCHISED HAULERS PURSUANT TO SUBSECTIONS 7(a), 7 (j), 7(n); and 11(a), AS WELL AS SECTIONS 14 AND 16 OF ORDINANCE 1318-11.

WHEREAS, on April 4, 2021, the administrative rules implementing Metro code chapter 5.15 became effective;

WHEREAS, the administrative rules impose new standards for solid waste and recycling collection for residential services;

WHEREAS, various subsections and sections of Ordinance 1318-11, which awards solid waste hauling franchises in the City, require haulers to comply with the Metro administrative rules when they are adopted by the City Council by resolution; and

WHEREAS, the Council desires to adopt the residential service standard as set forth in the Metro administrative rules in order to ensure compliance with the Regional Waste Management Plan and to provide a comprehensive and consistent level of recycling service throughout the Metro region.

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

Section 1. Pursuant to the terms of Ordinance 1318-11, the Council adopts the solid waste and recycling collection standards set forth in Exhibit A.

Section 2. The City Manager is further authorized to take any and all steps necessary to implement this resolution, including but not limited to providing a copy of the standards in Exhibit A to all franchised waste haulers within the City.

Section 4. This resolution is effective upon adoption.

INTRODUCED and ADOPTED by the City Council this 25th day of April, 2022.

CITY OF TUALATIN, OREGON

BY _____
Mayor

ATTEST:

BY _____
City Recorder

EXHIBIT A

Solid Waste and Recycling Collection Standards

Pursuant to the terms of Ordinance 1318-11, all franchised haulers shall comply with the following standards, which are adopted in order to ensure compliance with the Regional Waste Management Plan. These standards are in addition to and not in lieu of any applicable standards set forth in Ordinance 1318-11.

Section 1. For all single-family residential customers, franchised haulers shall, at a minimum provide:

- A. At least one receptacle, with capacity of at least 60 gallons, for the collection of all acceptable recyclable materials except glass and motor oil.
- B. At least one receptacle for source-separated glass collection. The receptacle for glass must have a capacity of at least five gallons.
- C. At least one receptacle for yard debris collection. The receptacle must have a capacity of at least 60 gallons.
- D. Weekly collection of acceptable recyclable materials, glass, motor oil, and yard debris on the same day of the week as garbage, unless exempted by the City Manager.
- E. Bulky waste collection services upon request.

Section 2. For all multi-family residential customers:

- A. Franchised haulers shall, at a minimum, provide the following minimum per unit service volumes
 - I. Garbage: 20 gallons per unit per week;
 - II. Acceptable Recyclable Materials: 20 gallons per unit per week;
 - III. Source Separated Glass: 1 gallon per unit per week.
 - IV. All material streams must be collected at least weekly, provide that on call services are exempt from these collection frequency and minimum per unit service volume requirements.
- B. Franchised haulers shall provide regularly occurring bulky waste collection service to multi-family residential customers no later than July 1, 2025.
- C. Franchised haulers shall ensure that receptacle colors, signage, and information materials comply with the regional standards for collection receptacles for all multifamily residential customers as follows by the following dates:
 - I. All plastic receptacles for garbage, acceptable recyclable materials, and yard debris and/or food scraps ordered after July 1, 2022 must contain at least 30% post-consumer recycled content.
 - II. All receptacles must be labeled with the correct Metro-approved regional decals for acceptable recyclable materials, glass, yard debris, and garbage by December 31, 2023. All previous garbage and recycling instructional decals must be completely removed from each receptacle and replaced with correct and approved regional decals.
 - III. By July 1, 2028, all garbage receptacles must be gray or black, acceptable recyclable material receptacles must be blue, yard debris and/or food scraps receptacles must be green and source-separated glass receptacles must be orange. These color standards do not apply to compactors and drop boxes.

- D. Franchised haulers are not required to but may provide used motor oil collection to multi-family residential customers.
- E. Franchised haulers are not required to provide yard debris collection to multi-family residential customers if no yard debris is generated on-site, or the customer meets one of the following conditions:
 - I. Uses a landscape maintenance firm that transports yard debris to a Metro-authorized facility;
 - II. Manages its yard debris on-site such as composting or mulching;
 - III. Self-hauls its yard debris to a Metro-authorized facility;
 - IV. Uses another preapproved method.

Section 3. Franchised haulers shall annually provide comprehensive education and assistance for waste, recycling and reuse services to all customers, including single-family, multifamily and business customers.

- A. Comprehensive education and assistance includes:
 - I. Information about waste prevention, reuse, recycling, yard debris and food waste;
 - II. Instructions about the proper preparation of materials for recycling, composting and disposal; and
 - III. Contact information for customers to receive additional information or assistance.
- B. All information provided by franchised haulers under this section must be accurate, culturally-responsive and reflect local conditions. Culturally-responsive means adapted to maximize the respect and relevance to the beliefs, practices, culture and linguistic needs of diverse consumer populations and communities.
- C. As part of the education and assistance required by this Section, franchised haulers must provide direct performance feedback to individual customers regarding any contamination of acceptable recyclable materials.
- D. Franchised haulers must provide timely inclement weather notifications in multiple languages and through a variety of media.

Section 4. Franchised haulers may not mix glass with other acceptable recyclable materials within any collection vehicle.