



TUALATIN CITY COUNCIL MEETING

Monday, October 14, 2024

TUALATIN CITY SERVICES
10699 SW HERMAN ROAD
TUALATIN, OR 97062

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

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

For those wishing to provide comment during the meeting, there is one opportunity on the agenda: Public Comment. Written statements may be sent in advance of the meeting to Deputy City Recorder Nicole Morris up until 4:30 pm on Monday, August 8. These statements will be included in the official meeting record, but not read during the meeting.

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

Phone: +1 669 900 6833

Meeting ID: 861 2129 3664

Password: 18880

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

Work Session

- 1. 5:00 p.m. (30 min) – Water Management & Conservation Plan.** Staff will provide an update on the City's Water Management and Conservation Plan and seek direction from the Council on 5-year benchmarks and activities to pursue.
- 2. 5:30 p.m. (30 min) – Park Projects Update.** Staff will present the status of all parks and trail projects funded by the Parks Bond, the Utility Fee Fund and the Park Development Fund.
- 3. 6:00 p.m. (30 min) – Opioid Settlements Update.** Staff will provide an update on Opioid settlements, including projected funding and funds received to date; other items to be discussed include criteria for uses of settlement funds and potential uses of the funds.

4. **6:30 p.m. (30 min) – Council Meeting Agenda Review, Communications & Roundtable.** Council will review the agenda for the October 14 City Council meeting and brief the Council on issues of mutual interest.
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7:00 P.M. CITY COUNCIL MEETING

Call to Order

Pledge of Allegiance

Announcements

1. Proclamation Declaring October 23-31, 2024 as Red Ribbon Week in the City of Tualatin
2. Proclamation Declaring the Month of October as Domestic Violence Awareness Month in the City of Tualatin
3. New Employee Introductions- Library Assistants Linda Garrison and Tera Stefanek

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 September 23, 2024
2. Consideration of Approval of a New Liquor License Application for Little Burro PDX, LLC
3. Consideration of **Resolution No. 5813-24** Authorizing the City Manager to Enter into an Intergovernmental Agreement (IGA) with the Oregon Department of Land Conservation and Development (DLCD) to Provide the City with Consultant Assistance for Walkable Design Standards Code Amendments

Special Reports

1. Consideration of Tualatin Police Department Updates

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 **Resolution No. 5812-24** Amending the City of Tualatin Council Rules
- [2.](#) Consideration of the 2024-2026 Climate Action Plan Work Plan

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/citycouncil.

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

Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Lindsay Marshall, Public Works Management Analyst II, Jake Hush, Public Works Management Intern, Nic Westendorf, Deputy Public Works Director

DATE: October 14, 2024

SUBJECT:
Water Management and Conservation Plan

EXECUTIVE SUMMARY:

Water Management and Conservation Planning (WMCP)

Water Management and Conservation Planning (WMCP) provides an opportunity to develop a strategy for managing water supplies in the most efficient manner possible and for meeting existing and future demands. A WMCP is a plan developed by a water supplier (such as a city water system, water district, or a private organization) that describes the water system and its needs, identifies its sources of water, and explains how the water supplier will manage and conserve those supplies to meet present and future needs. Therefore, a WMCP is considered a long-term water management and conservation tool which includes evaluation of different conservation and management actions that suppliers can undertake.

WMCPs are required from suppliers under Oregon Administrative Rules Chapter 690, Division 86 (OAR 690-086), which are administered by the Oregon Water Resources Department (OWRD). A WMCP consists of five "chapters," which include: plan elements, water supplier description element, water conservation element, water curtailment element, and water supply element. The City of Tualatin signed a 30-year wholesale water contract with Portland Water Bureau (PWB) in March 2024 and is therefore considered a water supplier. The PWB completes a full WMCP on behalf of itself and all contracted wholesalers and submits it to the State of Oregon. Per the wholesale contract, the City is only required to complete Chapter 3: Water Conservation Element, which is submitted to the PWB every five years. Following the OWRD guidebook, the Public Works Department has drafted a WMCP Chapter 3 and will submit to PWB in November 2024, fulfilling our contractual obligation. Completing Chapter 3 of a WMCP not only fulfills our contractual obligation to PWB, but also aligns with the City's Climate Action Plan Action 4.1.7 (Establish citywide water conservation program) and identified City Council interests.

Chapter 3: Water Conservation Element Requirements

The water conservation element has two main components: 1) a description of past and current water conservation measures performed by the supplier, and 2) a description of the water supplier's scheduled five-year benchmarks for implementation or continuation of conservation activities so progress can be evaluated. Benchmarks are specific actions that a water supplier commits to doing, along with a schedule to implement and/or carry out the water conservation activities within the next five years.

There are two types of conservation measures:

1. **Basic** - OAR 690-086 lists specific basic conservation measures that all water suppliers must implement.
2. **Enhanced** - Implementation of enhanced conservation measures under OAR 690-086-0150(6) must be evaluated and considered if the water supplier serves a population greater than 7,500. The population threshold triggers this requirement for the City of Tualatin. Under the enhanced measure, suppliers are generally required to evaluate the feasibility of each of the measures and to implement any measures the supplier concludes are feasible. If the measure is not concluded to be feasible, the supplier must document why.

| Basic Measures Required of All Suppliers OAR 690-086-0150(4) | Enhanced Measures Required of Select Suppliers OAR 690-086-0150(5)&(6) |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"> 1. Annual Water Audit 2. System-Wide Metering 3. Meter Testing and Maintenance 4. Rate Structure 5. Leak Detection Program (if system leakage exceeds 10 percent) <i>*Does not currently apply.</i> 6. Public Education | <ol style="list-style-type: none"> 1. Leak Detection Program (if system leakage exceeds 15%) <i>*Does not currently apply. Loss estimate is 5.54%</i> 2. Technical and Financial Assistance Programs 3. Retrofit/Replacement of Inefficient fixtures 4. Rate Structure/Billing Practices for Conservation 5. Reuse, Recycling, Non-Potable Opportunities |

Drafted Basic Benchmarks

The City currently meets all required basic measures and has crafted benchmarks to reflect the continuation of these efforts (see WMCP draft for additional details, attached).

1. Annual Water Audit - The City will continue to audit and calculate the system's water balance (input and output)
2. System-Wide Metering - The City will continue to maintain a fully metered water system.
3. Meter Testing and Maintenance - The City will continue to test, replace, and repair meters and calibrate lines 3" or greater twice per year.
4. Rate Structure - The City will continue to bill customers monthly and review rates regularly.
5. Leak Detection Program (if system leakage exceeds 10 percent) **Does not currently apply. Loss estimate is 5.54%*
6. Public Education - The City will continue to develop and implement educational and outreach efforts to support the Tualatin community in water conservation.

Drafted Enhanced Benchmarks

After extensive research into the variety of ways in which the City might meet the enhanced measures, the Public Works Department has drafted benchmarks to explore over the next five years.

Leak Detection Program (if system leakage exceeds 15%) - This does not apply to the City of Tualatin, as our system leakage does not exceed 15%. The City's calculated water loss rate (which includes accounting for leakages, unauthorized uses, etc.) for 2022 was 5.54%.

Technical and Financial Assistance Programs - Water suppliers are required to evaluate and consider implementing programs to offer technical and financial assistance to encourage and aid its residential, commercial and industrial customers in implementation of conservation measures.

- Proposed benchmark - Set a community standard for water conservation by offering educational materials and assisting customers. This can be accomplished through staff created outreach materials, as well as utilizing resources from the City's water conservation focused partner programs like the Regional Water Provider's Consortium and Backyard Habitat.
- Other benchmarks considered:
 - Training for local businesses – Not feasible due to staff capacity, but is a current planning conversation at Consortium.
 - Perform water audits for customers - Not feasible due to staff capacity
 - Rebates – Rebates are excellent for customer service. However, due to high administrative burdens in processing rebate requests, efficiency requirements in modern plumbing code, and the potential for inequitable distribution of benefits (upfront costs are on the customer), rebates were not included as a draft benchmark.

Retrofit/Replacement of Inefficient fixtures - Water suppliers can reduce demand by either providing some type(s) of efficient water using equipment to customers or providing financial incentives for customers to invest in water-efficient products (rebates).

- Proposed benchmark - Implement a conservation kit program to help customers retrofit or replace inefficient residential fixtures. Kits can be made available upon request by existing customers and can be sent to all new residential customers.
- Other benchmarks considered:
 - Rebates – Rebates are excellent for customer service, but as discussed above, are not being included as a recommended benchmark.

Rate Structure/Billing Practices for Conservation – Water suppliers should evaluate and consider adopting rate structures, billing schedules, and other associated programs that support and encourage water conservation.

- Proposed benchmark - Conduct a study about the potential for a water conservation focused rate structure. Such structures include tiered rates, whereby customers are charged a uniform base fee, and usage fees that are assessed based on the "tier" of consumption. Tiers are incremental blocks of water volume; the higher the tier, the higher the price. Another option is a seasonal rate, whereby customers are charged a different rate based on wet/dry seasons. A seasonal structure would charge more for discretionary water uses, like irrigation, while keeping basic water use for health and safety as affordable as possible.
- Proposed benchmark - Currently, meters are physically read by a person on a monthly basis. Automated Meter Reading (AMR) or an Advanced Metering Infrastructure (AMI) systems allow for automated or real-time meter readings. This allows for consistent billing cycles, which supports tiered rates, and provides real time data to catch leaks faster. The City will install retrofit capable meters as old or failed meters reach end-of-life. All newly installed meters will work with an AMR/AMI system. This will help position the City's transition to an AMI / AMR system in the future.
- Other benchmarks considered: The proposed benchmarks are the most feasible options to explore at this time.

Reuse, Recycling, Non-Potable Opportunities - Water suppliers should evaluate and consider implementing programs to make use of water reuse, water recycling, and non-potable water opportunities.

- Proposed benchmark - Explore expanding Clean Water Services' Durham Treatment Plant Purple Pipeline, which would allow facilities like Tualatin Community Park to be irrigated with non-potable water. This would reduce the use of drinking water for irrigation purposes.
- Other benchmarks considered – The proposed benchmark is the most feasible option to explore at this time.

Public Works staff recommend evaluating and considering the proposed benchmarks for the November 2024 submission of WMCP Chapter 3 of the PWB.

OUTCOMES OF DECISION: If Council is supportive, staff will submit the attached draft WMCP to the Portland Water Bureau and pursue the identified benchmarks over the coming 5-year period.

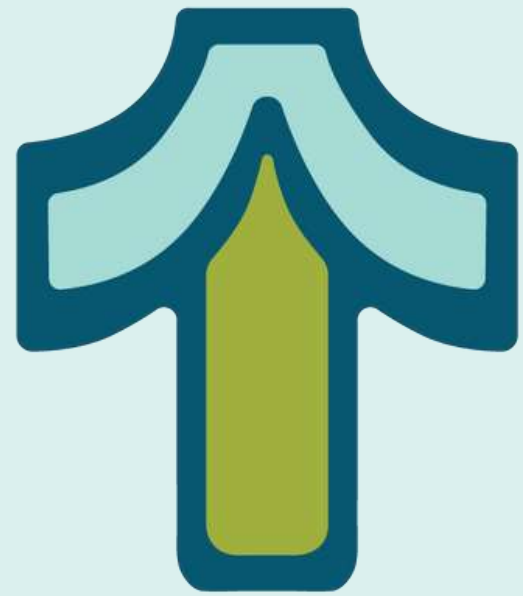
ALTERNATIVES TO RECOMMENDATION: Council could direct staff to pursue other benchmarks.

FINANCIAL IMPLICATIONS:

Some of the proposed benchmarks will require funding and future budgetary considerations. These items will be brought to Council as necessary.

ATTACHMENTS:

- Presentation - Water Management and Conservation Plan
- Draft Water Management and Conservation Plan Chapter 3



CITY *of*
TUALATIN
~~~~~  
*Public Works*

# Water Management and Conservation Plan





# WMCP - What is it?

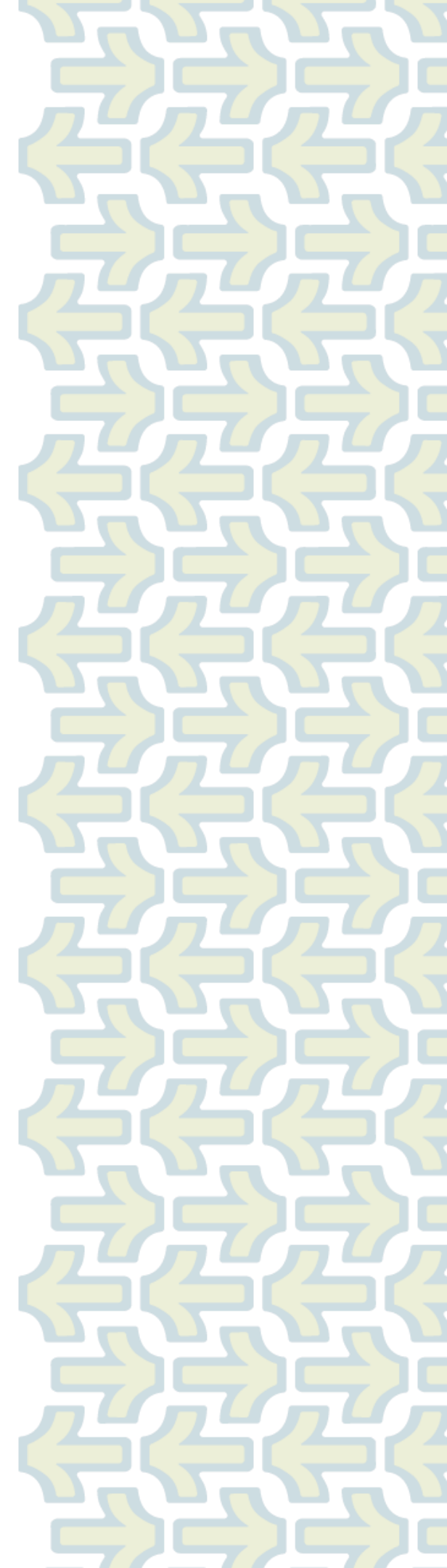


**A water suppliers' integrated resource management plan:**

Describes the water system and its needs




Identifies its sources of water

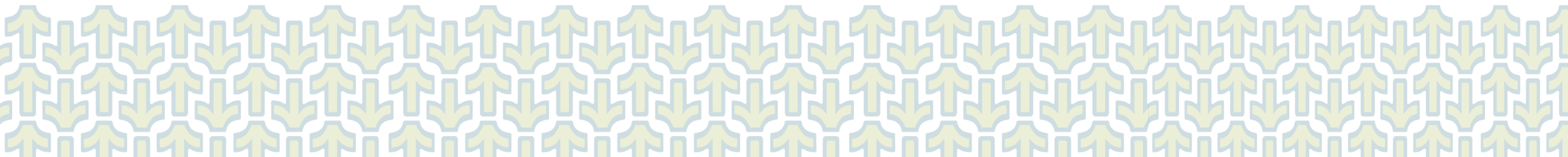
Explains present and future management and conservation needs



# Water Conservation - Why do it?



-  Required by the City's contract with the Portland Water Bureau (OAR 690-086)
-  Climate Action Plan (Action 4.1.7)
-  Identified Council Interest



# Water Management & Conservation Plans



**Chapter 1**

**Plan  
Elements**

**Chapter 2**

**Supplier  
Description**

**Chapter 3**

**Conservation  
Element**

**Chapter 4**

**Curtailment  
Element**

**Chapter 5**

**Supply  
Element**

# Water Management & Conservation Plans



**Chapter 1**

**Plan  
Elements**

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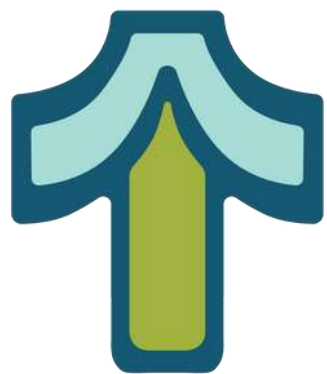
# Water Management & Conservation Plans



## Chapter 3

### Conservation Element

1. **Establishes a strategic framework** for efficient and sustainable use of the City's water resources.
2. **Guides the City's efforts** in reducing waste, enhancing efficiency, and promoting long-term water sustainability.





# Water Conservation Element



## Part 1

Past and current water conservation measures.

## Part 2

Descriptions of conservation benchmarks for the next five years.

## Benchmark

A specific water conservation action that a supplier commits to doing within the next five years.



# Water Conservation Element

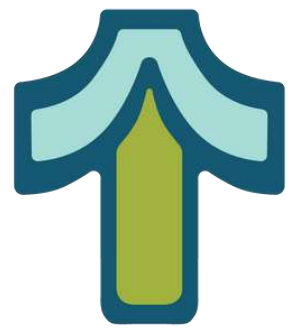


## Basic Measures Required of All Suppliers OAR 690-086-0150(4)

1. Annual Water Audit
2. System-Wide Metering
3. Meter testing and Maintenance
4. Rate Structure
5. Leak Detection Program
6. Public Education

## Enhanced Measures Required of Select Suppliers OAR 690-086-0150(5)&(6)

1. Technical and Financial Assistance Programs
2. Retrofit/Replacement of Inefficient Fixtures
3. Rate Structure/Billing Practices for Conservation
4. Reuse, Recycling, Non-Potable Opportunities



# Basic - Annual Water Audit

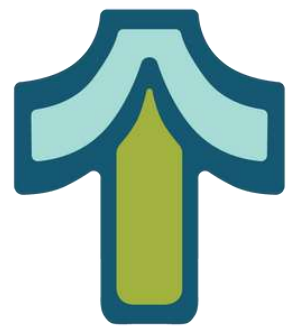
An analysis of the water system, including:

- A comparison of the water taken into the system versus the water used.

**Bench  
mark**

Continue to conduct annual water audits





# Basic - System-Wide Metering

**Tualatin's system is fully metered, including:**

- **All existing customer connections**
- **All new customer connections.**

**Bench  
mark**

Continue to have a fully metered system.

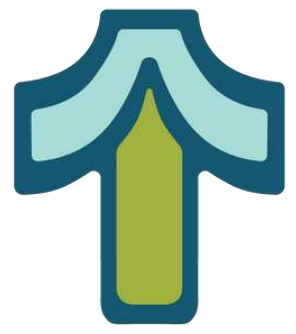


# Basic - Meter testing and Maintenance

- Monthly report from meter reading contractor.
- Twice-annual calibration of meters 3” and larger.
- Source meter is calibrated by the Portland Water Bureau.

**Bench  
mark**

Continue meter testing and maintenance.



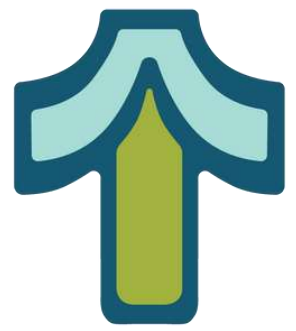
# Basic - Rate Structure

**The City is required to:**

- **Bill customers on the quantity of water used.**
- **Review rates and structures regularly.**

**Bench  
mark**

Continue to bill monthly and regularly review rates.



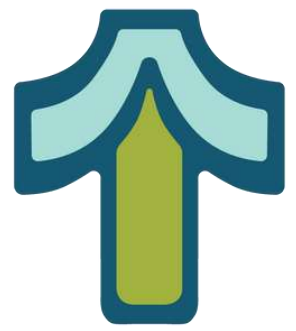
# Basic - Leak Detection Program

The City currently measures water loss:

- Tualatin's loss percentage is consistently below the 10% OAR threshold (5.5% in 2022).

**Bench  
mark**

Continue to monitor for and address water loss.



# Basic - Public Education

**The City promotes water conservation in a variety of ways:**

- **Educational materials and community engagement.**
- **Engaging with partners (ex: Regional Water Providers Consortium and the Backyard Habitat Certification Program).**

**Bench  
mark**

Continue to develop and implement outreach efforts.



# Water Conservation Element

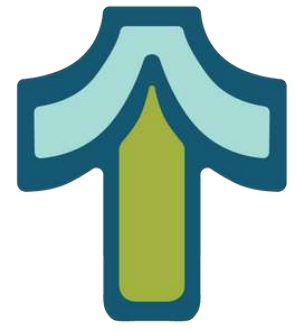


## Basic Measures Required of All Suppliers OAR 690-086-0150(4)

1. Annual Water Audit
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6. Public Education

## Enhanced Measures Required of Select Suppliers OAR 690-086-0150(5)&(6)

1. Technical and Financial Assistance Programs
2. Retrofit/Replacement of Inefficient Fixtures
3. Rate Structure/Billing Practices for Conservation
4. Reuse, Recycling, Non-Potable Opportunities

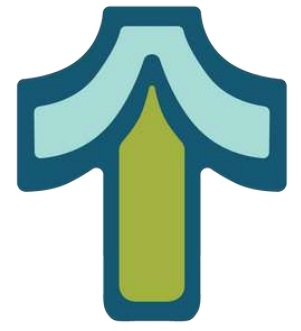


# Enhanced - Technical and Financial Assistance Programs

Programs designed to encourage and support customers in their conservation efforts.

## **Proposed Benchmark**

Set a community standard for water conservation by offering educational materials and assisting customers.



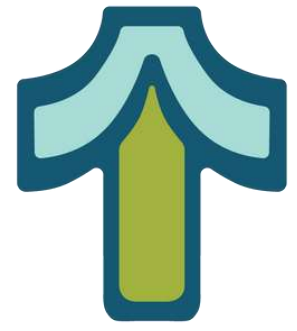
# Enhanced - Retrofit/Replacement of Inefficient Fixtures

Reducing water demand by providing customers with equipment or financial incentives to invest in water-efficient products.

## Proposed Benchmark

Implement a conservation kit program to help customers retrofit or replace inefficient residential fixtures.



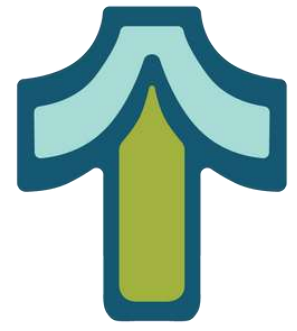


# Enhanced - Rate Structure/Billing Practices for Conservation

Consider rate structures and billing practices that support and encourage water conservation.

## Proposed Benchmarks

- Conduct a study about the potential for a water conservation focused rate structure (tiered rates)
- Install AMR/AMI retrofit capable meters.



# Enhanced - Reuse, Recycling, Non-Potable Opportunities

Consider how reuse, recycling, and use of non-potable water could reduce the need for raw water.

## **Proposed Benchmark**

Explore expanding the Durham Treatment Plant's Purple Pipeline.

# Staff Recommendations



**Question for Council: Does this feel like the right approach?**

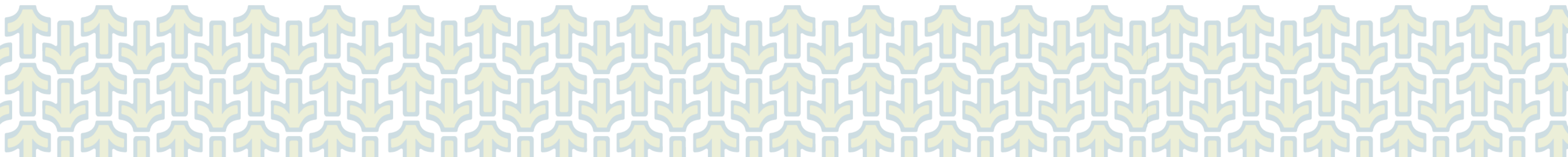
Set a  
community  
standard in  
education

Offer free  
conservation  
kits to  
Tualatin  
customers

Explore  
conservation  
focused rate  
structure

Install  
AMR/AMI  
retrofit  
capable  
meters

Explore  
Purple  
Pipe  
Expansion



# Chapter 3: Water Conservation Element: OAR 690-086-0150

|                                                                                   |   |
|-----------------------------------------------------------------------------------|---|
| Introduction: .....                                                               | 1 |
| Basic Conservation Measures (OAR 690-086-0150): .....                             | 1 |
| Annual Water Audit (OAR 690-086-0150(4)(a)):.....                                 | 1 |
| Full Metering System (OAR 690-086-0150(4)(b)): .....                              | 2 |
| Meter Testing and Maintenance Program (OAR 690-086-0150(4)(c)):.....              | 2 |
| Rate Structure (OAR 690-086-0150(4)(d)): .....                                    | 2 |
| Leak Detection Program (OAR 690-086-0150(4)(e)):.....                             | 3 |
| Public Education Program (OAR 690-086-0150(4)(f)):.....                           | 3 |
| Enhanced Conservation Measures (OAR 690-086-0150(5)): .....                       | 4 |
| Technical and Financial Assistance Programs (OAR 690-086-0150(6)(b)):.....        | 4 |
| Retrofit/Replacement of Inefficient Fixtures (OAR 690-086-0150(6)(c)): .....      | 4 |
| Rate Structure/Billing Practices for Conservation (OAR 690-086-0150(6)(d)): ..... | 4 |
| Reuse, Recycling, Non-Potable Opportunities (OAR 690-086-0150(6)(e)): .....       | 5 |

## Introduction:

As Tualatin continues to grow and develop, the demand for water resources increases, placing pressure on the existing water supply infrastructure. The purpose of this water Conservation Element is to establish a strategic framework that ensures the efficient and sustainable use of water resources in Tualatin.

This document is designed to guide the city’s efforts in reducing water waste, enhancing the efficiency of water use, and promoting long-term water sustainability. By working towards a set of conservation goals and measures, the City of Tualatin aims to balance the growing water needs and costs of the community with maintaining a reliable water supply and support broader environmental goals.

## Basic Conservation Measures (OAR 690-086-0150):

### Annual Water Audit (OAR 690-086-0150(4)(a)):

Steps for conducting an annual water audit and how it will be done.

OWRD defines a water audit as an analysis of the water system that includes a comparison of the water withdrawn or diverted with the amount of water sold, delivered, used or lost. Tualatin uses this to help identify leaks in the system and identify all authorized and unauthorized water uses. An annual audit is conducted using these guidelines to determine what our “water balance” and help detect if leaking is occurring in mains.

*Five Year Benchmarks:*

The City Will continue to conduct annual water audits to help reduce leaks and understand water loss occurring.

Full Metering System (OAR 690-086-0150(4)(b)):

The system is fully metered, including all customer connections, and meters are installed on all new connections.

*Five Year Benchmarks:*

The City will continue to maintain a fully metered system.

Meter Testing and Maintenance Program (OAR 690-086-0150(4)(c)):

Tualatin receives a monthly report from meter reading contractor that includes a meter repair list, for meters that are not responding and or broken. Staff members are dispatched to investigate the issue. Sometimes this investigation results in a meter replacement or repair of leaking connections. Other times, it results in an interaction with the customer to inform them of a potential leak on the private side of the meter, with recommendations for how to address the leak.

The City currently calibrates all customer meters 3” and larger twice annually (typically Spring and Fall). This ensures that the meters are reading accurately, and that all components are functioning correctly. If issues are found, the City makes prompt repairs.

Tualatin’s source meter is calibrated by the Portland Water Bureau.

*Five Year Benchmarks:*

The city will continue to implement calibration and testing of all metering over 3” twice annually, and repair or replace meters detected on meter repair list.

Rate Structure (OAR 690-086-0150(4)(d)):

Explanation of how Tualatin’s rate structure works and how it is based on a quantity of water metered.

The City of Tualatin currently uses a uniform rate structure that includes:

- Facilities Charge – fee based on meter size per month.
- Service Charge – Flat rate for all meters per month.
- Water Charge – Fee for hundred cubic feet (CCF) of water used per month.

OAR 86-690 requires all suppliers to have a rate structure that is based, at least in part, on quantity of water metered at the service connection. The City’s existing rate structure meets this requirement for all metered services.

Rates and structures are periodically reviewed by the City. The most recent review occurred in May of 2023 using an outside consultancy that identified future rates and measures for consideration.

*Five Year Benchmarks:*

The City will continue to bill customers monthly, in part based on quantity of water metered at service connection.

### Leak Detection Program (OAR 690-086-0150(4)(e)):

The City currently measures water loss by comparing the water purchased from the City of Portland to the water sold to Tualatin customers, as well as accounting for water injected and recovered from the ASR. The water loss rate for 2022 was 5.54%. Further refinement of the water loss calculation should be done to ensure accuracy. Consideration for current best practices as well as water sold to River Grove customers, bulk water sales, and construction water should be included. This would likely further reduce our estimated water loss.

The City is in the process of upgrading its Supervisory Control and Data Acquisition (SCADA) system. By maintaining a modern and accurate SCADA system the City can better detect anomalies in the distribution system and identify and repair leaks.

The City encourages customers to find and repair leaks. The meter reading contractor flags accounts with excessive water use and a technician for utility billing looks for accounts appearing to use higher-than-normal amount of water once a month through meter reading contractors report. When an account is identified, the utility billing system generates a work order and a water crew from Operations Department visits the customer to inspect meters and or potential leak.

Most leaks are detected visually within the Tualatin water system. Known leaks are addressed

If a leak is suspected, but the source cannot be pinpointed, City staff can use listening devices to 'hear' where the leak may be located. Sometimes, the City partners with neighboring entities that own more robust leak detection equipment, to pinpoint the source of the leak. The City then performs the necessary repair.

#### *Five Year Benchmarks:*

The City will continue to monitor for leaks and take action to investigate any potential leaks and address any known leaks.

### Public Education Program (OAR 690-086-0150(4)(f)):

Tualatin participates in multiple water conservation groups including the Regional Water Providers Consortium (RWPC), and the Backyard Habitat Certification Program (BHCP). The Regional Water Providers Consortium focuses on promoting a regional approach to water conservation through shared resources including water-saving tips, educational materials for children, and information on efficient water use both indoors and outdoors.

BHCP focus on community building and encouraging the conversion of yards or green space into a climate-resilient habitats made from drought resilient native plants that supports cleaner air and water.

Tualatin plans to create material that can be used for various events and groups to help promote water conservation that includes, messaging attached to monthly water utility bills, presentations at the chamber of commerce, art contests and school presentations.

The city provides a variety of educational materials to the public, including brochures, flyers, and digital content available on the city's website. Along with links to other web resources link the Regional Water Consortium, Clean Water Services landscaping tips, native plant finder (Oregon Flora).

#### *Five Year Benchmarks:*

The City will continue to develop and implement outreach efforts for water conservation, including utilize partner programs like the Regional Water Provider's Consortium and Backyard Habitat, developing print and online materials, supporting community organizations, and conducting outreach at community events.

### Enhanced Conservation Measures (OAR 690-086-0150(5)):

The City serves a population greater than 7,500. As a result, Tualatin is required to provide activities and five-year goals related to the following additional measures:

- Technical and Financial Assistance Programs
- Retrofit/Replacement of Inefficient Fixtures
- Rate Structure/Billing Practices for Conservation
- Reuse, Recycling, Non-Potable Opportunities
- Other Proposed Conservation Measures

### Technical and Financial Assistance Programs (OAR 690-086-0150(6)(b)):

The City has researched rebates being offered in the state and has concluded that they will not be a beneficial use of city funds, or a good fit for Tualatin. The City does offer bill assistance for qualifying customers.

#### *Five Year Benchmarks:*

The City will work to set a community standard for water conservation by offering educational material and assist in customers needs.

### Retrofit/Replacement of Inefficient Fixtures (OAR 690-086-0150(6)(c)):

Tualatin is currently exploring the implementation of a conservation kit program that not only help save water through the retrofit and or replacement of inefficient fixtures but also are a great piece of customer service. These kits can include a range of items from informational material to replacement fixtures. These kits can be stored at city buildings like City Offices, City Services, and the library for residents of Tualatin to pick-up at no charge. The city can also add a small message at the bottom of customers utility bills mentioning how they can either pick up a complimentary kit or order one to their doors.

#### *Five Year Benchmarks:*

The City will start to implement a conservation kit program that will help residents and customers to retrofit or replace inefficient residential fixtures like showerheads and faucet nozzles.

### Rate Structure/Billing Practices for Conservation (OAR 690-086-0150(6)(d)):

Tualatin reads meters and bills customers on a monthly basis, so that customers receive bills relatively close to the time the water was used.

Tualatin is currently exploring different rate structures that could be explored during the utilities next rate study. These rate structures include an inclining block rate structure (tiered rates), and a seasonal rate structure that are both recommended under OAR 690-86-0150(6) Enhanced Conservation Measures.

*Five Year Benchmarks:*

The City will conduct a study on a more water conservation focused rate structure like tiered rates or a seasonal rate structure.

The City will replace broken or damaged old-style meters with ones that are capable of an AMI/AMR retrofit. The City will also install only AMR/AMI retrofit capable meters in all new meter installations.

[Reuse, Recycling, Non-Potable Opportunities \(OAR 690-086-0150\(6\)\(e\)\):](#)

Clean Water Services of Washington County owns and operates the Durham Treatment Plant. In the past, water reuse and recycling uses have not been financially beneficial to Tualatin. The city is currently exploring the costs of expanding the Durham Treatment Plant's Purple Pipeline that would route cleaned stormwater to irrigate green spaces like, parks, school grounds and yards.

*Five Year Benchmarks:*

The City will explore opportunities to expand the Durham Treatment Plant's Purple Pipeline into the City.





# CITY OF TUALATIN

## Staff Report

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

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Rich Mueller, Parks Planning and Development Manager  
Kira Hein, Project Manager

**DATE:** October 14, 2024

---

**SUBJECT:**  
Parks & Trails Project Update

**EXECUTIVE SUMMARY:**

City Council adopted the Parks and Recreation Master Plan in 2019. This plan identified the need for parks, trails, recreation facilities, and river access. This planning process involved extensive public outreach and community engagement.

The Parks and Recreation Master Plan demonstrated the need to preserve natural areas and provide active recreation to serve community members. Based on City Council Vision and Priorities, a Parks Funding Measure Committee was formed. The committee recommended a Parks Bond and priority projects to include a voter initiative. Council placed the Parks Bond measure on the November 2022 ballot, which Tualatin voters approved.

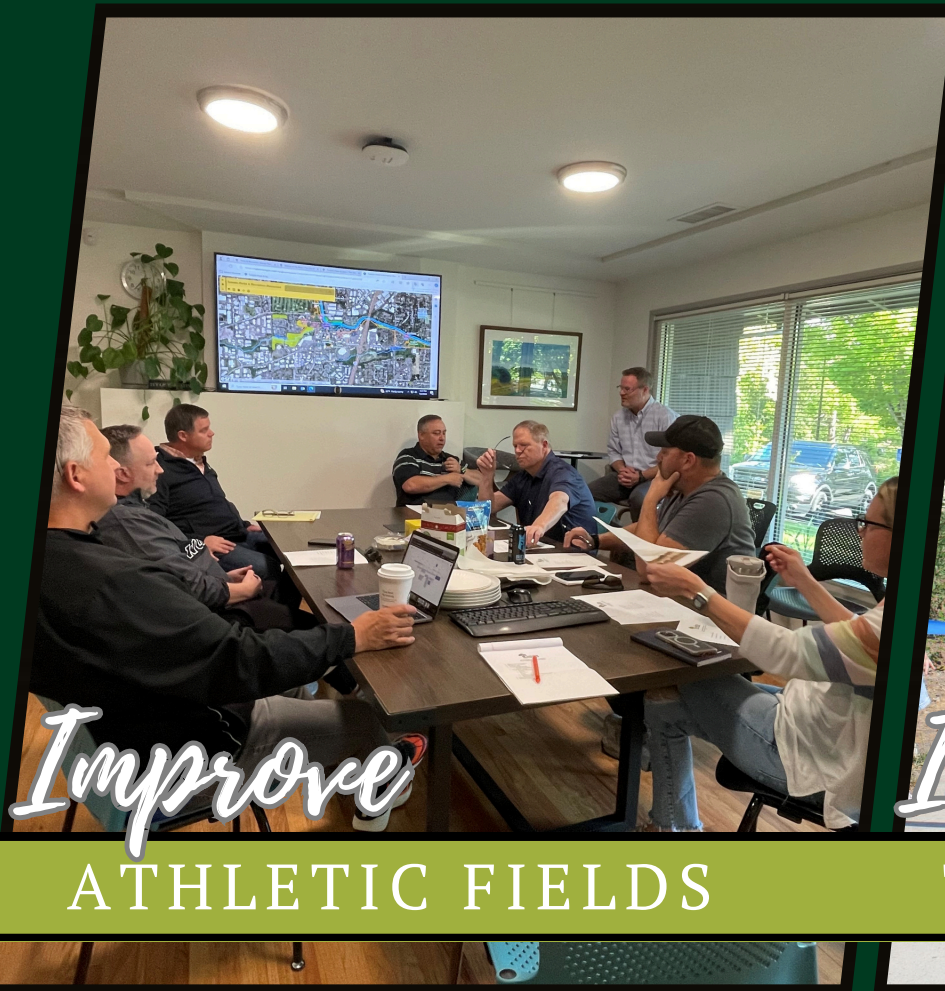
Staff will present the status of all Parks & Trail projects funded by the bond, utility fee fund, and the park development fund.

---

**ATTACHMENTS:**

-Parks & Trails Project Presentation

# PARKS & TRAILS BOND



*Improve*

ATHLETIC FIELDS



*Increase*

TRAIL CONNECTIONS



*Create*

NEW WATER ACCESS

BOND UPDATE - OCTOBER 14TH, 2024

# PARKS & TRAILS BOND



## TRAIL CONNECTIONS *Est. \$4.5 MM*

NEW TRAIL AT NYBERG CREEK



## NEW RIVER ACCESS *Est. \$4 MM*

DOWNTOWN TUALATIN



## ATHLETIC FIELDS *Est. \$7 MM*

IMPROVEMENTS



## UPGRADES *Est. \$5 MM*

TO EXISTING PARKS



## NATURAL AREAS *Est. \$3.5 MM*

ACQUIRE & PROTECT



## PLAY EQUIPMENT *Est. \$1 MM*

IMPROVEMENTS



# PARKS & TRAILS BOND



## CITY COUNCIL VISION & PRIORITIES ALIGNMENT

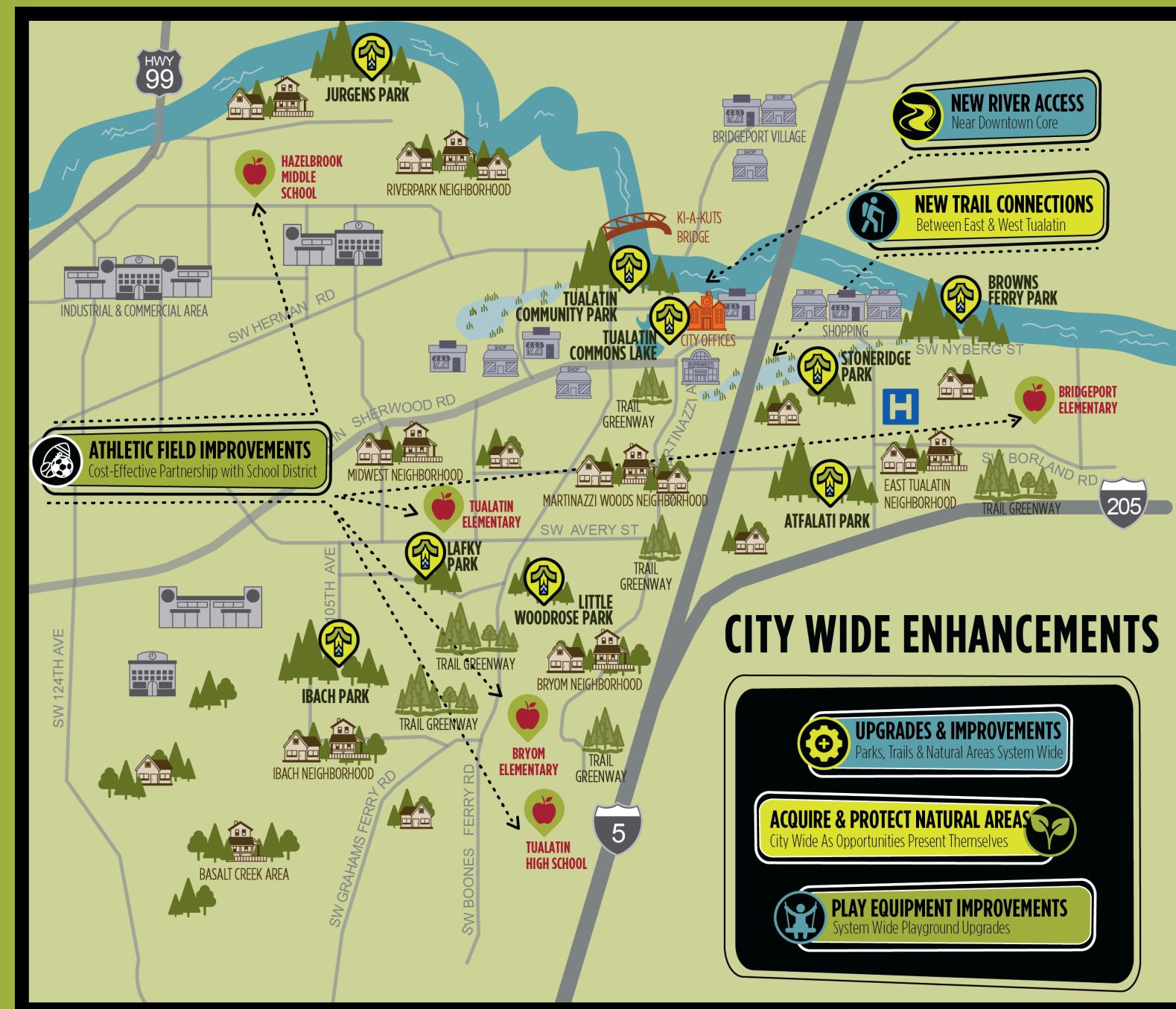
|                                           | TRAIL CONNECTIONS | PARK UPGRADES | NATURAL AREAS | NEW RIVER ACCESS | PLAY EQUIPMENT | ATHLETIC FIELDS |
|-------------------------------------------|-------------------|---------------|---------------|------------------|----------------|-----------------|
| <b>INCLUSIVE COMMUNITY</b>                |                   |               |               |                  |                |                 |
| <b>CONNECTED, INFORMED, &amp; ENGAGED</b> |                   |               |               |                  |                |                 |
| <b>ECONOMY</b>                            |                   |               |               |                  |                |                 |
| <b>GATHERING PLACES</b>                   |                   |               |               |                  |                |                 |
| <b>TRANSPORTATION SYSTEM</b>              |                   |               |               |                  |                |                 |
| <b>NEIGHBORHOODS</b>                      |                   |               |               |                  |                |                 |
| <b>ENVIRONMENT</b>                        |                   |               |               |                  |                |                 |

# PARKS & TRAILS BOND



## COMMUNICATIONS

- City Council Meetings
- T-PARK Meetings
- Website Updates
- E-mail Blasts
- City E-Newsletters
- Social Media Posts



# COMPLETED PROJECTS

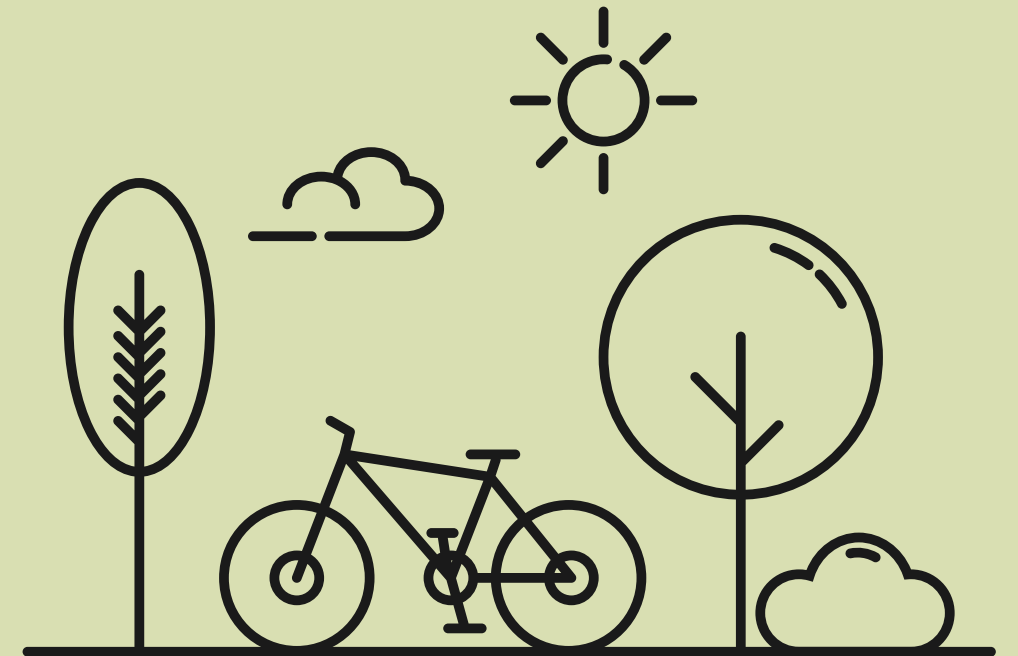


- Tualatin River Greenway Trail Extension (under Hwy 99)
- Jurgens Park Playground
- Tualatin Community Park Athletic Field Lights  
- Atfalati Park Picnic Shelter
- Atfalati Park Playground  
- Ibach Park Playgrounds
- 17 Acres (3 properties) Acquired in Basalt Creek  
- Acquired 6 Acres (2 properties) of Riverfront Property Adjacent to Tualatin Community Park



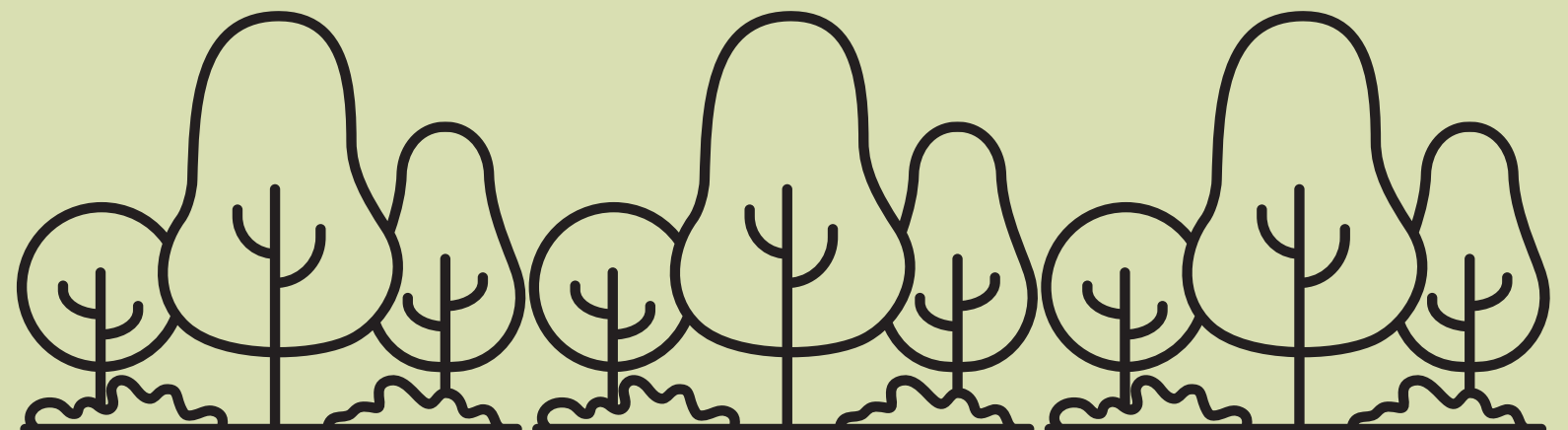
## IN PROCESS

- Nyberg Creek Trail Connection
- Athletic Fields Improvements
- Tualatin Commons Veterans Plaza Upgrades

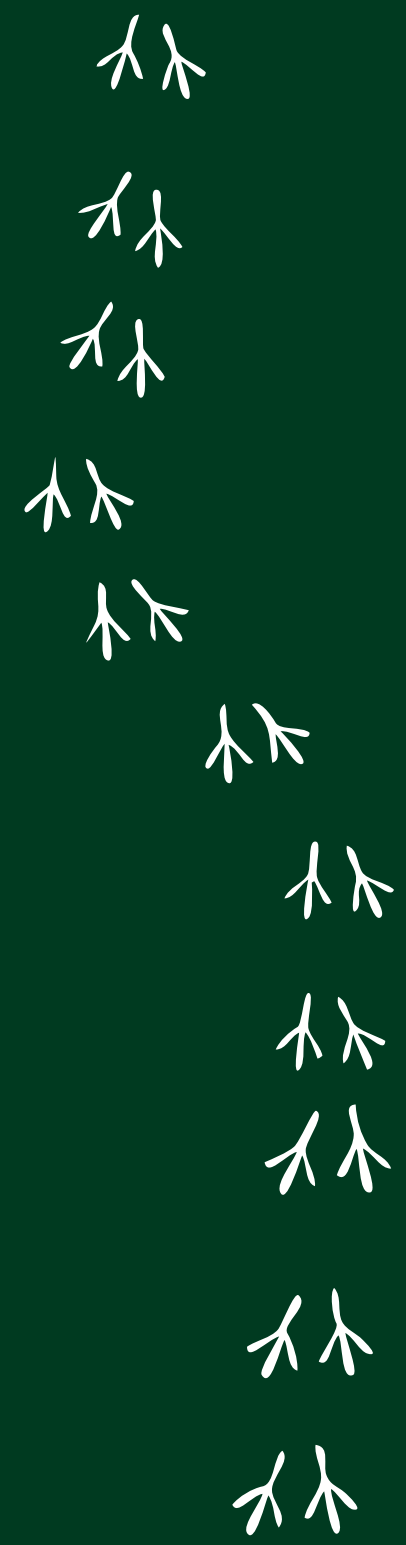


## FUTURE

- New River Access



# TRAIL CONNECTIONS



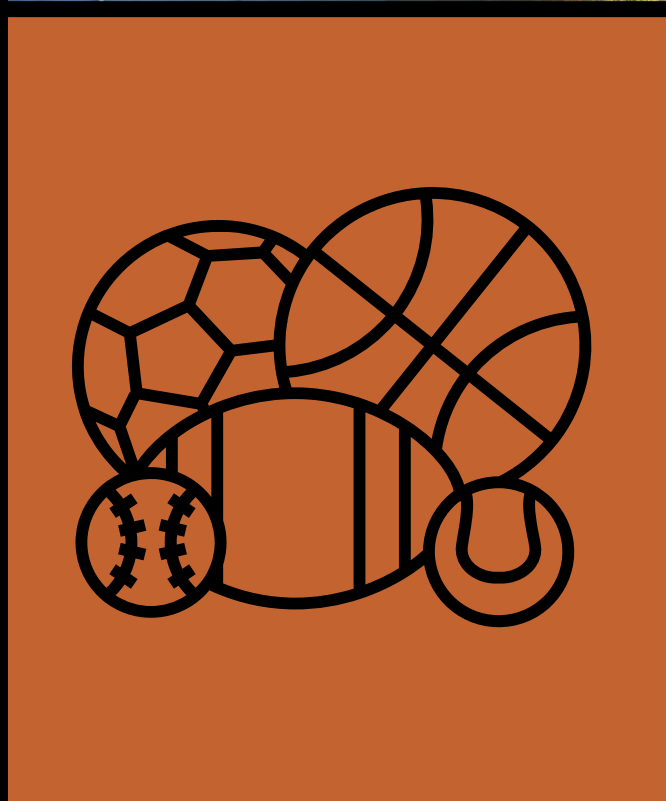
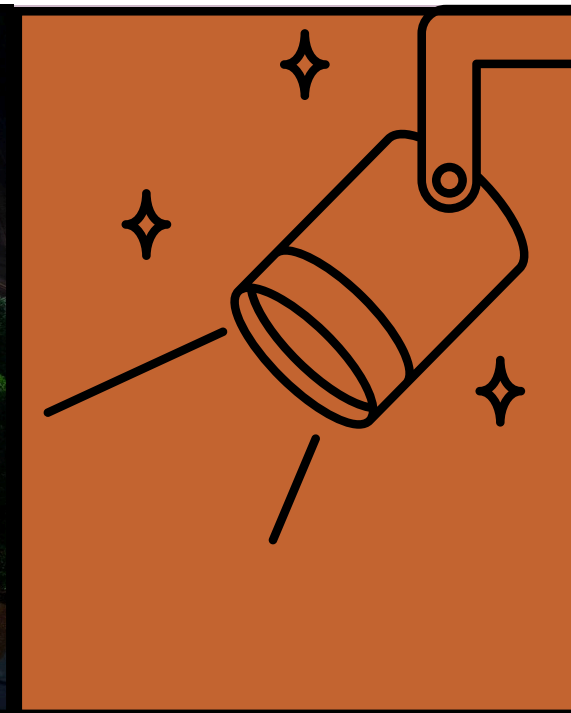
## Nyberg Creek Trail



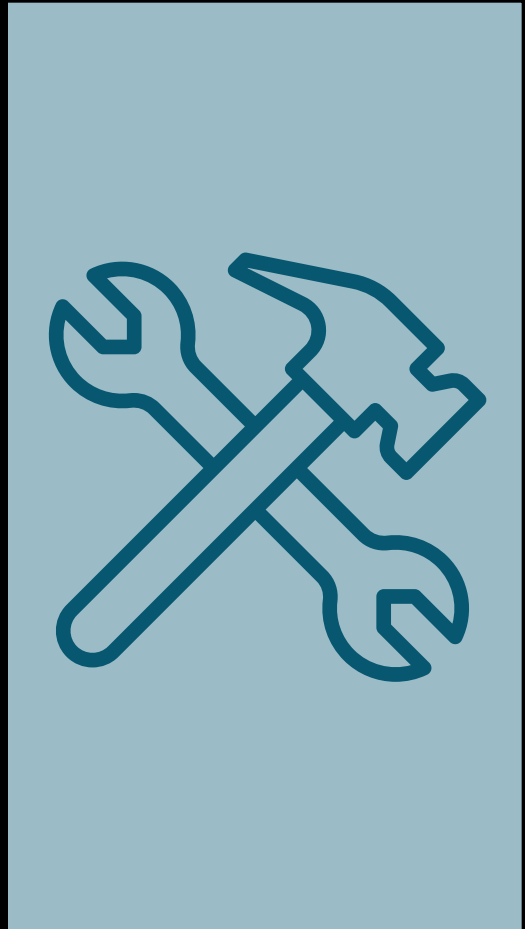
# NEW RIVER ACCESS



# ATHLETIC FIELD IMPROVEMENTS



# UPGRADES TO EXISTING PARKS



# NATURAL AREAS ACQUIRE & PROTECT

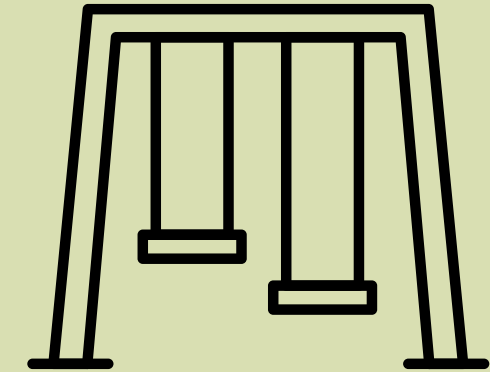


TuaGIS, Metro, GIG, Esri Community Maps Contributors, Oregon Metro, Oregon State Parks, State of Oregon  
GEO, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS,  
Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USFWS, TuaGIS

# PLAY EQUIPMENT



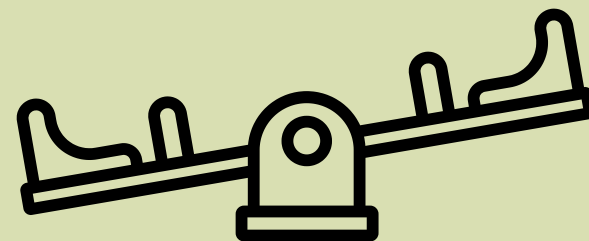
Atfalati Park



Ibach Park

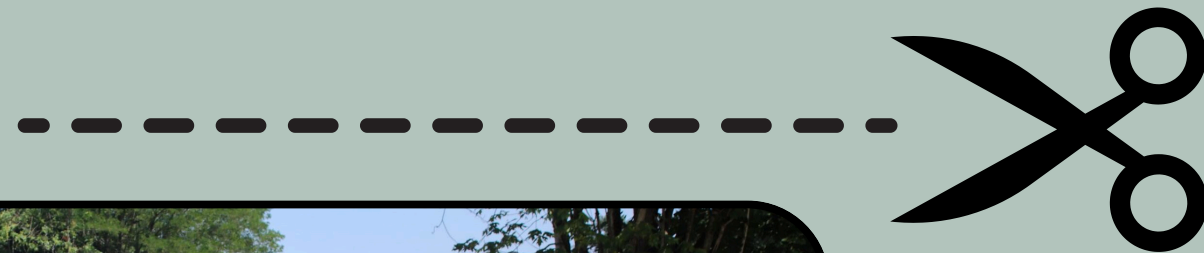


Jurgens Park





## Tualatin River Greenway Trail at Highway 99



# UTILITY FEE PROJECTS



- Ki-a-Kuts Bridge Rehabilitation
- Parks & Recreation Facility Assessment
- Tualatin Community Park Picnic Shelter Post Replacement
- Victoria Woods Trail Stair Replacement
- Little Woodrose Access & Trail Renovation

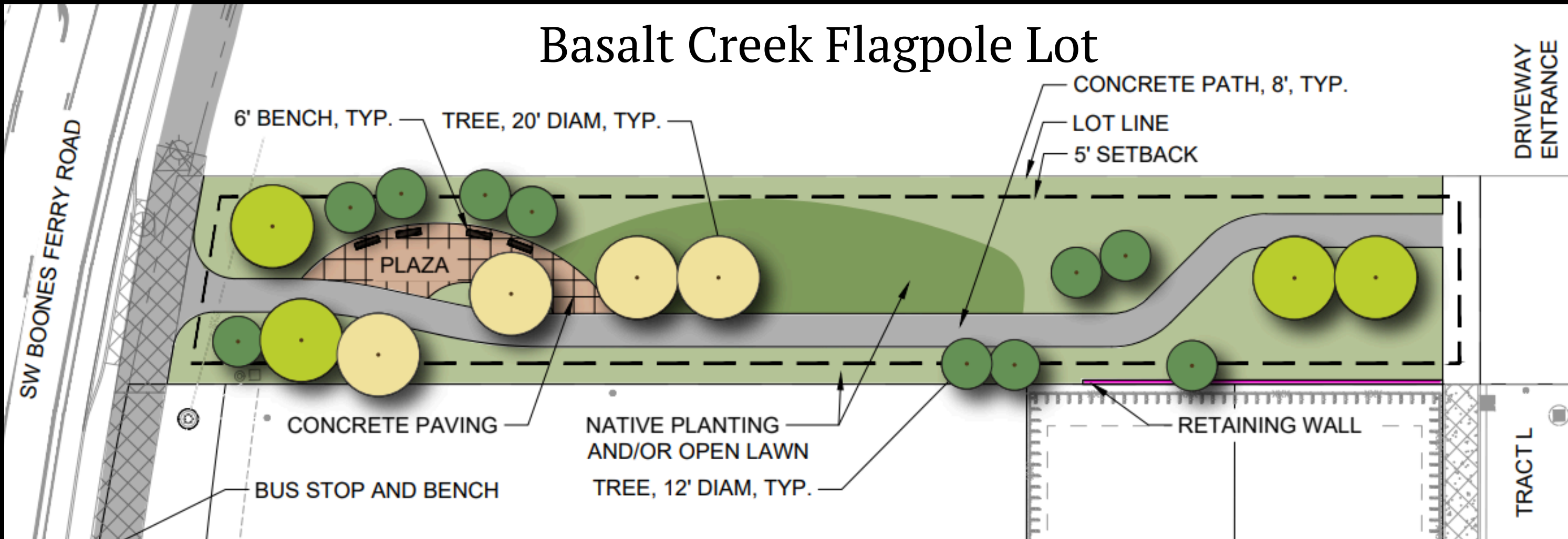
# AMERICAN RESCUE PLAN ACT (ARPA) PROJECTS



## Las Casitas Park



## Basalt Creek Flagpole Lot





# PARKS & TRAILS BOND



# QUESTIONS & COMMENTS





# 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  
Greg Pickering, Chief of Police

**DATE:** October 14 2024

---

**SUBJECT:**  
Opioid Settlements Update

**EXECUTIVE SUMMARY:**

The City receives opioid settlement dollars because the State of Oregon is a participant to these settlements and the City is included in the Oregon Intrastate Allocation Agreement. The City currently receives allocations from the following settlements:

- Walmart
- Allergan
- Janssen
- CVS
- Teva
- Walgreens
- Distributor

Staff will provide an update on these settlements, including projected funding and funds received to date. Other items to be discussed are the Core Strategies and Criteria for uses of settlement funds and staff's recommendation for uses of the funds.

---

**ATTACHMENTS:**

-PowerPoint presentation



# Opioid Settlements Update

## City Council Work Session

October 14, 2024



# *Current Settlements*

*Received to Date and Future  
Payment Projections*



CITY of  
TUALATIN

# Settlements to Date

| Name of Settlement   | Term End | Projected Funding | Funds Received       |
|----------------------|----------|-------------------|----------------------|
| McKinsey             | Unknown  | Unknown           | \$ 4,036.73          |
| Walmart *            | 2024     | \$ 31,449.85      | \$ 31,449.85         |
| Allergan             | 2029     | \$ 25,010.62      | \$ 7,144.22          |
| Janssen              | 2030     | \$ 50,909.00      | \$ 37,729.76         |
| CVS                  | 2032     | \$ 55,537.17      | \$ 7,138.03          |
| Teva                 | 2035     | \$ 45,404.13      | \$ 6,741.99          |
| Walgreens            | 2037     | \$ 60,390.84      | \$ 7,735.32          |
| Distributor          | 2038     | \$ 225,904.20     | \$ 46,533.17         |
| One-time Allocations | -        | -                 | \$ 7,598.88          |
|                      |          | <b>Total</b>      | <b>\$ 156,107.95</b> |

\* Walmart accelerated payments from original settlement schedule



| <b>Fiscal Year</b> | <b>Annual Amount</b> |
|--------------------|----------------------|
| 2025               | \$ 30,741.48         |
| 2026               | \$ 30,558.63         |
| 2027               | \$ 28,380.76         |
| 2028               | \$ 33,877.54         |
| 2029               | \$ 33,561.40         |
| 2030               | \$ 31,255.94         |
| 2031               | \$ 26,388.05         |
| 2032               | \$ 26,388.05         |
| 2033               | \$ 20,697.58         |
| 2034               | \$ 20,697.58         |
| 2035               | \$ 20,697.58         |
| 2036               | \$ 17,182.84         |
| 2037               | \$ 17,182.84         |
| 2038               | \$ 12,523.20         |
| <b>Total</b>       | <b>\$ 350,133.47</b> |

# *Expected Annual Settlement Amounts*



*Core Strategies  
-and-  
Approved Uses*



CITY of  
TUALATIN



# Core Strategies

|                                                                                              |                                                                                                                        |
|----------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|
| <b>Naloxone or Other FDA-Approved Drug to Reverse Opioid Overdoses</b>                       | <b>Expansion of Warm Hand-Off Programs and Recovery Services</b>                                                       |
| <b>Medication-Assisted Treatment (“MAT”) Distribution and Other Opioid-Related Treatment</b> | <b>Evidence-Based Collection and Research Analyzing the Effectiveness of the Abatement Strategies within the State</b> |
| <b>Prevention Programs</b>                                                                   | <b>Expanding Syringe Service Programs</b>                                                                              |
| <b>Pregnant and Postpartum Women</b>                                                         | <b>Treatment of Incarcerated Population</b>                                                                            |
| <b>Expanding Treatment for Neonatal Abstinence Syndrome (“NAS”)</b>                          |                                                                                                                        |

# Part One: Treatment

- Treat Opioid Use Disorder
  - Support treatment of Opioid Use Disorder (“OUD”) and any co-occurring Substance Use Disorder or Mental Health (“SUD/MH”) conditions
- Support People in Treatment and Recovery
  - Support people in recovery from OUD and any co-occurring SUD/MH conditions
- Connect People Who Need Help to the Help They Need
  - Provide connections to care for people who have – or are at risk of developing – OUD and any co-occurring SUD/MH conditions



## Approved Uses



CITY of  
TUALATIN

# Part One: Treatment (continued)

- Address the Needs of Criminal Justice-Involved Persons

Address the needs of persons with OUD and any co-occurring SUD/MH conditions who are involved in, are at risk of being involved in, or are transitioning out of the criminal justice system

- Address the Needs of Pregnant or Parenting Women and Their Families, Including Babies with Neonatal Abstinence Syndrome

Address the needs of pregnant or parenting women with OUD and any co-occurring SUD/MH conditions, and the needs of their families



## Approved Uses



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# Part Three: Other Strategies

- First Responders

Provide education of law enforcement or other first responders regarding appropriate practices and precautions when dealing with opioids.

Provision of wellness and support services for first responders and others who experience secondary trauma associated with opioid-related emergency events.

- Leadership, Planning and Coordination

Support efforts to provide leadership, planning, coordination, facilitations, training and technical assistance to abate the opioid epidemic through activities, programs or strategies

- Training

Support training to abate the opioid epidemic through activities, programs or strategies

- Research

Support opioid abatement research

Approved  
Uses



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TUALATIN

# *Potential Uses for Tualatin's Settlement Funds*



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# *Recommendation for Tualatin Uses*

## Continue to Accrue Funds, and Highlight Proposed Uses During Annual Budget Process

- Still a lot of unknowns regionally
- Still developing potential programs within Tualatin
- A number of “moving parts” – Don’t know enough about all of them



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TUALATIN

# Potential Programs within Tualatin

- Warm Hand-off/Deflection Program
- Narcan , and other items, to support Tualatin's first responders
- Partner with Washington County or other cities
- Outside Agency Grants



## Potential Uses



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# Outside Agency Grant Example

- Desired Outcome  
Applying organizations asked to identify specific project related outcomes they hope to achieve that directly relate to the goal of the Opioid Settlement Funds.
- Use of Funds  
Abatement strategies that end, reduce, or lessen the impact of opioid and substance use on communities that meet priority areas.
- Priorities for Funding
- Community-Based Organizations Located or Servicing Tualatin



## Potential Uses





**CITY** *of*  
**TUALATIN**

# **Questions and Discussion**



# Proclamation

---

**WHEREAS**, Alcohol and other drug abuse in this nation has reached epidemic stages; and

**WHEREAS**, It is imperative that visible, unified prevention education efforts by community members be launched to eliminate the demand for drugs; and

**WHEREAS**, National Family Partnership (NFP) is sponsoring the National Red Ribbon Campaign offering citizens the opportunity to demonstrate their commitment to drug-free lifestyles; and

**WHEREAS**, The National Red Ribbon Campaign will be celebrated during “Red Ribbon Week” October 23-31; and

**WHEREAS**, Business, government, parents, law enforcement, media, medical, religious institutions, schools, seniors, service organizations and youth will demonstrate their commitment to healthy, drug-free lifestyles by wearing and displaying Red Ribbons during this week long campaign.

**NOW THEREFORE BE IT RESOLVED**, that the City of Tualatin does hereby proclaim October 23-31, 2024 as Red Ribbon Week and encourages its citizens to participate in drug prevention education activities, making a visible statement that we are strongly committed to a drug-free community.

INTRODUCED AND ADOPTED this 14<sup>th</sup> day of October, 2024.

CITY OF TUALATIN, OREGON

BY \_\_\_\_\_  
Mayor

ATTEST:

BY \_\_\_\_\_  
City Recorder





# CITY OF TUALATIN

## *Staff Report*

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

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Greg Pickering, Chief of Police

**DATE:** October 14, 2024

---

**SUBJECT:**  
Proclamation declaring the month of October as Domestic Violence Awareness Month

**EXECUTIVE SUMMARY:**  
Domestic Violence Awareness Month provides an excellent platform to show support for the domestic violence advocates, crisis hotline staff, victim service organizations, the prosecutors who hold offenders accountable and law enforcement officers in our community. It also provides our community the opportunity to learn more about preventing domestic violence and show support for the numerous organizations and individuals who provide critical advocacy, resources, hope and assistance to victims.

---

**ATTACHMENTS:**

-Proclamation – Domestic Violence Awareness Month



# Proclamation

**WHEREAS**, domestic violence is a serious crime that affects people of all races, ages, gender identities, socio-economic levels, religions, backgrounds, beliefs and abilities but often has a disproportionate effect on communities and groups impacted by inequity; and

**WHEREAS**, domestic violence includes physical, emotional, social, sexual, spiritual, financial, and digital abuse; and can occur between family members, intimate partners and within dating relationships; and

**WHEREAS**, more than one in three women and one in four men in the United States report having experienced domestic violence, stalking, sexual assault or physical assault by an intimate partner during their lifetimes; and

**WHEREAS**, domestic violence impacts vulnerable victims including children, as approximately 50% of Washington County children who are child abuse victims also live in homes with domestic violence; and

**WHEREAS**, in 2023, the Family Justice Center served a total of 5,687 survivors and the Domestic Violence Resource Center provided 9,518 crisis services to survivors despite challenges due to the pandemic; and

**WHEREAS**, domestic violence incidents are some of the most complex and dangerous incidents that law enforcement respond to in our community, putting their lives at risk every day in the belief that a coordinated community response is necessary to support survivors, hold offenders accountable and work toward ending the cycle of violence;

**NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, Oregon** Tualatin designates the month of October 2024 as “*Domestic Violence Awareness Month*”. Domestic Violence Awareness Month provides an excellent platform to show support for the domestic violence advocates, crisis hotline staff, victim service organizations, the prosecutors who hold offenders accountable and law enforcement officers in our community. It also provides our community the opportunity to learn more about preventing domestic violence and show support for the numerous organizations and individuals who provide critical advocacy, resources, hope and assistance to victims.

INTRODUCED AND ADOPTED this 14<sup>th</sup> day of October, 2024.

CITY OF TUALATIN, OREGON

BY \_\_\_\_\_  
Mayor

ATTEST:

BY \_\_\_\_\_  
City Recorder





# 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:** October 14, 2024

---

**SUBJECT:**  
Consideration of Approval of the Work Session and Regular Meeting Minutes of September 23, 2024

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

---

**ATTACHMENTS:**

- City Council Work Session Meeting Minutes of September 23, 2024
- City Council Regular Meeting Minutes of September 23, 2024



# TUALATIN CITY COUNCIL

## OFFICIAL WORK SESSION MEETING MINUTES FOR SEPTEMBER 23, 2024

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

---

Mayor Bubenik called the meeting to order at 5:33 p.m.

### **1. Tualatin Transportation System Plan Update.**

Management Analyst Cody Fields, along with consultant team Brianna Calhoun from Fehr & Peers and Katie Selin from Alta Planning, presented an update on the Tualatin Transportation System Plan (TSP) policy and project. Consultant Calhoun began by recapping the summer engagement process, highlighting that there were 2,156 total interactions from the community, which included open houses, focus groups, website visits, survey responses, and contributions to an interactive map. She shared survey results related to the “big idea” projects, with the highest-scoring projects being the 65<sup>th</sup> Avenue bridge, the Tualatin-Sherwood Road bridge over Boones Ferry Road, and a bicycle & pedestrian bridge over Tualatin-Sherwood Road.

Consultant Calhoun continued by sharing policy updates, stating the current policies are being updated to reflect new statewide legislation and shifting community priorities. She noted the previous TSP was organized by transportation modes, but the new policies will be organized under the TSP goals. She asked the Council if the presented goals were in line with theirs.

Council President Pratt stated that while she felt most of the goals were good, she believed there were some missing goals related to adaptive signals. She expressed that the rest of the goals presented were in line with her expectations.

Consultant Calhoun recapped the TSP process to date, focusing on the next phase, which involves looking at funding constraints and the prioritization of the project list. She spoke about the constrained project list, explaining that it is financially constrained to 125% of the expected transportation revenue over the next 20 years. This list identifies a more feasible set of projects that could be built and that are of the highest priority for the community. She further noted that inclusion on the constrained list does not guarantee a project will be built or have guaranteed funding. Consultant Calhoun outlined the steps involved in building the constrained list, which included project refinement, project scoring refinement, high-level cost estimates, projected revenue for transportation capital projects, and matching the top projects with the projected revenue to construct them over the next 20 years. She shared the breakdowns of the draft constrained project list. Consultant Calhoun stated next steps include completing the financial summary, completing the draft report, and returning to City Council in early 2025 for adoption.

Councilor Brooks expressed that she wanted to ensure that diversity, equity, and inclusion and environmentally sensitive projects are considered, and that such projects are identified and prioritized for funding. She emphasized that form, function, and effectiveness should be key considerations. Additionally, she wanted to ensure that coordination with other agencies and communities is being prioritized so that the city can work efficiently with other entities while being mindful of these important aspects.

Councilor Reyes stated she would like to see more visible projects moving forward.

Council President Pratt inquired if the plan would be updated with the feedback provided by the advisory committee. Consultant Calhoun confirmed that the list would be updated and explained that due to the timing of the material deadline for this meeting, it had not been incorporated yet.

Councilor Brooks reiterated her desire for projects to be coordinated with other efforts to ensure that efficiencies are being put into place.

Mayor Bubenik asked for clarification regarding the scoring process for the projects. Consultant Calhoun provided an explanation of the scoring criteria used to prioritize projects.

Mayor Bubenik also inquired about traffic calming measures and how those specific projects were identified. Consultant Calhoun explained the definition of traffic calming, as well as potential solutions to the areas that have been identified as needing them.

Mayor Bubenik raised a concern regarding the lack of sidewalk projects in the constrained list, noting that sidewalk issues are a frequent complaint from residents. He asked how this would tie into future sidewalk planning. Consultant Calhoun explained how these concerns are connected to development plans and the comprehensive plan, and how they would be addressed moving forward.

## **2. Council Meeting Agenda Review, Communications & Roundtable.**

Councilor Hillier stated she attended the Washington County Consolidated Communications Agency (911) meeting.

Councilor Brooks asked if there is support for sending a letter advocating for more community development block grant funding. Council consensus was reached to have staff draft a letter in support of the additional funding.

Councilor Brooks stated she attended the Water Consortium meeting, the Policy Advisory Board meeting, and the Arts Advisory Committee meeting.

Council President Pratt stated she attended the TSP Advisory Committee meeting, the Trades and Manufacturing forum, and a strategy meeting for the Transportation Forum.

Mayor Bubenik stated he attended the Washington County Coordinating Committee meeting, the Washington County Chair and Mayor meeting, the Greater Portland Inc. board meeting, the Westside Economic Alliance meeting, the 100<sup>th</sup> birthday celebration of Mary Lou Nelson, the Communities that Care meeting, and the Heritage Center fundraiser.

## **Adjournment**

Mayor Bubenik adjourned the meeting at 6:32 p.m.

Sherilyn Lombos, City Manager

\_\_\_\_\_ / Nicole Morris, Recording Secretary

\_\_\_\_\_ / Frank Bubenik, Mayor





# TUALATIN CITY COUNCIL

OFFICIAL MEETING MINUTES  
FOR SEPTEMBER 23, 2024

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

---

## Call to Order

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

## Pledge of Allegiance

## Announcements

1. Proclamation Declaring October 10, 2024 as Affordable Housing and Quality Child Care Day in the City of Tualatin

Councilor Brooks read the proclamation declaring October 10, 2024 as Affordable Housing and Quality Child Care Day in the City of Tualatin.

Rebekah Morgan, IDEA Committee Member, accepted the proclamation.

2. New Employee Introduction- Court Clerk Paige Singer

Court Administrator Cortney Kammerer introduced Court Clerk Paige Singer. The Council welcomed her.

## Public Comment

None.

## Consent Agenda

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

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

MOTION PASSED

1. Consideration of Approval of the Work Session and Regular Meeting Minutes of September 9, 2024
2. Consideration of **Resolution No. 5808-24** Authorizing the City Manager to Execute a Contract Extension for Street Sweeping Operations with Great Western Sweeping

3. Consideration of **Resolution No. 5809-24** Awarding and Authorizing the City Manager to Execute a Professional Services Agreement with PACE Engineers, Inc. for Siuslaw Greenway Stormwater Rehabilitation - Engineering and Construction Management
4. Consideration of **Resolution No. 5810-24** Awarding and Authorizing the City Manager to Execute a Professional Services Agreement with Otak, Inc. for Nyberg Creek Stormwater Improvements - Engineering Services
5. Consideration of **Resolution No. 5811-24** Awarding Fiscal Year 2024-25 Outside Agency Grant Funds to Provide Services to the Tualatin Community

## **Special Reports**

1. Summer Programs Recap and Fall Preview

Recreation Manager Julie Ludemann and Public Services Manager Sarah Jesudason presented a recap of the summer programs. Manager Jesudason highlighted library programs such as the Summer Reading program, city-wide story times, and music performances. Manager Ludemann shared that the Viva Tualatin event saw around 2,500 attendees with four performances and numerous vendor booths. She stated summer camps were a success, hosting over 500 kids. Manager Ludemann shared that Concerts in the Park drew over 4,000 attendees across four Friday night concerts and two lunchtime concerts. Manager Jesudason mentioned TEAM Tualatin volunteer events, eagle scout projects, and group volunteer events in the parks. Manager Ludemann added that the Police Department's National Night Out and HEROES Summer Camp were both well-received. The Juanita Pohl Center had a busy summer, hosting 369 programs with 5,531 attendees, driving 557 miles for trips, and offering 208 hours of fitness programs.

Manager Jesudason stated that looking ahead to fall, the library will host music performances, the Halloween Dance-o-rama, the Aztec Dance Troop, and Dino-vementer. Manager Ludemann shared that the Juanita Pohl Center, events will include Fall Prevention Month, Goat Yoga, and the Veterans Recognition Breakfast. She stated the West Coast Giant Pumpkin Regatta will take place on October 20<sup>th</sup>, featuring a 5k run, family entertainment, and a costume contest.

The Council thanked the staff for all their efforts.

## **Council Communications**

None.

## **Adjournment**

Mayor Bubenik adjourned the meeting at 7:42 p.m.

Sherilyn Lombos, City Manager

\_\_\_\_\_ / Nicole Morris, Recording Secretary

\_\_\_\_\_ / Frank Bubenik, Mayor



# 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:** October 14, 2024

---

**SUBJECT:**  
Consideration of Approval of a New Liquor License Application for Little Burro PDX, LLC

**RECOMMENDATION:**  
Staff respectfully recommends the Council approve endorsement of the liquor license application for Little Burro PDX, LLC

**EXECUTIVE SUMMARY:**  
The Little Burro PDX, LLC has submitted a liquor license application under the category of limited on-premises. This would permit them to sell factory-sealed malt beverages, wine, and cider at retail to individuals in Oregon for consumption on the license premises. The business is located at 7409 SW Bridgeport Road. The application is in accordance with provisions of Ordinance No. 680-85 which establishes 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 Section 6 of the ordinance. The Police Department has reviewed the new liquor license application and recommended approval. According to the provisions of Section 5 of Ordinance No. 680-85 a member of the Council or the public may request a public hearing on any of the liquor license 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 fee has been paid by the applicant.

---

**ATTACHMENTS:**

- Application
- Vicinity Map



CITY OF TUALATIN
LIQUOR LICENSE APPLICATION

Return Completed form to:
City of Tualatin
Attn: Finance
18880 SW Martinazzi Ave
Tualatin, OR 97062

Date 9.12.24

IMPORTANT: This is a three-page form. You are required to complete all sections of the form.
If a question does not apply, please indicate N/A. Please include full names (last, first middle) and full dates of birth (month/day/year). Incomplete forms shall receive an unfavorable recommendation.
Thank you for your assistance and cooperation.

SECTION 1: TYPE OF APPLICATION

- Original (New) Application - \$100.00 Application Fee.
Change in Previous Application - \$75.00 Application Fee.
Renewal of Previous License - \$35.00 Application Fee. Applicant must possess current business license. License #
Temporary License - \$35.00 Application Fee.

SECTION 2: DESCRIPTION OF BUSINESS

Name of business (dba): Little Burro
Business address: 7409 SW Bridgeport Rd City Tigard State OR Zip Code 97224
Mailing address: 4620 SW Beaverton-Hillsdale Hwy Suite A City Portland State OR Zip Code 97221
Telephone # 503-484-7082 Fax # n/a
Email joe@joesburgers.com
Name(s) of business manager(s) First Joseph Middle Marc Last Rapport

Type of business Restaurant
Type of food served Mexican
Type of entertainment (dancing, live music, exotic dancers, etc.) n/a
Days and hours of operation Monday-Sunday 11am-8pm
Food service hours: Breakfast n/a Lunch 11am-4pm Dinner 4pm-8pm
Restaurant seating capacity n/a Outside or patio seating capacity 24 people
How late will you have outside seating? 8pm How late will you sell alcohol? 8pm

How many full-time employees do you have? 1 Part-time employees? 6

**SECTION 3: DESCRIPTION OF LIQUOR LICENSE**

Name of Individual, Partnership, Corporation, LLC, or Other applicants LITTLE BURRO PDX, LLC

Type of liquor license (refer to OLCC form) Limited On-Premises Sales

Form of entity holding license (check one and answer all related applicable questions):

**INDIVIDUAL:** If this box is checked, provide full name, date of birth, and residence address.

Full name n/a Date of birth n/a  
Residence address n/a

**PARTNERSHIP:** If this box is checked, provide full name, date of birth and residence address for each partner. If more than two partners exist, use additional pages. If partners are not individuals, also provide for each partner a description of the partner's legal form and the information required by the section corresponding to the partner's form.

Full name n/a Date of birth n/a  
Residence address n/a  
Full name n/a Date of birth n/a  
Residence address n/a

**CORPORATION:** If this box is checked, complete (a) through (c).

(a) Name and business address of registered agent.

Full name n/a  
Business address n/a

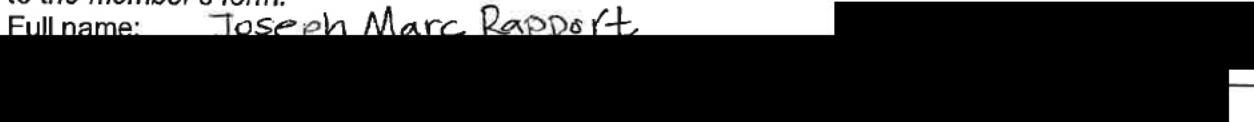
(b) Does any shareholder own more than 50% of the outstanding shares of the corporation? If yes, provide the shareholder's full name, date of birth, and residence address.

Full name n/a Date of birth n/a  
Residence address n/a

(c) Are there more than 35 shareholders of this corporation? Yes \_\_\_ No \_\_\_ If 35 or fewer shareholders, identify the corporation's president, treasurer, and secretary by full name, date of birth, and residence address.

Full name of president: n/a Date of birth: n/a  
Residence address: n/a  
Full name of treasurer: n/a Date of birth: n/a  
Residence address: n/a  
Full name of secretary: n/a Date of birth: n/a  
Residence address: n/a

**LIMITED LIABILITY COMPANY:** If this box is checked, provide full name, date of birth, and residence address of each member. If there are more than two members, use additional pages to complete this question. If members are not individuals, also provide for each member a description of the member's legal form and the information required by the section corresponding to the member's form.

Full name: Joseph Marc Rappoport  


(Please Complete ALL Pages)

Full name: n/a Date of birth: n/a  
Residence address: n/a

**OTHER:** If this box is checked, use a separate page to describe the entity, and identify with reasonable particularity every entity with an interest in the liquor license.

**SECTION 4: APPLICANT SIGNATURE**

A false answer or omission of any requested information on any page of this form shall result in an unfavorable recommendation.

Signature:  Date: 9/12/24

**For City Use Only**


Sources Checked:

DMV by AP     LEADS by AP     TUPD Records by AP  
 Public Records by AP

Number of alcohol-related incidents during past year for location.  
 Number of Tualatin arrest/suspect contacts for \_\_\_\_\_

**It is recommended that this application be:**

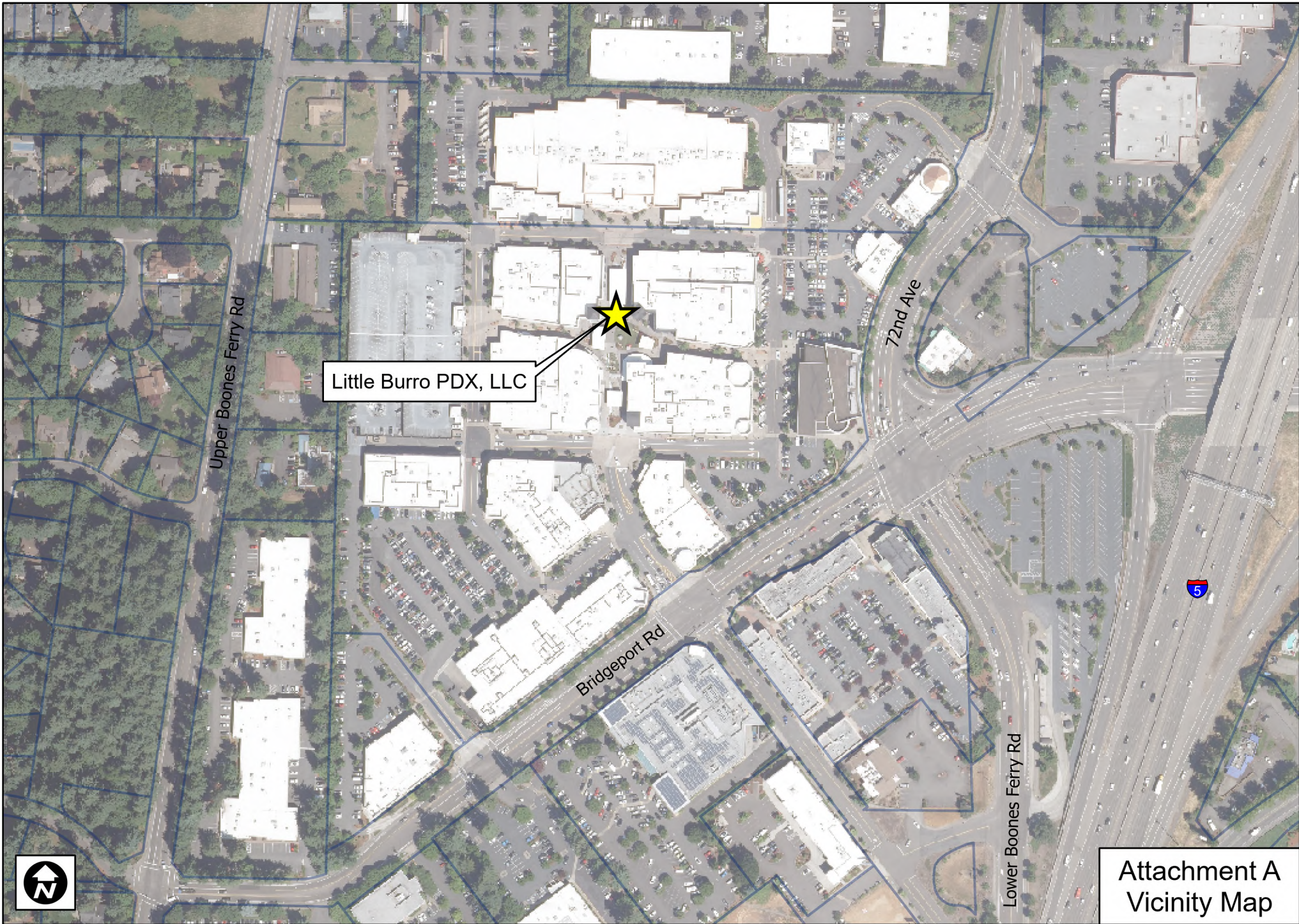
Granted  
 Denied  
Cause of unfavorable recommendation: \_\_\_\_\_

 Date: 9/23/24

Greg Pickering  
Chief of Police  
Tualatin Police Department







Little Burro PDX, LLC

Attachment A  
Vicinity Map



# 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

**DATE:** October 14, 2024

---

**SUBJECT:**

Resolution 5520-20 – Authorizing the City Manager to enter into an Intergovernmental Agreement (IGA) with the Oregon Department of Land Conservation and Development (DLCD) to provide the City with consultant assistance for a Walkable Design Standards code update.

**RECOMMENDATION:**

Approval of Resolution 5813-24

**EXECUTIVE SUMMARY:**

The primary objective of the IGA is to enable the City to receive consultant assistance to complete implementation of OAR 660-012-0330, which requires local governments to adopt land use regulations to support compact, pedestrian-friendly mixed-use land development patterns. These updates are part of the state's Climate Friendly and Equitable Communities (CFEC) rulemaking and are required as part of the City's ongoing update to its Transportation System Plan. Recognizing the need for technical assistance, the City applied for and was approved by DLCD to receive direct assistance for this work. DLCD requests that the City enter into an IGA, which generally outlines the anticipated work products resulting from the consultant assistance as well as the City staff's expected participation in the creation of said work products.

**OUTCOMES OF DECISION:**

Approval of Resolution 5813-24 will enable the City Manager to enter the above referenced IGA (Exhibit A) and for the project to commence.

**ALTERNATIVES TO RECOMMENDATION:**

Denial and/or deferred approval of Resolution 5813-24 would delay commencement of the project, which could adversely impact the City's compliance with applicable state rules.

**FINANCIAL IMPLICATIONS:**

No direct financial expenditures will be incurred. As outlined in the IGA (Exhibit A), the City's Community Development staff is expected to participate in creation of Walkable Design Standards and the related code update.

---

**ATTACHMENTS:**

- Exhibit A – Resolution 5813-24 – DLCD IGA
- Exhibit B – Draft DLCD IGA

RESOLUTION NO. 5813-24

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH THE OREGON DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT FOR ASSISTANCE WITH WALKABLE DESIGN STANDARDS CODE AMENDMENTS

WHEREAS, ORS 190.110 et seq., authorizes the City to enter into Intergovernmental Agreements with other government entities;

WHEREAS, the State of Oregon, acting through its Department of Land Conservation and Development (DLCD), received legislative appropriations to assist cities in updating their comprehensive plans and land use regulations to support compact, pedestrian-friendly development patterns;

WHEREAS, DLCD is providing direct funding for a consultant to assist the City in creating an adoption ready code amendment to comply with land use regulation requirements in the OAR 660-012-0330;

WHEREAS, the City wishes to enter into the intergovernmental agreement.

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 (IGA) with DLCD, which is attached as Exhibit A, for assistance with a Walkable Design Standards code amendment.

**Section 2.** This resolution is effective upon adoption.

ADOPTED by the City Council this 14<sup>th</sup> day of October, 2024.

CITY OF TUALATIN, OREGON

BY \_\_\_\_\_  
Mayor

APPROVED AS TO FORM

ATTEST:

BY \_\_\_\_\_  
City Attorney

BY \_\_\_\_\_  
City Recorder

# INTERGOVERNMENTAL AGREEMENT

## City of Tualatin

This Agreement is between the State of Oregon acting by and through its **Department of Land Conservation and Development (“DLCD”)** and **City of Tualatin (“City”)**, each a “Party” and, together, the “Parties.”

### **I. AUTHORITY**

This Agreement is authorized by ORS 190.110.

### **II. EFFECTIVE DATE**

This Agreement is effective on the date of the last signature (“Effective Date”), and terminates on **June 30, 2025**, unless terminated earlier.

### **III. BACKGROUND**

During the 2023 legislative session, the legislature appropriated funds to DLCD for the purpose of allowing the DLCD to assist participating cities and counties (collectively, “local government”) implement the Climate-Friendly and Equitable Communities rules. The rules require that cities and counties update their land use regulations to meet updated requirements provided in Oregon Administrative Rules (OAR) 660-012.

The projects are financed with State of Oregon General Funds. State funds are paid under this Agreement by DLCD to **MIG Inc.** (“Consultant”), who will assist the City as described in the Statement of Work (“SOW”) below. No funds will be given to the City for tasks outlined in this Intergovernmental Agreement (“IGA”) or any expenses incurred by the City as a result of this Agreement.

### **IV. PROJECT OBJECTIVE AND MAJOR DELIVERABLES**

#### **Code Update**

The primary objective of this Agreement is to assist a participating City with implementation of OAR 660-012-0330, which requires local governments to adopt land use regulations to support compact, pedestrian-friendly mixed-use land development patterns.

### **V. ROLES AND RESPONSIBILITIES**

**City:** Overall management of the Project will be the responsibility of the City. The City shall appoint a Project Manager to be the principal contact person representing the City on all matters relating to the Project.

Specific project management duties of the City will include:

- a. Coordinating project schedule and deliverables with Consultant;
- b. Coordinating City staff;
- c. Ensuring the timely completion of tasks and delivery of supporting data/information to Consultant;
- d. Reviewing and editing Consultant work;
- e. Appointing a project advisory committee with representation from the community;

## **DLCD IGA #23116 – City of Tualatin – Walkable Design Standards Code Amendments**

- f. Noticing, scheduling, and managing advisory committee meetings and public official work sessions and public hearings, if any. Activities include but are not limited to preparing and distributing meeting notices, agendas, and summaries; and assisting the Consultant with meeting facilitation.

**DLCD:** DLCD will provide financial, administrative, and technical assistance to the Project. DLCD will participate in advisory committees. Additional technical assistance may be provided as requested by the City or Consultant. DLCD will review Consultant’s work, invoices, and progress reports. Additionally, DLCD will review the Consultant’s performance and deliverables with the City prior to paying invoices received by the Consultant. DLCD will assist in the mediation of Consultant/ City conflicts, or issues with the project or deliverables.

### **VI. COMPENSATION AND COSTS**

Each Party shall assume its own costs of carrying out the tasks and responsibilities assigned to it under this Agreement. Under no circumstances is the Local Government responsible for payment of costs incurred under the contract between DLCD and the chosen Consultant.

### **VII. KEY CONTACTS**

#### **City**

Steve Koper, Assistant Community Development Director  
City of Tualatin  
10699 SW Herman Road  
Tualatin, OR 97062

Email: [skoper@tualatin.gov](mailto:skoper@tualatin.gov)  
Phone: 503-691-3028

#### **Department of Land Conservation and Development**

Project Administrator  
Cody Meyer  
635 Capitol St. NE, Suite 150  
Salem, OR 97301

Email: [cody.meyer@dlcd.oregon.gov](mailto:cody.meyer@dlcd.oregon.gov)  
Phone: 971-239-9475

#### **Regional Representative**

Laura Kelly  
1600 SW Fourth Avenue, Suite 109  
Portland, OR 97201

Email: [laura.kelly@dlcd.oregon.gov](mailto:laura.kelly@dlcd.oregon.gov)  
Phone: 503-798-7587

#### **Consultant**

Darci Rudzinski, Principle in Charge  
MIG, Inc.  
506 SW 6<sup>th</sup> Ave. #400  
Portland, OR 97204

Email: [drudzinski@migcom.com](mailto:drudzinski@migcom.com)  
Phone: 503-297-1005

A Party may designate a new authorized representative by written notice to the other Party.

### **VIII. TERMINATION**

- a) This Agreement may be terminated at any time by mutual written agreement of the Parties.

## **DLCD IGA #23116 – City of Tualatin – Walkable Design Standards Code Amendments**

- b) This Agreement may be terminated by DLCD upon 45 days advance written notice and by Local Government upon 45 days advance written notice.

### **IX. NON-APPROPRIATION**

DLCD's obligation to perform its duties under this Agreement is conditioned upon DLCD receiving funding, appropriations, limitations, allotments, or other expenditure authority sufficient to allow DLCD, in the exercise of its reasonable administrative discretion, to meet its obligations under this Agreement. Nothing in this Agreement may be construed as permitting any violation of Article XI, Section 7 of the Oregon Constitution or any law limiting the activities, liabilities, or monetary obligations of DLCD.

### **X. STATEMENT OF WORK**

**Tualatin Walkable Design Standards Code Amendments Project Purpose:** To identify any gaps in the City of Tualatin's code and develop adoption ready code amendments to meet updated land use regulation requirements in the OAR 660-012-0330. Consultant shall review existing codes for barriers to compact, pedestrian and active transportation centered mixed use development. Consultant shall evaluate alternate solutions and prepare adoption ready code amendments to enable the City of Tualatin to create communities with places to live, work, and play in pedestrian scale proximity. Consultant shall submit deliverables to the Agency Project Manager and City of Tualatin upon completion of each Task.

#### **TASK 1: Kick-off and Project Management**

Consultant shall hold a kickoff meeting via video conference with City of Tualatin ("City") to become familiar with local conditions and planning documents, confirm the project objectives and expectations, identify relevant policies and regulations for inclusion in the Code Audit, and refine the project schedule. Consultant shall summarize updated priorities identified during kick-off meeting. Consultant shall develop and share a proposed schedule for the actions required for the completion of all tasks, building on the task timeline included in this statement of work. This shall include preparation of a simplified Gantt chart of the overall project schedule that is suitable for sharing with City Council and the public. Consultant shall facilitate monthly phone calls or virtual meetings with City staff to monitor progress on key tasks throughout the course of the project. Consultant shall prepare brief summary notes summarizing action items resulting from these meetings.

##### ***Task 1 City Deliverables:***

- 1.1 Copy of relevant comprehensive plan and code sections, and other relevant City data or documents; and*
- 1.2 PDF maps of zoning and comprehensive plan designations.*

**Task 1 Timeline:** Month 1 and through end of project for PMT meetings

#### **TASK 2: Code Audit and Code Concepts**

Consultant shall review City's comprehensive plan, zoning ordinance, policies, and other land development documents and regulations identified in Task 1 to identify legal and policy issues related to the updated requirements. Consultant shall prepare Draft Code Audit and Code Concepts Memo which must identify gaps in how the comprehensive plan and zoning code:

- Meets requirements in Administrative Rules (OAR-660-012-0330)

## **DLCD IGA #23116 – City of Tualatin – Walkable Design Standards Code Amendments**

- Provides regulations consistent with those recommended in Agency’s CFEC 0330 Model Code

Draft Code Audit and Code Concepts Memo must include recommended code concepts to respond to findings from the assessment. It is assumed that the code concepts will incorporate recommendations from the Agency CFEC 0330 Model Code.

Consultant shall attend one virtual work session with Tualatin City Council to get initial input and direction on desired outcomes of the project. Consultant shall also hold up to four meetings with individual stakeholders or focus groups, with participants identified by City staff, to help identify issues and desired outcomes. Consultant shall meet with Tualatin staff in current planning and long-range planning to review current code and gaps identified in the Draft Code Audit and Code Concepts Memo, building upon issues raised at the kickoff meeting, and to discuss potential solutions to addressing those gaps.

Following consultation with City Council, stakeholders, and City staff, Consultant shall develop Final Code Audit and Code Concepts Memo.

As part of the final memo, Consultant shall create a one-page informational flyer that can be shared with the general public (e.g., on the City website), that will include translation of the requirements and goals of the project into clear non-jargon language and a summary of results of the Code Audit and Code Concepts.

### ***Task 2 City Deliverables:***

- 2.1 Scheduling and participation in City Council, City staff, and stakeholder meetings;*
- 2.2 Written comments on Draft Code Audit and Code Concepts Memo; and*
- 2.3 Written review comments on draft informational materials.*

**Task 2 Timeline:** Months 2-5

### **TASK 3: Draft Code and Plan Amendments**

Based upon the Final Code Audit and Code Concepts Memo, Consultant shall prepare Draft Code and Plan Amendments, including updates to City’s zoning ordinance and comprehensive plan required to address the issues identified in Task 2. Upon guidance from City staff, this may include incorporating policy language from the City’s Climate Action Plan into the Comprehensive Plan. Consultant shall collect input from City staff on the Draft Code and Plan Amendments. Consultant shall prepare a revised draft of the amendments that addresses City staff review comments. Following Revised Draft Code and Plan Amendments, Consultant shall provide up to two display posters, infographics, or informational flyers that summarize the project purpose and major changes to the City’s code and comprehensive plan. City staff shall determine which format of the information is preferred. Consultant shall coordinate with City staff to determine which format of the information is preferred. The display posters or flyers will be posted on the City’s website and could also be used by City staff for additional community outreach and education around proposed changes.

### ***Task 3 City Deliverables:***

- 3.1 Written comments on Draft Code Amendments*

**Task 3 Timeline:** Months 6-9

### **TASK 4: Final Code and Plan Amendments**

**DLCD IGA #23116 – City of Tualatin – Walkable Design Standards Code Amendments**

Consultant shall attend one work session with Tualatin City Council to seek input on the Revised Draft Code and Plan Amendments. Following this work session, Consultant shall prepare final updates to City’s zoning ordinance and comprehensive plan, incorporating input received from the City Council. The Final Code and Plan Amendments shall be delivered in two formats:

- Legislative formatting to indicate changes from the existing code and plan in a format used by City for staff reports, and
- Clean text.

Consultant shall prepare draft findings for the City staff report.

**Task 4 City Deliverables:**

*4.1 Written review comments on Final Amendments.*

**Task 4 Timeline:** Months 9-10

**XI. OTHER CONSIDERATIONS**

Except as provided herein, nothing in this agreement shall be construed as obligating the other party to expend funds or obligate future payment of money authorized by law and administratively available for this work.

**SIGNATURE BLOCK**

**City Official**

\_\_\_\_\_  
Authorized to sign on behalf of the City

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

**Department of Land Conservation & Development**

\_\_\_\_\_  
Matthew Crall, Planning Services Division Manager

\_\_\_\_\_  
Date





# CITY OF TUALATIN

*Staff Report*

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

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Greg Pickering, Chief of Police

**DATE:** October 14, 2024

---

**SUBJECT:**  
Consideration of Tualatin Police Department Updates.

**EXECUTIVE SUMMARY:**  
Chief Greg Pickering will present updates from the Tualatin Police Department, including K-9 program, Drone program, and Use of Force stats.

---

**ATTACHMENTS:**

-Police Department Updates PowerPoint presentation



# Police Department Updates

October 14, 2024

# *Police Department Updates*



## • **Current Staffing Levels**

### **39 Sworn Personnel**

- 1 at the Academy (Graduates December)
- 1 in Field Training
- 1 on Light Duty (OJI)

### **8 Non-Sworn Personnel**

2 Vacancies – One Officer position and one Sergeant position

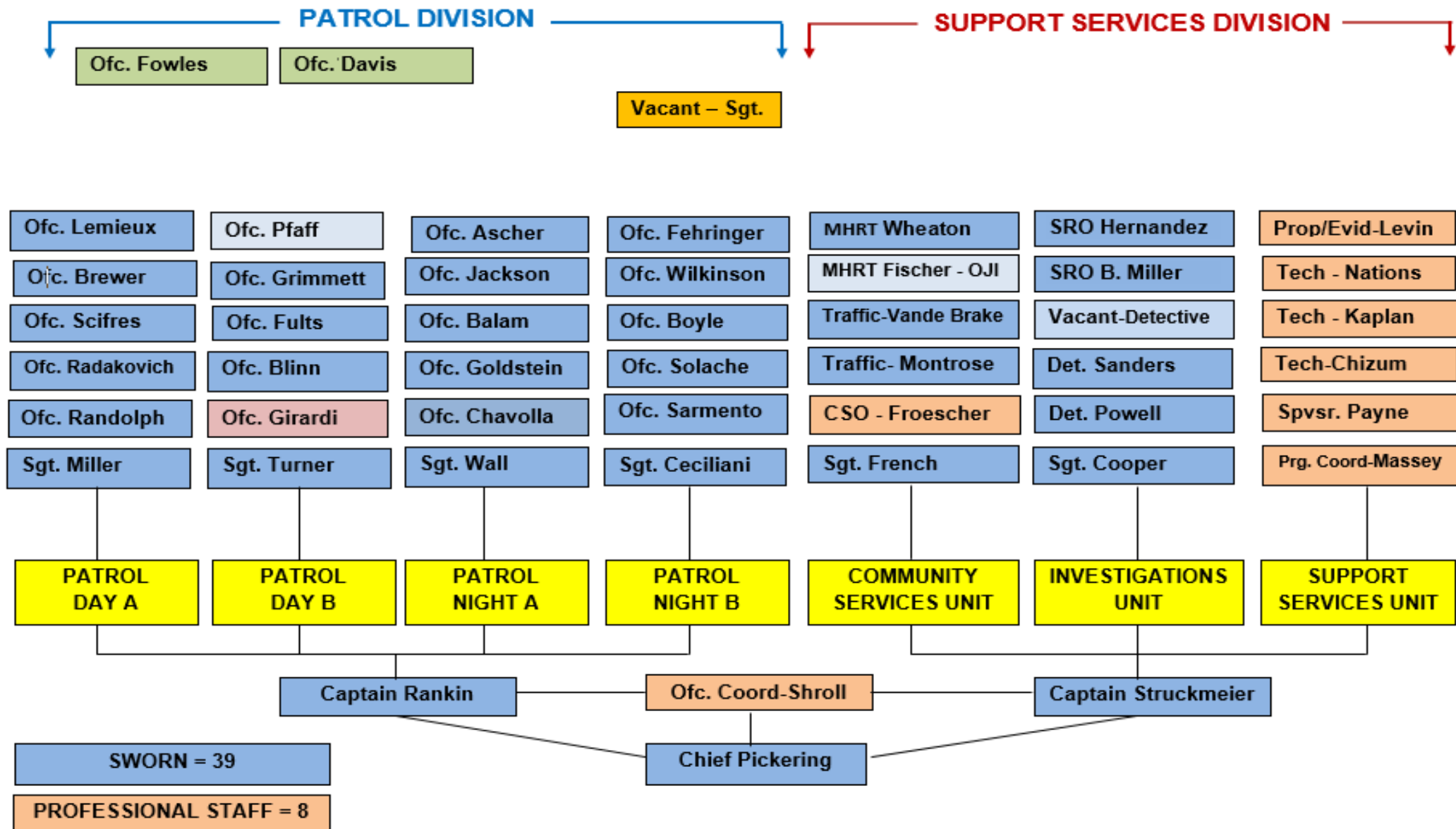
Active Recruitment/Hiring process – One in background phase and One Lateral Candidate



# TUALATIN POLICE DEPARTMENT

## ORGANIZATIONAL CHART

May 2024 (12-hour Shifts)



# Police Department Updates



## Drone Program

- Purchased two drones
- **DJI Avata 2**
  - Designed for indoor flight
- **DJI M30 Enterprise**
  - Designed for outdoor flight
  - Infrared capability
- **4 Drone Pilots**
- All FAA Part 107a Certified



# Police Department Updates



- **K-9 Boone**
- 19 month old German Sheppard
- Handler – Ofc. Eli Fults
- School starts October 27 – 8 weeks



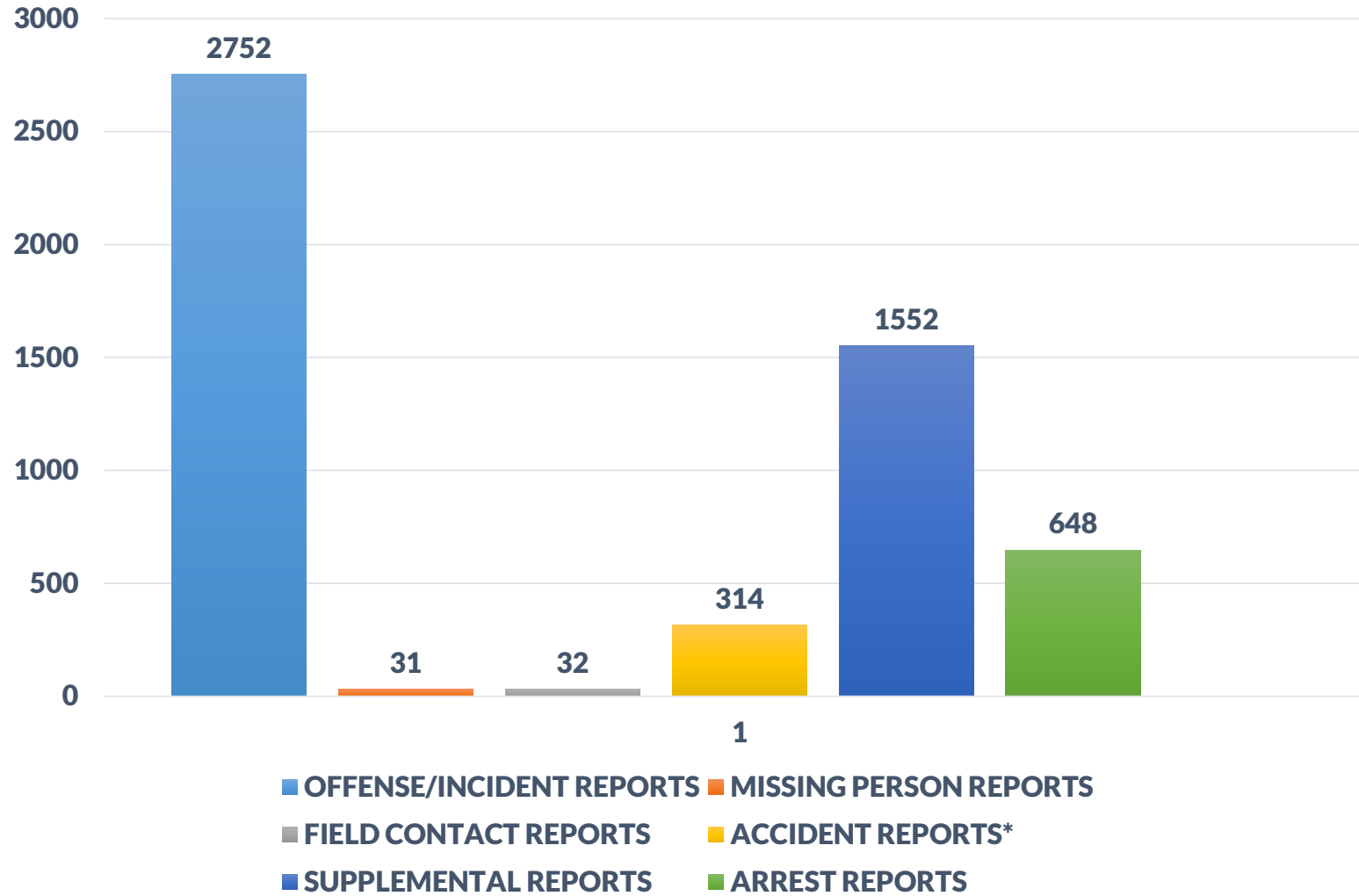
# *Police Department Activity*



- From September 1, 2023 – September 1, 2024
  
- 23415 Calls for service
- 13087 Dispatched calls
- 10328 Self Initiated Activities
  
- 4963 Violation Stops
- 2276 Citation issued
- 2687 Warning
  
- 5329 Reports written



# REPORT TYPES





# Use of Force Stats



Use of Force Statistics for 2024 YTD

34 Total incidents that involved a use of force


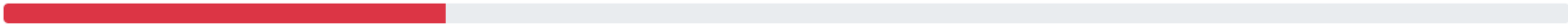
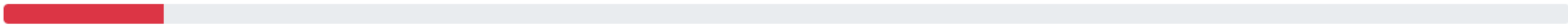
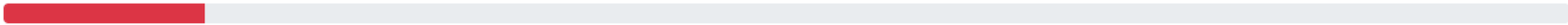
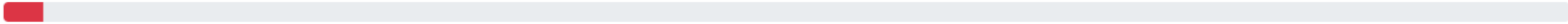
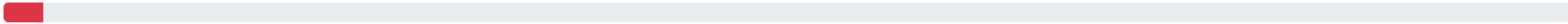
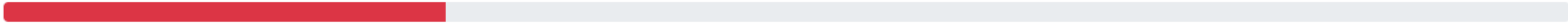
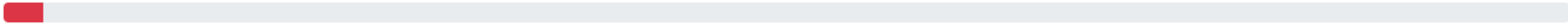
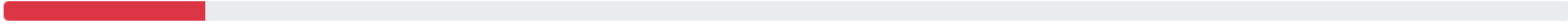
Each use of force goes through 5 different reviews before it is signed off.

- Sergeant
- Captain
- Discipline Lead
- Captain
- Chief



# Use of Force Stats




| INCIDENT TYPE (39 Total Entries)  |                                                                                    | #  | %   |
|--------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|----|-----|
| Felony Incident/Arrest                                                                                             |  | 11 | 28% |
| High Risk Traffic Stop                                                                                             |  | 4  | 10% |
| Escape/Elude                                                                                                       |  | 5  | 13% |
| Domestic Disturbance                                                                                               |  | 1  | 3%  |
| BHI                                                                                                                |  | 1  | 3%  |
| Disturbance                                                                                                        |  | 11 | 28% |
| Unknown Risk Stop Vehicle/Subject                                                                                  |  | 1  | 3%  |
| Misdemeanor Incident/Arrest                                                                                        |  | 5  | 13% |



# Use of Force Stats



REASON FOR DEFENSIVE ACTION (40 Total Entries) 

|                       |                                                                                    | #  | %   |
|-----------------------|------------------------------------------------------------------------------------|----|-----|
| To make an arrest     |  | 30 | 75% |
| To prevent escape     |  | 3  | 8%  |
| Civil Custody for POC |  | 3  | 8%  |
| To defend self        |  | 4  | 10% |



# Use of Force Stats



# Use of Force Stats



| TYPE OF FORCE (38 Total Entries) ⓘ |  | #  | %   |
|------------------------------------|--|----|-----|
| Firearm Display Only               |  | 16 | 42% |
| Taser Display Only                 |  | 3  | 8%  |
| Other                              |  | 3  | 8%  |
| Escort Hold Used                   |  | 2  | 5%  |
| Physical Control Hold              |  | 2  | 5%  |
| Joint Manipulation                 |  | 2  | 5%  |
| Arm Bar Takedwon                   |  | 1  | 3%  |
| Other: Wrap Restraint              |  | 6  | 16% |
| Pressure Point                     |  | 1  | 3%  |
| Handcuffed/Leg Restraint           |  | 2  | 5%  |



# Use of Force Stats



## RESOLUTION TYPE (34 Total Entries)

|               |                                                                                    | #  | %    |
|---------------|------------------------------------------------------------------------------------|----|------|
| Justified     |  | 34 | 100% |
| Not-Justified |  | 0  | 0%   |



# Use of Force Stats



## 2023 Events vs. Use Of Force

Total Events:

22378

Use of Force Incidents:

57

**0.25%**

## 2023 Arrests vs. Use Of Force

Total Arrests:

653

Use of Force Incidents:

57

**8.73%**



# Questions?





**CITY** *of*  
**TUALATIN**



## CITY OF TUALATIN Staff Report

**TO:** Honorable Mayor and Members of the City Council  
**THROUGH:** Sherilyn Lombos, City Manager  
**FROM:** Kevin R. McConnell, City Attorney  
**DATE:** October 14, 2024

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**SUBJECT:**

Resolution 5812-24, approving amendments to the City of Tualatin Council Rules.

**EXECUTIVE SUMMARY:**

Section 13 of the City Charter requires the Council to adopt rules for the government of its members and proceedings. The current Council Rules were adopted by Resolution No. 5355-18 on February 12, 2018, and amended by Resolution No. 5486-20 on March 23, 2020.

On February 26, 2024, Council appointed a Council Rules Subcommittee to review the Rules and report back with proposed changes, if any. The Subcommittee met 3 times to review the Rules and discuss proposed revisions (April 5, May 3, and May 17, 2024). The proposed revisions focused on: 1) Council decorum (interactions among Members of Council and Public Comment), 2) Council Travel Policy (airfare); 3) Mandatory Oregon Government Ethics and Council Rules training and 4) Virtual Council Meeting attendance. On May 17, 2024, the Subcommittee moved to refer the proposed revisions to the Council for its consideration. On June 24 and August 26, 2024, the Council met to consider and revise the proposed amendments to the Council Rules forwarded by the Subcommittee.

During its review, the Council directed the City Attorney to make further proposed revisions to the Rules, focusing on:

- Rule 1G(2)(j): Clarify what announcements and information may properly be presented during this agenda item;
- Rules 8A(4) and (5): Requiring members of Council to attend or view Oregon Government Ethics and Council Rules training: i) within one year of assuming office and ii) within one year of reelection;
- Rule 8B(1): Clarifying Council's commitment to maintain decorum and work together to advance the community's interests; and
- Rule 2H(2): Requiring members of Council to notify the Council alternate without undue delay if a member is unable to attend an assigned committee meeting.

During this process, the City Attorney also made minor revisions to Rule 1B (Council) to reference the current Council Position term end dates and reference the correct citations to the Oregon Public Meeting and Records Laws throughout the Rules.

Exhibit A to Resolution 5812-24 contains the Council Rules as amended. Also included as an attachment to this staff report is a "redline" version that clearly sets out each proposed Council Rule amendment.

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**ATTACHMENTS:**

- Resolution 5812-24 approving amendments to Council Rules
- Ex. A- Council Rules
- Redline Council Rules



# **CITY OF TUALATIN COUNCIL RULES**

**Adopted by Resolution No. 5355-18, February 12, 2018**

**As Amended by Resolution No. 5486-20, March 23, 2020**

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**RULE 1**  
**General Governance**

**A. Rules of Procedure.**

1. Chapter IV of the Charter authorizes the Council to adopt rules of procedure for Council meetings.<sup>1</sup> Unless otherwise provided by the Charter, an ordinance, or these rules, the procedure for all Council meetings, and any subcommittee of the Council, will be guided by Robert’s Rules of Order, 11th Edition.
2. To maintain orderly procedures, members of Council should be recognized by the chair before commenting and should maintain decorum with courteous interactions during debate. Members of Council are encouraged to avoid invoking the finer points of parliamentary procedure found in Robert’s Rules of Order when such points could obscure the issues before Council and confuse the public.
3. Whenever these rules and Robert’s Rules of Order conflict, these rules govern.

**B. Council.** The members of Council are the Mayor and the Councilors.<sup>2</sup> There are six Councilor positions:<sup>3</sup>

1. Council Position 1 – the term ends December 31, 2018~~26~~ and every four years thereafter.
2. Council Position 2 – the term ends December 31, 2020~~24~~ and every four years thereafter.
3. Council Position 3 – the term ends December 31, 2018~~26~~ and every four years thereafter.
4. Council Position 4 – the term ends December 31, 2020~~24~~ and every four years thereafter.
5. Council Position 5 – the term ends December 31, 2018~~26~~ and every four years thereafter.
6. Council Position 6 – the term ends December 31, 2020~~24~~ and every four years thereafter.

**C. Quorum.**

1. A quorum is required to conduct official City business. A quorum consists of three (3) Councilors plus the Mayor or Mayor pro tem.<sup>4</sup>

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<sup>1</sup> Charter Section 13 (Meetings) (“[the Council] shall adopt rules for the government of its members and proceedings”).

<sup>2</sup> Charter Sections 7 (Council); 8 (Councilors); 8a (Assignment of Council Positions); 9 (Mayor) (describing Council, Mayor, and powers).

<sup>3</sup> Charter Section 8a (Assignment of Council positions).

<sup>4</sup> Charter Section 14, (“Three Councilors and the Mayor or Mayor pro tem shall constitute a quorum for its business, but a small number may meet and compel the attendance of absent members in a manner provided by ordinance.”).

2. In the event a quorum is not present, the members of Council present may choose to hear comments from the public and receive reports, provided however no votes or official Council actions will be taken.

**D. Presiding Officer.**

1. The Mayor is the Presiding Officer and presides over all meetings.<sup>5</sup>
2. In the Mayor’s absence the President of the Council, as Mayor Pro-Tem, serves as the Presiding Officer and presides over the meeting.<sup>6</sup>
3. If both the Mayor and the President of the Council are absent from the meeting, the following procedure may be utilized to determine the Presiding Officer for the meeting:<sup>7</sup>
  - a. Any member of Council present at a meeting may call the Council to order.
  - b. Those members of Council present must elect a temporary Presiding Officer, as Mayor Pro Tem, for the meeting. A Councilor must receive the majority vote of the incumbent members on the Council to become the Presiding Officer for the meeting.
4. Should either the Mayor or the President of the Council arrive at the meeting after it begins, the temporary Presiding Officer must relinquish control of the meeting immediately upon the conclusion of the item presently being discussed.

**E. Other Officers.**

1. **City Recorder.** The City Recorder, or designee, must keep the official minutes of the Council in compliance with Oregon Public Meetings laws.
2. **City Manager.** The City Manager, or designee, is required to attend all meetings of the Council and to assist in answering questions. The City Manager may participate in any discussion, when recognized by the presiding officer. However, the City Manager has no authority to vote on any decision rendered by the Council.<sup>8</sup>

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<sup>5</sup> Charter Section 17 (Mayor’s Functions at Council Meetings) (“The Mayor shall be chair of the Council and preside over its deliberations.”).

<sup>6</sup> Charter Section 18 (President of the Council) (“In the Mayor’s absence from a Council meeting, the president shall preside over it as Mayor pro tem.”).

<sup>7</sup> Charter Section 33 (Filling of Vacancies) (authorizes the Council to fill temporary vacancies by majority vote of the “incumbent members.”) The term “incumbent members” in the Charter means the entire Council minus any permanently vacant seats (e.g., resignation, death, permanent incapacity). For instance, if the Mayor and Council President are absent, but 5 Councilors are present at the meeting, a Councilor must receive at least 4 votes to become the Presiding Officer because there are 7 “incumbent members” of the Council. However, if two seats on Council are permanently vacant seats, then in the same scenario above, the Councilor must receive 3 votes to be the Presiding Officer because there are 5 “incumbent members.” The term “incumbent members” does not mean a majority of those Councilors actually attending the meeting.

<sup>8</sup> Charter Sections 20a (City Manager) (“attend all meetings of the Council, unless excused therefrom”); Section 22 (Recorder). The person appointed as City Manager is also the same person appointed as the Recorder.

3. **City Attorney.** The City Attorney serves as the parliamentarian of the Council and will advise the Council on any questions of order. The City Attorney may attend any meeting of the Council, and will, upon request, give an opinion, either written or oral, on legal questions.

#### **F. Agendas.<sup>9</sup>**

1. The City Manager must prepare an agenda for every meeting, including regular, special, and executive session meetings.
2. Agendas and informational material for meetings will generally be distributed to the Council at least seven (7) days preceding the meeting. However, in certain circumstances less time may be provided.
3. The agenda for a meeting does not require Council approval.
4. The City Manager may place routine items and items referred by staff on the agenda without Council approval or action.
5. The City Manager may remove any items on the consent agenda, any item of old business, any resolution, or any ordinance placed for first reading from the agenda at any time prior to the time the meeting is convened. The Presiding Officer must announce such removal under announcements.
6. A member of Council who wishes to have an item placed on the agenda must bring the matter before the Council for consideration of adding the matter to the agenda and to determine the meeting date on which the agenda item is to be placed, if at all. Adding a matter to the agenda requires a majority vote of the member of Council present at the meeting.
7. As a guiding matter, the Council will not add an item to the agenda on the same night as the item was first submitted by a member of Council for consideration by the full Council. The exception to this general rule is for emergency purposes and only with the unanimous consent of all members of Council present.

#### **G. Order of Business.**

1. The Mayor, or Mayor pro tem, as the presiding officer has the authority to determine the order of business at any meeting of the Council.
2. The order of business for all regular meetings will generally be as follows:<sup>10</sup>

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<sup>9</sup> An agenda is required by ORS 192.640 (Oregon Public Meetings Law) (public notice of a meeting must include “[a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of a governing body to consider additional subjects.]”)

<sup>10</sup> Charter Section 17 (Mayor’s Functions at Council Meetings) (the Mayor is to “determine the order of business under the rules of the Council.”)



- a. **Call to Order.** The Presiding Officer announces the opening of the meeting and designates the person to lead the pledge of allegiance;
- b. **Announcements.** Brief announcements relating to the community, including upcoming events and proclamations;
- c. **Citizen Comments.** Public comments received concerning matters not on the agenda for the meeting;
- d. **Consent Agenda.** Routine items to be adopted by one motion of the Council;
- e. **Special Reports.** Reports of City Boards and Commissions, proclamations, special presentations, or reports;
- f. **Public Hearings (Legislative and Other).** Public hearings on legislative land use matters;
- g. **Public Hearings (Quasi-Judicial).** Public hearings on quasi-judicial land use matters;
- h. **General Business.** Consideration of ordinances, resolutions, contracts, policy statements, and other items. General Business items may also include public hearings on those matters;
- i. **Items Removed from Consent Agenda.** Any item removed from the Consent Agenda will be discussed and voted on at this time;
- j. **Communications from Councilors.** Announcements and information provided by members of Council **related to matters such as City, regional and state committees and boards as well as City or community events. Members of Council may also request information regarding public comment received during Citizen Comments and raise matters generally concerning the Council or City. This opportunity to speak shall not be used to advance a member of Council's personal political agenda or private interest;** and
- k. **Adjournment.** The conclusion of the meeting. Adjournment of the meeting is by majority vote of the members of Council present at the meeting.

**H. Reports of Boards, Commissions, Committees, Elected Officials and City Employees.**

- 1. When necessary, reports can be given to the Council by boards, commissions committees, elected officials and/or City employees.
- 2. When appropriate, reports to the Council should include written materials which are provided to the Council at least seven (7) days in advance of the meeting.
- 3. Oral reports to the Council should generally not exceed five (5) minutes in length.
- 4. The Council may ask questions of the presenter upon conclusion of the report being given.

**I. Public Comment.**

- 1. One (1) period for public comment will be reserved for every regular meeting of the Council.

2. Persons wishing to speak during public comment should sign the “Speaker Request Form” and provide the person’s name and place of residence, as well as the topic upon which the person wishes to speak. The Council may request that groups with like comments choose a spokesperson to present joint remarks.
3. If a member of the public wishes to speak on an item that is scheduled for a public hearing at that same meeting, the speaker must wait until that public hearing portion of the meeting. Public comment must not be used to testify about a quasi-judicial land use matter, to testify on an item that is not a public matter, to testify on a matter which has been or is scheduled to be heard by a hearings official, or to provide or gather additional testimony or information on any matter after the official record has been closed on any matter which has been the subject of a public hearing.
4. Speakers are limited to three (3) minutes. At the discretion of the Presiding Officer, spokespersons for a group of people may be given additional time beyond three (3) minutes to speak on the matter.
5. Before providing any public comment, speakers must announce the person’s name and place of residence to the Council.
6. Members of Council may, after obtaining the floor, ask questions of speakers during public comment. In general, members of Council should not respond to comments made during the public comment agenda time, except to ask clarifying questions. Any public requests for Council action will be referred to staff for review before placing it on a future agenda. Any member of Council may intervene if the Mayor or a Councilor is violating the spirit of this guideline.
7. Speakers may play electronic audio or visual material during the time permitted for comment and may use available City-provided audio or visual equipment located in the Council chambers.

**J. Consent Agenda.**

1. In order to expedite the Council’s business, the approval of minutes and other routine agenda items will be placed on the consent agenda.
2. All items on the consent agenda must be approved by a single motion, unless an item is removed for separate consideration.
3. Any item on the consent agenda may be removed for separate consideration by any member of Council by stating which item is to be removed.
4. Appointments to committees must not be placed on the consent agenda.

**K. Ordinances and Resolutions – See RULE 3**

**L. Public Hearings Generally.**

1. Public hearings may be held to consider legislative, quasi-judicial, or administrative matters.

2. Persons wishing to speak should sign the “Speaker Request Form” with the person’s name and place of residence prior to the commencement of the public hearing at which the person wishes to speak.
3. The Presiding Officer will announce at the commencement of any public hearing the subject of the hearing as it is set forth on the agenda. The Presiding Officer will then declare the hearing open.
4. Prior to giving testimony, each person must state the person’s name and their place of residence. All remarks must be addressed to the Council as a body and not to any member thereof.
5. Speakers at hearings on legislative or administrative matters, other than legislative land use matters, will be limited to three (3) minutes.
6. Members of Council may, after recognition by the Presiding Officer, ask clarifying or follow up questions of individuals providing testimony after that individual has completed testifying. Questions posed by members of Council should be to provide clarification or additional information on testimony provided. Questions should not be used as an attempt to lengthen or expand the testimony of the individual. Members of Council should use restraint and be considerate of the meeting time of the Council when exercising this option. Any member of Council may intervene if another member of Council is violating the spirit of this guideline.
7. Members of Council may, after the presentation of testimony of all interested persons, ask clarifying or follow-up questions of staff. Questions posed by a member of Council should be to provide clarification or additional information on testimony provided.
8. The Presiding Officer may exclude or limit cumulative, repetitious, or immaterial matters. The Presiding Officer may order the testimony by having all speaking in favor testify, followed by all those in opposition. The Presiding Officer, with the approval of the Council, may further limit the time and/or number of speakers at any public hearing; provided that the Presiding Officer should announce any such restrictions prior to the commencement of the testimony.
9. At the end of public testimony and questions of staff, the Council must do one of the following:
  - a. Initiate deliberations by introducing a motion on the matter;
  - b. Continue the hearing; or
  - c. Keep the record open for additional written testimony.
10. During deliberations, each member of Council must have the opportunity to comment on or discuss testimony given during the public hearing.
11. A copy of any written testimony or physical evidence, which a party desires to have introduced into the record of the hearing, must be submitted to the City Recorder, or designee, prior to the conclusion of the hearing, unless the record is held open.

12. Documents submitted to the City as evidence or written testimony during a public hearing are public records. If such a document contains the name, address, including email address, and telephone number of the person, then it will be included in the record of the proceeding. Because the name, address, including email address, and telephone number are part of a public record, this information will be generally disseminated to the public, and must be disclosed, unless exempt under Oregon law, if a public records request is submitted for the documents. A person who believes such disclosure would present a danger to his or her personal safety, and who wishes to exempt his or her address, including email address, and telephone number from disclosure must submit a written request for non-disclosure to the City Recorder, or designee, pursuant to ORS 192.455(1).

**M. Conduct of Hearings on Land Use Matters – See RULE 4**

**RULE 2**  
**Meeting Time, Location, and Frequency**

**A. Regular Meetings.** The Council will generally hold regular meetings at 7:00 p.m. on the second and fourth Monday of each and every month, excluding the fourth Monday in December. If a second or fourth Monday falls on a City-recognized holiday, the meeting will be held on the following business day. <sup>11</sup>

**B. Special Meetings.** Special meetings may be called by the Mayor, three members of Council, or by the City Manager. <sup>12</sup>

1. The City Manager will provide notice of the special meeting to each member of Council, each local newspaper, radio, and television station, and any other person or entity which has on file a written request for notice of special meetings.
2. The notice of the special meeting must be given to each Councilor via personal notice, telephone, email, or other electronic means sufficient to provide actual notice.
3. Special meetings must be noticed in accordance with Oregon’s public meetings law, and, at a minimum, must be noticed at least 24 hours prior to the meeting taking place.

**C. Emergency Meetings.** Emergency meetings may be called by the Mayor, three members of Council, or by the City Manager. <sup>13</sup>

1. The City Manager will provide notice of the emergency meeting to each member of Council, each local newspaper, radio, and television station, and any other person or entity which has on file a written request for notice of emergency meetings.
2. The notice of the emergency meeting must be given to each Councilor via personal notice, telephone, email, or other electronic means sufficient to provide actual notice.
3. Emergency meetings are those meetings called with less than 24 hours’ notice and the Council must identify why the meeting could not be delayed 24 hours immediately after calling the meeting to order.

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<sup>11</sup> Charter Section 13 (Meetings) (“The Council shall hold a regular meeting at least once a month in the City at a time and a place which is designated.”); Tualatin Municipal Code 1-04 (setting forth specific times of meetings); see also ORS 192.610 to 192.690~~705~~ (Oregon Public Meetings Law).

<sup>12</sup> Charter Section 13 (Meetings) (“The Mayor upon his or her own motion may, or at the request of three members of the Council shall, by giving notice thereof to all members of the Council then in the City, call a special meeting of the Council in accordance with procedures prescribed by the state law and general ordinance. Special meetings of the Council may also be held by the common consent of all the members of the Council in accordance with procedures prescribed by state law and general ordinance.”); ORS 192.610 to 192.690~~705~~ (Oregon Public Meetings Law).

<sup>13</sup> Charter Section 13 (Meetings); see also ORS 192.610 to 192.690~~705~~ (Oregon Public Meetings Law).

4. The minutes for any emergency meeting must specifically identify why the meeting constituted an emergency and was necessary.

**D. Executive Sessions.** Executive sessions may be called by the Presiding Officer, by the request of three members of Council, by the City Manager, or by the City Attorney.<sup>14</sup>

1. Executive Sessions may be called for any purpose authorized by ORS 192.660, including but not limited to the following reasons:
  - a. Consider employment of a public officer, employee, or agent pursuant to regularized procedures for hiring adopted by the public body in meetings open to the public in which there has been opportunity for public comment. (ORS 192.660(2)(a)).
  - b. Consider discipline of a public officer, employee, or agent. (ORS 192.660(2)(b)).
  - c. Conduct deliberations with persons designated by the governing body to carry on labor negotiations. (ORS 192.660(2)(d)). Conduct deliberations with persons designated to negotiate real estate transactions (ORS 192.660(2)(e)).
  - d. Consider information or records exempt by law from public inspection. (ORS 192.660(2)(f)).
  - e. Consult with legal counsel concerning litigation or litigation likely to be filed. (ORS 192.660(2)(h)).
  - f. Review and evaluate the employment-related performance of the chief executive officer pursuant to standards, criteria, and policy directives adopted by the governing body. (ORS 192.660(2)(i)).
2. Only members of Council, the City Manager, and persons specifically invited by the City Manager or the Council are allowed to attend executive sessions.
3. Representatives of recognized news media may attend executive sessions, other than those sessions during which the Council conducts deliberations with persons designated to carry on labor negotiations, or where the matter involves litigation and the news media is a party to the litigation. Members of the media are not to report on the issues discussed in executive session.
4. No final decision can be made in executive session. All final decisions must be made in open session at a regular meeting.

**E. Work Sessions.** Work sessions are permitted to present information to the Council so that the Council is prepared for regular or special meetings.<sup>15</sup>

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<sup>14</sup> Charter Section 13 (Meetings); see also ORS 192.610 to 192.690~~705~~ (Oregon Public Meetings Law).

<sup>15</sup> Charter Section 13 (Meetings); TMC 1-4-020 (“A work session of the City Council will be held from 5:00 p.m. to 7:00 p.m., as needed, before each regular meeting.”); see also ORS 192.610 to 192.690~~705~~ (Oregon Public Meetings Law).

1. Work sessions are generally scheduled, as needed, between 5:00 and 7:00 p.m., immediately preceding each regular meeting.
2. All work sessions are subject to Oregon’s public meetings law and must be noticed accordingly.
3. Work sessions are intended to allow for preliminary discussions, and the Council is not permitted to take formal or final action on any matter at a work session.
4. Work sessions are to be scheduled by the City Manager.
5. The City Manager may invite any relevant staff to work sessions so that the sessions are as productive as possible.
6. At any work session or regular meeting, a member of Council may request an item be placed on a work session agenda. A majority vote of the Council members present is required to place the item on a future work session agenda.

**F. Location of Meetings.**<sup>16</sup>

1. Council meetings must be held at City Hall.
2. In the event City hall is not available for a meeting, the Council must meet at a venue open to the public and which is located within the jurisdictional limits of the City.
3. Training sessions may be held outside of the City’s jurisdictional limits, provided no deliberations toward a decision are made.
4. Interjurisdictional meetings may be held outside of the City’s jurisdictional limits, but should be held as close as practical to the City, and such meetings must be located within the jurisdictional boundaries of the other government entity.
5. No Council meeting must be held at any place where discrimination on the basis of an individuals’ race, religion, color, sex, national origin, ethnicity, marital status, familial status, age, gender, sexual orientation, source of income, or disability is practiced.

**G. Notice of Meetings.** The City Recorder, or designee, must provide notice of all meetings in accordance with Oregon’s public meeting law and City codes.<sup>17</sup>

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<sup>16</sup> This section sets forth the requirements for public meetings locations as contained in ORS 192.610 to 192.690~~705~~ (Oregon Public Meetings Law).

<sup>17</sup> Tualatin Municipal Code Chapter 1-04; ORS 192.610 to 192.690~~705~~ (Oregon Public Meetings Law).

## H. Attendance at Meetings.

1. Under the charter, a Council position becomes vacant if the member of Council is absent from the City for more than 30 days without Council permission or absent from all meetings of the Council within a 60-day period.<sup>18</sup>
2. ~~It is the responsibility of each members of Council to advise the City Manager if the member of Council will be unable to attend any regular, special, emergency, or work session meetings, or any assigned committees. The member of Council should communicate the absence to the City Manager as soon as reasonably practicable under the circumstances.~~ **Members of Council are expected to regularly attend Council meetings and assigned committee meetings as their schedule allows.**
  - a. **It is the responsibility of each member of Council to advise the City Manager and Deputy City Recorder if the member of Council will be unable to attend any regular, special, emergency, or work session meeting as soon as reasonably practicable under the circumstances.**
  - b. **A member of Council who is unable to attend an assigned committee meeting shall communicate their absence to the Council alternate without undue delay, so that the Council alternate may be afforded a reasonable opportunity to attend the committee meeting. In addition to the enforcement and consequences provisions set out at Rule 10, repeated violation of this subsection may result in the member being removed as liaison to their appointed committee/s.**
3. ~~Attendance at meetings must be in person, by telephone, or other electronic means where the persons voice may be heard. The preference of the Council is for all members of Council to attend in person.~~ **While members of Council are expected to attend in-person whenever possible, members may participate and vote in City Council meetings via telephone, electronically or by other virtual means consistent with the Oregon Public Meetings Law if personal circumstances require such attendance. Whenever possible, members of Council shall notify the Presiding Officer, Manager, and Deputy City Recorder the week before a scheduled Council meeting before electing to attend virtually.**
4. ~~A member of Council should not attend by telephone, or other electronic means where the person's voice may be heard, more than two consecutive meetings. A member of Council appearing by telephone, or other electronic means where the person's voice may be heard, should remain present for the entire meeting, unless it is the result of a malfunction or technical issue out of the control of the Councilor.~~ **Members of Council attending virtually are expected to remain present for the entire meeting unless an absence is due to a malfunction or technical issue out of the control of the Councilor. If attending virtually with video capabilities, members of Council are expected to have their video turned on.**



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<sup>18</sup> Charter Section 32 (What Creates Vacancy) (vacancy created “upon absence from the City for 30 days without the consent of the Council or upon absence from meetings of the Council for 60 days without like consent, and upon a declaration by the Council of the vacancy.”)

<sup>19</sup> ORS 192.610 to 192.690~~705~~ (Oregon Public Meetings Law) requires the public to have the opportunity to ~~hear the proceedings of a meeting~~ **access and attend the meeting by telephone, video or other electronic or virtual means.**

**RULE 3**  
**Ordinances and Resolutions**

**A. Ordinances.** An ordinance is a law passed by the Council in its legislative capacity.

**1. Introduction.**

- a. An ordinance is introduced for consideration by the Presiding Officer for presentation for first reading.
- b. After introduction, the Council may direct by majority vote of the members present any of the following:<sup>20</sup>
  - 1. A public hearing on the ordinance be held;
  - 2. Refer the ordinance to committee for review and recommendation;
  - 3. Refer the ordinance to the City Manager for further revision;
  - 4. Pass the ordinance to a second reading; or
  - 5. Reject the ordinance in whole or in part.

**2. Readings and Final Action.**

- a. Every ordinance of the Council must, before final passage, be read fully and distinctly in an open Council meeting on two different days.<sup>21</sup>
- b. However, an ordinance may be enacted at a single meeting, if the Council approves the ordinance by the unanimous vote of all Council members present. In such cases, the ordinance must be read first in full and then by title.<sup>22</sup>
- c. Any of the readings may be by title only, instead of a full reading, if:<sup>23</sup>
  - 1. No Council member present at the meeting requests to have the ordinance read in full; or

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<sup>20</sup> Charter Section 19 (Vote Required) Charter Section 35 (Mode of Enactment).

<sup>21</sup> Charter Section 35 (Mode of Enactment).

<sup>22</sup> Charter Section 35 (Mode of Enactment).

<sup>23</sup> Charter Section 35 (Mode of Enactment).

2. A copy of the ordinance is provided for each Council member, and a copy is available for public inspection in the office of the City Recorder, or designee, not later than five days before the first reading of the ordinance and notice of its availability is given forthwith upon the filing, by: (i) written notice posted at the City Center; or (ii) advertisement in a newspaper of general circulation in the City.
- d. An ordinance enacted after being read by title alone has no legal effect if it differs substantially from its original terms, unless, prior to being approved by the Council, each substantial difference is read fully and distinctly at the meeting as finally amended.<sup>24</sup>
  - e. The City Recorder, or designee, must take a “roll call” vote of each Councilor upon the final vote on an ordinance and the ayes and nays and abstentions of the members of Council must be recorded in the meeting minutes.<sup>25</sup>

**B. Resolutions.** A resolution is an action by the Council to adopt a policy, order, rule, or expression of opinion. All resolutions considered and voted upon by the Council must adhere to the rules outlined herein.

### 1. Introduction.

- a. Resolutions should be introduced by the Presiding Officer.
- b. After introduction of the resolution, the Council may direct that:
  1. A public hearing be held on the resolution;
  2. Pass the resolution; or
  3. Reject the resolution in whole or in part.

### 2. Readings and Final Action.

- a. Resolutions do not need to be read in full or by title at a Council meeting prior to adoption.
- b. An affirmative vote of a majority of the Council members present is necessary to pass a resolution.<sup>26</sup>

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<sup>24</sup> Charter Section 35 (Mode of Enactment).

<sup>25</sup> Charter Section 35 (Mode of Enactment) (“Upon the final vote of an ordinance, the ayes and nays of the member shall be taken and recorded in the journal); Charter Section 15 (Journal); ORS 192.650(1)(c)(Oregon Public Meetings Law) (require the meeting minutes to include “[t]he results of all votes and, except for public bodies consisting of more than 25 members unless requested by a member of that body, the vote of each member by name”).

<sup>26</sup> Charter Section 19 (Vote Required) (“ Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

- c. Resolutions may be placed on the Consent Agenda and may be considered as a group under the Consent Agenda.
- d. Resolutions may also be placed on the agenda as a General Business item.
- e. For resolutions placed on General Business, the City Recorder, or designee, must take a “roll call” vote of each Councilor upon the final vote on the resolution and the ayes and nays and abstentions of the members must recorded in the meeting minutes.<sup>27</sup>

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<sup>27</sup> Charter Section 15 (Journal) (“Upon request of any of its members, the ayes and nays upon any question before it shall be taken and a record of the vote entered in the journal.”); ORS 192.650(1)(c)(Oregon Public Meetings Law) (require the meeting minutes to include “[t]he results of all votes and, except for public bodies consisting of more than 25 members unless requested by a member of that body, the vote of each member by name”).

**RULE 4**  
**Land Use Hearings**

**A. General Conduct of Hearings.**<sup>28</sup>

1. Any party may speak in person, through an attorney, or elect to have a representative from an officially recognized Citizen Involvement Organization (CIO) present the party's case.
2. A copy of any written testimony or physical evidence which a party desires to have introduced into the record at the time of hearing must be submitted to the City Recorder, or designee, at the time the party makes his or her presentation. If the testimony or evidence is not submitted to the City Recorder, or designee, it must not be included in the record for the proceeding.
3. Except as otherwise provided by these rules, no person may speak more than once without obtaining permission from the Presiding Officer.
4. Upon being recognized by the Presiding Officer, any member of Council, may question any person who testifies.
5. Testimony must be directed towards the applicable standards and criteria which apply to the proposal before the Council.
6. The Presiding Officer may exclude or limit cumulative, repetitious, or immaterial testimony. To expedite hearings, the Presiding Officer may call for those in favor and those in opposition to rise, and the City Recorder, or designee, must note the numbers of such persons for the record in the minutes.

**B. Quasi-Judicial Land Use Matters.**

1. **Scope of Review.** All appeals and Council-initiated review in quasi-judicial land use proceedings are new (de novo) and must be held on the record.
2. **Conflicts of Interest.**
  - a. A member of Council must not participate in a discussion or vote in a quasi-judicial land use proceeding if:
    1. The member of Council has an actual conflict of interest as defined by the Oregon Revised Statutes or the City charter; or
    2. The member was not present during the public hearing; provided, however, the member may participate if they have reviewed the evidence, including recordings of the hearing, and declared such fact for the record.

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<sup>28</sup> State law governs this process. ORS Chapter 197 (Comprehensive Land Use Planning; ORS Chapter 227 (City Planning and Zoning).

### 3. Ex Parte Contact.

- a. Ex parte contacts are any contacts with any party outside of the hearing process. Specific questions about whether a contact is considered ex parte should be discussed with the City Attorney before the meeting begins.
- b. Members of the Council must reveal any ex parte contacts with regard to the proceeding at the commencement of any quasi-judicial land use proceeding. See, ORS 227.180. If such contact impairs the member's impartiality, the member must state this fact and abstain from participation on the matter.

### 4. Burden of Proof.

- a. The proponent has the burden of proof on all elements of the proposal, and the proposal must be supported by proof that it conforms to all applicable standards and criteria.
- b. The decision of the Council must be based on the applicable standards and criteria set forth in the Tualatin Development Code, the City's comprehensive plan, and, if applicable, any other land use standards imposed by state law or administrative rule.
- c. The proponent, any opponents, and/or City staff may submit to the Council a set of written findings or statements of factual information which are intended to demonstrate the proposal complies or fails to comply with any or all applicable standards and criteria.

### 5. Hearing Procedures. The order of hearings in quasi-judicial land use matters is:

- a. **Land Use Hearing Disclosure Statement.** The Presiding Officer must read the land use hearing disclosure statement, which must include:
  - 1. A list of the applicable criteria;
  - 2. A statement that testimony, arguments and evidence must be directed toward the applicable criteria or other criteria in the plan or land use regulation which the person believes to apply to the decision;
  - 3. A statement that failure to raise an issue accompanied by statements or evidence sufficient to afford the Council and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue; and
  - 4. If applicable, a statement that a failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.
- b. **Call for Ex Parte Contacts.** The Presiding Officer must inquire whether any member of Council had ex parte contacts. Any member of Council announcing an ex parte contact must state for the record the nature and content of the contact.

- c. **Call for Abstentions.** The Presiding Officer must inquire whether any member of Council must abstain from participating in the hearing due to a conflict of interest or bias. Any member of Council announcing a conflict of interest must or bias must state the nature of the conflict or bias, and must not participate in the proceeding, unless the person's vote is necessary to meet a requirement of a minimum number of votes necessary to take official action; provided, however, that the member must not participate in any discussion or debate on the issue of which the conflict arises.
  - d. **Staff Summary.** Planning staff will present a summary and recommendation concerning the proposal.
  - e. **Presentation of the Case.** The presentation of the case will be as follows:
    - 1. Proponent's case.
    - 2. Persons in favor.
    - 3. Persons opposed.
    - 4. Other interested persons.
    - 5. Rebuttal. Rebuttal may be presented by the proponent. The scope of rebuttal is limited to matters which were introduced during the hearing.
  - f. **Close of Hearing.** Unless the Council leaves the record open for a specified period of time, no further information will be received after the close of the hearing, provided however Council may ask specific questions of staff. If the response by staff to any such questions requires the introduction of additional factual evidence, all parties must be afforded an opportunity for rebuttal.
  - g. **Deliberations.** Deliberations will immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.
6. **Findings and Order.** The Council may approve or reject the proposal. The Council must adopt a resolution or order containing findings to support its decision. The Council may incorporate findings proposed by the proponent, the opponent, or staff in its decision.
7. **Continuances.** Only one continuance is available by right. However, nothing in this section restricts the Council, in its discretion, from granting additional continuances. Any continuance must result in a corresponding extension of the 120-day time limitations imposed by the Oregon Revised Statutes.

### **C. Legislative Land Use Matters.**

- 1. **Hearings Procedures.** The order of procedures for hearings on legislative land use matters must be:
  - 1. **Call for Abstentions.** Inquire whether any member of Council wishes to abstain from participation in the hearing. Any member announcing an abstention must identify the reason therefore and must not participate in the proceedings.

2. **Staff Summary.** Staff must present a statement of the applicable criteria, and a summary and recommendation concerning the proposal.
3. **Presentation of the Case.** The presentation of the case will be as follows:
  - a. Proponent's case.
  - b. Persons in favor.
  - c. Persons opposed.
  - d. Other interested persons.
4. **Close of Hearing.** Unless the Council leaves the record open for a specified period of time, no further information will be received after the close of the hearing, provided however, Council may ask questions of staff.
5. **Deliberations.** Deliberations will immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.
6. **Reopening Hearing.** Prior to second reading of an ordinance relating to a legislative land use matter, and upon majority vote of the Council, a hearing may be reopened to receive additional testimony, evidence or argument. The same notice requirements must be met for the reopened hearing as were required for the original hearing.



**RULE 5**  
**Motions, Debate, Public Comment, and Voting**

**A. Motions.** The following rules apply to motions:

1. ~~All motions must be distinctly worded.~~ **The Presiding Officer shall ensure that the wording of motions are clear.**
2. The Presiding Officer must repeat the motion prior to a vote.
3. The Council will discuss a motion only after the motion has been moved and seconded. Nothing in this section prevents general discussion or expression of opinions before a motion is made.
4. If a motion does not receive a second, it dies.
5. A motion that receives a tie vote fails.<sup>29</sup>
6. A motion to amend can be made to a motion that is on the floor and has been seconded.
7. Amendments are voted on first, then the main motion is voted on, as amended.
8. A member of Council may have a motion which contains several elements divided, but the mover has the right to designate which element will be voted on first.
9. A motion may be withdrawn by the mover at any time without the consent of the Council.
10. No motion will be received when a question is under debate except for the following:
  - a. To lay the matter on the table;
  - b. To call for the previous question;
  - c. To postpone;
  - d. To refer; or
  - e. To amend.
11. A call for the question is intended to close the debate on the main motion; does not require a second and is not debatable.
12. A call for the question fails without a majority vote.
13. Debate on the main subject resumes if the motion to call for the question fails.
14. A motion to adjourn cannot be amended.

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<sup>29</sup> Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

**B. Motion to Reconsider.**

1. A motion to reconsider may only be made by a member of the prevailing side. Any member may second the motion.
2. A motion to reconsider can be made only once and must be made before the final adjournment of the meeting when the item goes out of possession of the Council.

**C. Debate.** The following rules govern the debate of any item being discussed by the Council:

1. Every member of Council wishing to speak on the matter must address the Presiding Officer, and, upon recognition by the Presiding Officer, confine remarks to the question under debate, at all times acting and speaking in a respectful manner.
2. Once the member of Council is recognized by the Presiding Officer, the other members of Council must not interrupt, unless it is a call to order.
3. The member of Council moving the adoption of any ordinance or resolution will have the privilege of closing the debate.

**D. Public Comment.**

1. The public is entitled to comment on all matters before the Council that require a vote.
2. Public comment will occur after the matter up for vote has been presented by City staff and before the Council takes any formal action on the matter.
3. Each member of the public is entitled to comment on the matter before the Council for three (3) minutes.
4. Public comment is a time for comment; it is not a time for debate. Any questions from members of the public to Council or City staff will be referred to City staff for a response to be provided a later time.
5. Prior to giving comment, each person must state the person's name and their place of residence. This information will be used to insure the minutes of the meeting properly reflect those persons who provided public comment.
6. ~~All remarks must be addressed to the Council as a whole. Any person making personal, impertinent, or slanderous remarks, or who becomes boisterous, threatening, or personally abusive while addressing the Council, may be requested to leave the meeting. Applause, boos or other public demonstrations by those attending the Council meeting are considered inappropriate behavior.~~ **All remarks must be addressed to the Council as a whole. Any person engaging in behavior causing an actual disruption of the meeting may be requested to leave the meeting.**

**E. Voting.** The following rules apply to voting on matters before the Council, unless amended in the manner outlined in Rule 3 of these Rules.

1. **Reports.** A majority of a quorum is required to approve or accept a report. However, no vote is required if the report is only for informational purposes.<sup>30</sup>

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<sup>30</sup> Charter Section 19 (Vote Required) ("Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.")

2. **Consent Agenda.** The unanimous vote of all members of Council present is required to approve the matters on a consent agenda.
3. **Ordinances.** An ordinance requires a majority of a quorum to pass.<sup>31</sup>
4. **Emergency Clause in Ordinances.** An emergency ordinance requires the unanimous vote of all Council members present.<sup>32</sup>
5. **Resolutions.** A majority of a quorum is required to pass a resolution.<sup>33</sup>
6. **Budget.** The budget requires a majority of a quorum to pass.<sup>34</sup>
7. **Franchise Agreements.** A majority of a quorum is required to pass an ordinance granting a franchise.<sup>35</sup>
8. **Suspension of Rules.** A majority vote of all members of Council present is required to suspend or rescind a rule contained in these rules of procedure, however, rules which also appear in the Charter may not be suspended or rescinded.<sup>36</sup>

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<sup>31</sup> Charter Section 35 (Mode of Enactment); Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

<sup>32</sup> Charter Section 35 (Mode of Enactment) (“an ordinance may be enacted at a single meeting of the Council by unanimous vote of all Council member present...”); Charter Section 36 (When Ordinances Shall Take Effect) (“An ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. When the Council deems it advisable, however, an ordinance may provide a later time for it to take effect, and in case of an emergency, it may take effect immediately.”)

<sup>33</sup> Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

<sup>34</sup> Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

<sup>35</sup> Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

<sup>36</sup> Charter Section 6 (Where Powers Vested) (“Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.”); Charter Section 13 (Meetings) (“[the Council] shall adopt rules for the government of its members and proceedings.”); Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

9. **Votes.** All votes must be recorded in the minutes.<sup>37</sup>

10. **Tie Votes.** Tie votes indicate a denial of the motion or proposal.<sup>38</sup>

**F. Effective Date.**

1. Ordinances take effect 30 days from the date of passage, unless a later date is indicated in the ordinance, in which case it takes effect on that date. However, the following ordinances take effect immediately upon passage:<sup>39</sup>
  - a. Ordinances making appropriations and the annual tax levy;
  - b. Ordinances relative to local improvements and assessments; and
  - c. Emergency ordinances.
2. A resolution becomes effective upon adoption unless otherwise stated in the resolution.
3. The filing of a referendum petition suspends the effective date of an ordinance.

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<sup>37</sup> Charter Section 15 (Journal); Charter Section 35 (Mode of Enactment) (“Upon the final vote of an ordinance, the ayes and nays of the member shall be taken and recorded in the journal); ORS 192.650(1)(c)(Oregon Public Meetings Law) (require the meeting minutes to include “[t]he results of all votes and, except for public bodies consisting of more than 25 members unless requested by a member of that body, the vote of each member by name”).

<sup>38</sup> Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

<sup>39</sup> Charter Section 36 (When Ordinances Shall Take Effect) (“An ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. When the Council deems it advisable, however, an ordinance may provide a later time for it to take effect, and in case of an emergency, it may take effect immediately.”)

**RULE 6**  
**Minutes**

**A. Generally.**<sup>40</sup>

1. All minutes must be in written form, with an electronic copy of the meeting maintained by the City Recorder, or designee, in accordance with the appropriate record retention schedule.
2. The minutes must contain the following information:
  - a. The date, time and place of the meeting;
  - b. The members of the Council present;
  - c. The motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition;
  - d. The results of all votes and the vote of each member by name;
  - e. The substance of any discussion on any matter; and
  - f. A reference to any document discussed at the meeting.

**B. Approval.** The Council must approve all minutes of any meeting.

1. All minutes must be approved within ninety days of the meeting having occurred.
2. The draft minutes must be submitted to the Council as part of the Council's packet prior to the meeting where they will be discussed.
3. Any member of Council may request an amendment or correction of the minutes prior to a final vote being taken on the minutes.

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<sup>40</sup> Charter Section 15 (Journal) (“The Council shall cause a journal of its proceedings to be kept. Upon request of any of its members, the ayes and nays upon any question before it shall be taken and a record of the vote entered in the journal.”); Charter Section 13 (Meetings); Charter Section 22 (Recorder); see also, ORS 192.610 to 192.690~~705~~ (Oregon Public Meetings Law).

**RULE 7**  
**Appointments**

**A. Appointments of City Staff.** The Council appoints and can remove those positions identified in the City’s charter. All appointments require a majority vote of the members of Council present at a meeting.<sup>41 42</sup>

**B. City Manager/Recorder.** The City Manager (who also serves the role of Recorder under the Charter) is appointed by the Council.<sup>43</sup>

1. **Reviews.** The City Manager is subject to a review by the Council to be generally conducted during the first quarter of the year, in even numbered years.

2. **Removals.** The City Manager may be removed by a majority vote of the entire Council.<sup>44</sup>

**C. Municipal Judge.**

1. **Appointment and Removal.** The Mayor, with the consent of the Council, appoints and may remove the Municipal Judge, including pro tem judges.<sup>45</sup>

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<sup>41</sup> Charter Section 20a (City Manager); Charter Section 21 (Municipal Judge); Charter Section 22 (Recorder); Charter Section 10 (Other Officers) (“Additional officers of the City shall be a Municipal Judge, a Recorder, and such other officer as the Council deems necessary. Each of these officers shall be appointed and may be removed by the Mayor with the consent of the Council. The Council may combine any two or more appointive City offices. The Council may designate any appointive officer to supervise any other appointive officer, except the Municipal Judge in the exercise of judicial functions.”)

<sup>42</sup> The City Manager has the power to appoint and remove all other City officers under Charter Section 20a (City Manager) (City Manager’s power to “appoint and may remove appointive City officers and employees except as this Charter otherwise provides, and shall have general supervision and control over them....”)

<sup>43</sup> Charter Section 20a (City Manager) (“The Manager shall be chosen by the Council....”); Charter Section 22 (Recorder); Charter Section 10 (Other Officers) (“Additional officers of the City shall be a Municipal Judge, a Recorder, and such other officer as the Council deems necessary. Each of these officers shall be appointed and may be removed by the Mayor with the consent of the Council. The Council may combine any two or more appointive City offices. The Council may designate any appointive officer to supervise any other appointive officer, except the Municipal Judge in the exercise of judicial functions.”)

<sup>44</sup> Charter Section 20a (City Manager) (“The Manager shall be appointed for an indefinite term and may be removed at the pleasure of the Council.”); Charter Section 22 (Recorder); Charter Section 10 (Other Officers) (“Additional officers of the City shall be a Municipal Judge, a Recorder, and such other officer as the Council deems necessary. Each of these officers shall be appointed and may be removed by the Mayor with the consent of the Council. The Council may combine any two or more appointive City offices. The Council may designate any appointive officer to supervise any other appointive officer, except the Municipal Judge in the exercise of judicial functions.”)

<sup>45</sup> Charter Section 21 (Municipal Judge) (“The Council may, in addition to appointing the Municipal Judge, appoint such pro tem judges as it considers necessary, to hold office at the pleasure of the Council.”); Charter Section 10 (Other Officers) (“Additional officers of the City shall be a Municipal Judge, a Recorder, and such other officer as the Council deems necessary. Each of these officers shall be appointed and may be removed by the Mayor with the consent of the Council. The Council may combine any two or more appointive City offices. The Council may designate any appointive officer to supervise any other appointive officer, except the Municipal Judge in the exercise of judicial functions.”).

2. **Interference.** If the Council appoints a municipal judge, the Council may meet with the judge, but in no instance may the Council interfere with the judge’s exercise of judicial authority or discretion.<sup>46</sup>

**D. Council Subcommittees.** Council subcommittees may be created, and dissolved, by a majority vote of the members of Council present at a meeting.<sup>47</sup>

1. Under Section 20 of the Charter, the Mayor appoints Councilors to all Council subcommittees.<sup>48</sup>
2. Council subcommittees may be standing committees or other committees created under the rules of the Council.
3. The following are current Council subcommittees that have been previously created or are created by these rules. These may be dissolved by majority vote of the members of Council present at a meeting:

- a. *Council Committee on Advisory Appointments.* The purpose of the CCAA is to screen and recommend citizens to be appointed City Boards, Commissions, and Committees.

**E. Appointments of Citizen Members to Boards, Commissions and/or Committees.**

1. **Council Committee on Advisory Appointments.** The Council Committee on Advisory Appointments (CCAA) is a standing subcommittee of the Council. The purpose of the CCAA is to screen and recommend citizens to be appointed City Boards, Commissions, and Committees through the following general process:
  - a. The CCAA will conduct interviews of all candidates for appointment, including candidates wishing to renew their appointments.
  - b. After reviewing the candidates, the CCAA will vote on all recommendations and forward those recommendations to the full Council for consideration.

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<sup>46</sup> Charter Section 21(Municipal Judge); Charter Section 10 (Other Officers).

<sup>47</sup> Charter Section 6 (Where Powers Vested) (“Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.”); Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”).

<sup>48</sup> Charter Section 20 (Mayor) (“The Mayor shall appoint the committees provided by the rules of the Council and sign all approved records of proceedings of the Council.”)

- c. Upon receiving the recommendation from the CCAA, the Council will place the names for consideration on the regular meeting agenda as a General Business item.
- d. The Council may consider the candidates submitted as a group or may consider each candidate individually.
- e. The Council may accept, reject, or appoint any candidate, including those not considered by the CCAA.
- f. All appointments must be by majority vote of the members of Council present.



**RULE 8**  
**Ethics, Decorum, Outside Statements, and Social Media**

**A. Ethics.**<sup>49</sup>

1. All members of Council must review and observe the requirements of state ethics laws.
2. In addition to complying with state ethics law, all members of Council must refrain from:
  - a. Disclosing confidential information.
  - b. Taking action which benefits special interest groups or persons at the expense of the City as a whole.
  - c. Expressing an opinion contrary to the official position of the Council without so saying.
  - d. Conducting themselves in a manner so as to bring discredit upon the government of the City.
  - e. Not profiting from their position on Council in violation of state law.
3. All ethics complaints received about a Councilor will be forwarded to the Oregon Government Ethics Commission (OGEC).
4. **In addition to any training required by state law, every member of Council shall attend or view an Oregon Government Ethics training prepared by the Oregon Government and Ethics Commission or the City Attorney within one year of assuming office. Members of Council reelected to office shall attend the training required by this rule within one year of their reelection.**
5. **Every member of Council shall attend or view a Council Rules training prepared by the City Manager or City Attorney within one year of assuming office. Members of Council reelected to office shall attend the training required by this rule within one year of their reelection**

**B. Decorum.**

1. ~~The Presiding Officer will preserve decorum during meetings and decide all points of order, subject to appeal of the Council. These~~ **rules are intended to ensure that Council meetings are conducted in an orderly, respectful and disciplined manner; provide clarity on expectations to effectively govern the City; and demonstrate each member of Council's commitment to work together in a spirit of partnership.**
2. ~~Members of the Council will preserve decorum during meetings, and must not, by conversation or action, delay or interrupt the proceedings or refuse to obey the orders of the Presiding Officer or these rules. The Presiding Officer will preserve decorum~~ **during meetings and decide all points of order, subject to appeal of the Council. An appeal shall substantially conform to the following procedure:**

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<sup>49</sup> ORS Chapter 244 (Government Ethics).

- a. **A member of Council desiring to appeal a decision of the Presiding Officer shall state “I appeal from the decision of the Presiding Officer.” The appeal must be seconded to move forward.**
  - b. **If the appeal is seconded, the Presiding Officer shall state the exact question at issue and explain the reason for the decision.**
  - c. **Members of Council shall then debate the matter.**
  - d. **After debate has concluded, the Council will vote to decide whether the decision of the Presiding Officer shall be sustained. The Presiding Officer shall have a vote on the matter.**
  - e. **After the result of the vote is announced, business shall resume in accordance with the decision.**
3. ~~City staff and all other persons attending meetings must observe the Council’s rules of proceedings and adhere to the same standards of decorum as members of Council.~~ **Members of the Council will preserve decorum during meetings, and must not, by conversation or action, delay or interrupt the proceedings or refuse to obey the orders of the Presiding Officer or these rules. Members of Council shall not engage in personal attacks of any kind or otherwise belittle or intimidate other members or any speaker.**
4. ~~All audience members must abide by the rules of decorum contained in these Rules. No audience member may disrupt the conduct of the meeting, clap, cheer, hoot, holler, gesture, whistle, guffaw, jeer, boo, hiss, make remarks out of turn, use profanity, or the like. Any audience member who does so will be deemed out of order and the Presiding Officer may have the person removed from the Council chambers immediately, and the person will not be permitted to attend the remainder of that Council meeting.~~ **In the event a member of Council is personally offended by the actions or remarks of another member, the member of Council should note the action or actual words used and call for a “point of personal privilege” that challenges the other member to justify the action or the language used. A point of personal privilege shall substantially conform to the following procedure:**
  - a. **A member of Council desiring to raise a personal point of privilege shall state “I rise to a question of personal privilege.”**

- b. The Presiding Officer shall request the member of Council to state their question of privilege.**
- c. The member of Council shall describe issue and request the issue be remedied.**
- d. The Presiding Officer shall review the matter and act in accordance with these rules.**

**5. City staff must observe the Council's rules of proceedings and adhere to the same standards of decorum as members of Council.**

**6. No audience member may engage in behavior that results in an actual disruption of the Council meeting. Any audience member who does so will be deemed out of order and the Presiding Officer may have the person removed from the Council chambers immediately, and the person will not be permitted to attend the remainder of that Council meeting. The Presiding Officer may request that the audience member be arrested for disorderly conduct if the disruption threatens the safety and security of the public.**

### C. Statements to the Media and Other Organizations

1. Representing City. If a member of Council, to include the Mayor, appears as a representative of the City before another governmental agency, the media or an organization to give a statement on an issue, the member of Council may only state the official position of the City, as approved by a majority of the Council.
2. Personal Opinions. If a member of Council, to include the Mayor, appears in their personal capacity before another governmental agency, the media or an organization to give a statement on an issue, the member of Council must state they are expressing their own opinion and not that of the City or of any other Councilor, unless they receive the express permission of that Councilor, before giving their statement.

### D. Use of Social Media.

1. Members of Council are encouraged to exercise caution when commenting on municipal affairs on social media platforms. While using social media, members of Council are subject to applicable Oregon Laws as they pertain to public meetings and public records retention schedules.
2. Under ORS 192.610, a public meeting occurs when a quorum is required in order to make a decision or to deliberate toward a decision on a matter. Under Oregon Law, certain telephone and electronic communications may be considered a public meeting. Certain uses of social media may constitute a public meeting, and accordingly, Councilors should use appropriate caution to avoid public meeting violations.<sup>50</sup>
3. A public record created through a member of Council's social media footprint must be retained by the elected official in accordance with any state laws and local retention schedules. A "public record" encompasses any information that is prepared, owned, used or retained by the city; relates to an activity, transaction or function of the city; and is necessary to satisfy the fiscal, legal, administrative or historical policies, requirements or needs of the city. Councilors should forward social media posts to the City Manager or seek other assistance from the City for retention if the member of Council does not wish to be individually responsible for retaining the public record.<sup>51</sup>
4. The digital decorum of elected and appointed officials will be governed by Council Rules. Consistent with these Rules, members of Council must conduct themselves so as to bring credit upon the City government. Councilors must abide by Rule 8 (C)(Statements to the Media and Other Organizations) above in all social medial activities.
5. City Council members will refrain from posting comments that:
  - a. Express a Council or Committee position prior to a Council or Committee determination of a position or on a matter that would otherwise require Council or Committee authorization prior to the conveyance of a position; or
  - b. Express an opinion in a manner contrary to Rule 8 (C) (Statements to the Media and Other Organizations) above.

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<sup>50</sup> ORS 192.610 to 192.690~~705~~ (Oregon Public Meetings Law).

<sup>51</sup> ORS 192.410~~311~~ to 192.505~~478~~ (Oregon Public Records Law).

**RULE 9**  
**Interactions with City Staff**

**A. City Staff.** All members of Council must respect the separation between the Council's role and the City's Manager's responsibility by:

1. Not interfering with the day-to-day administration of City business, which is the responsibility of the City Manager.<sup>52</sup>
2. Refraining from actions that would undermine the authority of the City Manager or a Department Head.
3. Limiting individual inquiries and requests for information from staff to those questions that may be answered readily as part of staff's day-to-day responsibilities. Questions of a more complex nature must be directed to the City Manager. Questions sent to staff must be copied to the City Manager. Councilors may not directly interfere with staff or the City Manager's management of staff.
4. Members of the Council must normally share any information obtained from staff with the entire Council when it involves an action item on a Council agenda. This section is not intended to apply to questions by members of Council acting in their individual capacities rather than as members of Council, nor to questions regarding conflict of interest or similar issues particular to a member of Council.

**B. City Attorney.** Members of the Council may contact the City Attorney directly without contacting the City Manager in the following circumstances:

1. When the issue involves allegations of misconduct by the City Manager; or
2. To discuss parliamentary procedures of these Rules.

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<sup>52</sup> Charter Section 20a (City Manager) (“(c) Powers and Duties. The Manager shall: (1) Devote his or her entire time to the discharge of official duties, attend all meetings of the Council unless excused therefrom by the Council or the Mayor, keep Council advised at all times of the affairs and needs of the City, and make reports annually, or more frequently if requested by the Council, of all the affairs and departments of the City. (2) See that all ordinances are enforced and that the provisions of all franchises, leases, contracts, permits, and privileges granted by the City are observed. (3) Appoint and may remove appointive City officers and employees except as this Charter otherwise provides, and shall have general supervision and control over them and their work with power to transfer an employee from one department to another. The Manager shall supervise the departments to the end of obtaining the utmost efficiency in each of them but shall have no control over the judicial activities of the Municipal Judge. (4) Be responsible for preparing and submitting to the Budget Committee the annual budget estimates and such reports as the body requests. (5) Supervise the operation of all public utilities owned and operated by the City and shall have general supervision over all City property.”).

**RULE 10**  
**Enforcement and Consequences**

**A. Enforcement.** The Council may ensure compliance with City ordinances, charter, and state laws applicable to governing bodies.<sup>53</sup> If a member of Council violates these rules, City ordinances, the City charter, or state laws applicable to governing bodies, the Council may take action to protect the integrity of the Council and discipline the member with a public reprimand or removal as provided for in the City charter.<sup>54</sup> A majority of the entire Council is required to issue a reprimand.

**B. Investigations and Hearings.**

1. A majority of the Council may investigate the actions of any member of Council and meet in executive session under ORS 192.660(2)(b) to discuss any finding that reasonable grounds exist that a violation of these rules, local ordinance, the City charter, or state laws applicable to governing bodies has occurred.<sup>55</sup>
2. Before the Council may publicly reprimand or remove a member of Council, the Council must provide the member of Council notice of the alleged violations and an opportunity to be heard on, and rebut, the allegations. Sufficient notice must be given to the affected member of Council to afford them the opportunity to request an open hearing under ORS 192.660(2)(b).<sup>56</sup>
3. No final action or decision can be made in executive session, as provided by ORS 192.660(6).<sup>57</sup>

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<sup>53</sup> Charter Section 6 (Where Powers Vested) (“Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.”); Charter Section 19 (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”).

<sup>54</sup> Other than for the reasons stated in Charter Section 32 (What Creates Vacancy), an elected official cannot be removed from office absent a recall vote by the electorate in accordance with the Oregon Constitution Article II, section 18, and ORS 249.865.

<sup>55</sup> Charter Section 6 (Where Powers Vested) (“Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.”); Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”).

<sup>56</sup> ORS 192.610 to 192.690~~705~~ (Oregon Public Meetings Law) (process for executive session).

<sup>57</sup> ORS 192.610 to 192.690~~705~~ (Oregon Public Meetings Law) (process for executive session).

**RULE 11**  
**Amendment and Repeal of Council Rules**

**A. Amendment.** These Rules are subject to amendment by the Council.<sup>58</sup>

1. Any proposed amendment to these rules must be listed on an agenda for a regular meeting and the agenda posted prior to the meeting, wherein the same will be discussed, and open for comment by the public, except in cases of an emergency.
2. All amendments to these rules require approval by a majority of a quorum of Council.
3. Amended rules do not go into effect until the meeting after the rule was approved.

**B. Repeal.** These Rules are subject to repeal and replacement by the Council. <sup>59</sup>

1. Any proposed repeal of these rules must be accompanied by a proposed replacement rule.
2. Any proposed repeal and replacement of these rules must be noted on an agenda for a regular meeting and the agenda posted prior to the meeting, wherein the same will be discussed, and open for comment by the public.
3. Any repeal and replacement of these rules requires approval by a majority of a quorum of Council.
4. Any repeal and replacement of these rules does not go into effect until 30 days after the replacement rule was approved.

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<sup>58</sup> Charter Section 6 (Where Powers Vested) (“Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.”); Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”); Charter Section 13 (Meetings) (“[the Council] shall adopt rules for the government of its members and proceedings.”).

<sup>59</sup> Charter Section 6 (Where Powers Vested) (“Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.”); Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”); Charter Section 13 (Meetings) (“[the Council] shall adopt rules for the government of its members and proceedings.”).

**RULE 12**  
**Finances and Travel Policy**

**A. Financial Statements.** Pursuant to ORS 244.050, members of Council are required to file annual Statements of Economic Interest (SEI) by April 15 of each year. For more information, see the Oregon Government Ethics Commission (OGEC) website on how to file.<sup>60</sup>

**B. Health Insurance.** Pursuant to Resolution No. 3837-01, members of Council are entitled to receive the following health insurance benefits:

1. The Mayor may receive City health insurance benefits at the family level.
2. Councilors may each receive City health insurance benefits at the single employee level, not to exceed the level offered to City department managers. In lieu of health insurance benefits, Councilors may receive a stipend in an amount determined by the City's health insurance provider (currently CIS), consistent with all plans and requirements of the health insurance provider. Councilors may obtain family level coverage by paying the difference in the cost of the family policy and the single employee policy.
3. The health insurance benefits provided are subject to the rules for enrollment and contractual conditions of the health insurance provider.

**C. Technology Stipend.** Pursuant to Resolution No. 5128-13, each member of Council is entitled to a technology stipend of \$750.00 to be received at the beginning of their terms of office.

**D. Water Bill.** Pursuant to Resolution No. 3216-96, each member of Council receives a \$20.00 monthly credit on their water bill.

**E. Travel Policy.**

1. **Adoption of Reimbursement Rates.** Members of Council may be reimbursed, or may seek an advancement of funds, for normal expenses incurred while carrying out their official duties at the usual and customary rates. Councilors are required to submit receipts and appropriate documentation to the City Manager. Councilors should use prudence in the expenditure of City funds.
2. **Registration Fees for Conferences and Trainings.** Members of Council are encouraged to take advantage of early registration to obtain discounted rates.
3. **Transportation.**
  - a. **Airfare.** ~~The City will pay for roundtrip, coach airfare. Members of Council are expected to look for the least expensive fare available within the appropriate arrival/ departure times. If the member of Council makes first-class or business-class travel reservations, the member of Council must pay the difference between those rates and the coach rate.~~ **The City will pay for roundtrip, coach airfare. Members of Council are expected to look for the least expensive fare available within the appropriate arrival/departure times. However, members may choose to book a premium economy class seat if personal circumstances require or for any flight over two hours long. If the member of Council makes first-class or business-class travel reservations, the member must pay the difference between those rates and the City-paid airfare.**
  - b. **Vehicle Rental.** Vehicle rental is a reimbursable expense at the midsize rate.

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<sup>60</sup> ORS Chapter 244 (Government Ethics).



- c. **Ground Transportation.** Ground transportation (e.g., taxis, buses, mass transit, and shuttles) is a reimbursable expense.
- d. **Individual Vehicles.** Members of Council will be reimbursed for City-related travel in their individual vehicles for the actual miles traveled at the GSA rate.

#### 4. **Parking.**

- a. Parking fees are reimbursable for business purposes or attending training.
- b. Long-term economy parking at airports is expected to be used for airport travel of more than one day in duration.

#### 5. **Lodging.**

- a. Reimbursement for lodging is authorized when the member of Council's travel requires an overnight accommodation.
- b. Reimbursement will be at the reasonable and customary cost of a single standard room, or at the conference/training rate.
- c. The final itemized lodging bill is required when submitting for reimbursement of the expenditure.
- d. Any additional room charges room service, movies, personal phone calls, laundry service, etc. are the responsibility of the member of Council. If cell phone coverage is unavailable, business calls and reasonable personal calls will be reimbursed. In- room internet is reimbursable.

#### 6. **Meals.**

- a. The City will pay reasonable and customary meal expenses.
- b. Members of Council have the choice of an advance or a reimbursement for the total authorized per diem amount.
- c. When meals are provided as part of the conference or training, reimbursement will generally not be given for that meal without proper cause. Conference "continental" is not considered a meal.
- d. A member of Council may meet with and purchase a meal for others, including persons of other government jurisdictions and professional institutions from which an exchange of information is obtained that may aide the City in improving its efficiency, service, or governance.

#### 7. **Travel Advances and Reimbursements.**

- a. Members of Council may choose to be reimbursed for expenses or receive an advance.

- b. For travel and training cash/check advances, members of Council should submit a check request to the City Manager one week in advance of the expected travel or training date, when possible.
- c. If a member of Council chooses to be reimbursed instead of an advance, the member of Council must submit the following:
  - 1. A receipt is provided; or
  - 2. The expense report states the amount spent, who was present, and the specific topic or project of discussion.
- d. Personal items and expenses of family members traveling with the member of Council are not authorized expenses.

**F. Council Report for Certain Expenses.** Any member of Council requesting reimbursement or advancement for a conference or event is required to give an oral or written report about the conference or event to the Council.

RESOLUTION NO. 5812-24

A RESOLUTION AMENDING THE CITY OF TUALATIN COUNCIL  
RULES

WHEREAS, the City Charter authorizes the Council to adopt rules for the “government of its members and proceedings”; and

WHEREAS, under Rule 11 of the Council Rules, the Council may amend any rule; and

WHEREAS, On February 26, 2024, the Council appointed a Council Rules Subcommittee to review the Council Rules and report back with proposed changes; and

WHEREAS, the Council Subcommittee met three times, reviewed the Council Rules, and presented its proposed rule amendments to the full Council for consideration; and

WHEREAS, on June 24 and August 26, 2024, the Council met to consider and revise the proposed amendments to the Council Rules; and

WHEREAS, the Council now wishes to approve amendments to the Council Rules.

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

Section 1. The Council amends the Council Rules as set forth in Exhibit A, which is attached and incorporated herein.

Section 2. The attached amendments to the Council Rules become effective at the next Council meeting.

Section 3. Except as amended hereby, the Council Rules remain in full force and effect.

Section 4. This resolution is effective upon adoption.

INTRODUCED AND ADOPTED this 14<sup>th</sup> day of October, 2024.

CITY OF TUALATIN, OREGON

BY \_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

ATTEST:

BY \_\_\_\_\_  
City Attorney

BY \_\_\_\_\_  
City Recorder

EXHIBIT A



# **CITY OF TUALATIN COUNCIL RULES**

**Adopted by Resolution No. 5355-18, February 12, 2018**

**As Amended by Resolution No. 5486-20, March 23, 2020**

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**RULE 1**  
**General Governance**

**A. Rules of Procedure.**

1. Chapter IV of the Charter authorizes the Council to adopt rules of procedure for Council meetings.<sup>1</sup> Unless otherwise provided by the Charter, an ordinance, or these rules, the procedure for all Council meetings, and any subcommittee of the Council, will be guided by Robert’s Rules of Order, 11th Edition.
2. To maintain orderly procedures, members of Council should be recognized by the chair before commenting and should maintain decorum with courteous interactions during debate. Members of Council are encouraged to avoid invoking the finer points of parliamentary procedure found in Robert’s Rules of Order when such points could obscure the issues before Council and confuse the public.
3. Whenever these rules and Robert’s Rules of Order conflict, these rules govern.

**B. Council.** The members of Council are the Mayor and the Councilors.<sup>2</sup> There are six Councilor positions:<sup>3</sup>

1. Council Position 1 – the term ends December 31, 2026 and every four years thereafter.
2. Council Position 2 – the term ends December 31, 2024 and every four years thereafter.
3. Council Position 3 – the term ends December 31, 2026 and every four years thereafter.
4. Council Position 4 – the term ends December 31, 2024 and every four years thereafter.
5. Council Position 5 – the term ends December 31, 2026 and every four years thereafter.
6. Council Position 6 – the term ends December 31, 2024 and every four years thereafter.

**C. Quorum.**

1. A quorum is required to conduct official City business. A quorum consists of three (3) Councilors plus the Mayor or Mayor pro tem.<sup>4</sup>

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<sup>1</sup> Charter Section 13 (Meetings) (“[the Council] shall adopt rules for the government of its members and proceedings”).

<sup>2</sup> Charter Sections 7 (Council); 8 (Councilors); 8a (Assignment of Council Positions); 9 (Mayor) (describing Council, Mayor, and powers).

<sup>3</sup> Charter Section 8a (Assignment of Council positions).

<sup>4</sup> Charter Section 14, (“Three Councilors and the Mayor or Mayor pro tem shall constitute a quorum for its business, but a small number may meet and compel the attendance of absent members in a manner provided by ordinance.”).

2. In the event a quorum is not present, the members of Council present may choose to hear comments from the public and receive reports, provided however no votes or official Council actions will be taken.

**D. Presiding Officer.**

1. The Mayor is the Presiding Officer and presides over all meetings.<sup>5</sup>
2. In the Mayor’s absence the President of the Council, as Mayor Pro-Tem, serves as the Presiding Officer and presides over the meeting.<sup>6</sup>
3. If both the Mayor and the President of the Council are absent from the meeting, the following procedure may be utilized to determine the Presiding Officer for the meeting:<sup>7</sup>
  - a. Any member of Council present at a meeting may call the Council to order.
  - b. Those members of Council present must elect a temporary Presiding Officer, as Mayor Pro Tem, for the meeting. A Councilor must receive the majority vote of the incumbent members on the Council to become the Presiding Officer for the meeting.
4. Should either the Mayor or the President of the Council arrive at the meeting after it begins, the temporary Presiding Officer must relinquish control of the meeting immediately upon the conclusion of the item presently being discussed.

**E. Other Officers.**

1. **City Recorder.** The City Recorder, or designee, must keep the official minutes of the Council in compliance with Oregon Public Meetings laws.
2. **City Manager.** The City Manager, or designee, is required to attend all meetings of the Council and to assist in answering questions. The City Manager may participate in any discussion, when recognized by the presiding officer. However, the City Manager has no authority to vote on any decision rendered by the Council.<sup>8</sup>

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<sup>5</sup> Charter Section 17 (Mayor’s Functions at Council Meetings) (“The Mayor shall be chair of the Council and preside over its deliberations.”).

<sup>6</sup> Charter Section 18 (President of the Council) (“In the Mayor’s absence from a Council meeting, the president shall preside over it as Mayor pro tem.”).

<sup>7</sup> Charter Section 33 (Filling of Vacancies) (authorizes the Council to fill temporary vacancies by majority vote of the “incumbent members.”) The term “incumbent members” in the Charter means the entire Council minus any permanently vacant seats (e.g., resignation, death, permanent incapacity). For instance, if the Mayor and Council President are absent, but 5 Councilors are present at the meeting, a Councilor must receive at least 4 votes to become the Presiding Officer because there are 7 “incumbent members” of the Council. However, if two seats on Council are permanently vacant seats, then in the same scenario above, the Councilor must receive 3 votes to be the Presiding Officer because there are 5 “incumbent members.” The term “incumbent members” does not mean a majority of those Councilors actually attending the meeting.

<sup>8</sup> Charter Sections 20a (City Manager) (“attend all meetings of the Council, unless excused therefrom”); Section 22 (Recorder). The person appointed as City Manager is also the same person appointed as the Recorder.



3. **City Attorney.** The City Attorney serves as the parliamentarian of the Council and will advise the Council on any questions of order. The City Attorney may attend any meeting of the Council, and will, upon request, give an opinion, either written or oral, on legal questions.

#### **F. Agendas.<sup>9</sup>**

1. The City Manager must prepare an agenda for every meeting, including regular, special, and executive session meetings.
2. Agendas and informational material for meetings will generally be distributed to the Council at least seven (7) days preceding the meeting. However, in certain circumstances less time may be provided.
3. The agenda for a meeting does not require Council approval.
4. The City Manager may place routine items and items referred by staff on the agenda without Council approval or action.
5. The City Manager may remove any items on the consent agenda, any item of old business, any resolution, or any ordinance placed for first reading from the agenda at any time prior to the time the meeting is convened. The Presiding Officer must announce such removal under announcements.
6. A member of Council who wishes to have an item placed on the agenda must bring the matter before the Council for consideration of adding the matter to the agenda and to determine the meeting date on which the agenda item is to be placed, if at all. Adding a matter to the agenda requires a majority vote of the member of Council present at the meeting.
7. As a guiding matter, the Council will not add an item to the agenda on the same night as the item was first submitted by a member of Council for consideration by the full Council. The exception to this general rule is for emergency purposes and only with the unanimous consent of all members of Council present.

#### **G. Order of Business.**

1. The Mayor, or Mayor pro tem, as the presiding officer has the authority to determine the order of business at any meeting of the Council.
2. The order of business for all regular meetings will generally be as follows:<sup>10</sup>

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<sup>9</sup> An agenda is required by ORS 192.640 (Oregon Public Meetings Law) (public notice of a meeting must include “[a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of a governing body to consider additional subjects.]”)

<sup>10</sup> Charter Section 17 (Mayor’s Functions at Council Meetings) (the Mayor is to “determine the order of business under the rules of the Council.”)

- a. **Call to Order.** The Presiding Officer announces the opening of the meeting and designates the person to lead the pledge of allegiance;
- b. **Announcements.** Brief announcements relating to the community, including upcoming events and proclamations;
- c. **Citizen Comments.** Public comments received concerning matters not on the agenda for the meeting;
- d. **Consent Agenda.** Routine items to be adopted by one motion of the Council;
- e. **Special Reports.** Reports of City Boards and Commissions, proclamations, special presentations, or reports;
- f. **Public Hearings (Legislative and Other).** Public hearings on legislative land use matters;
- g. **Public Hearings (Quasi-Judicial).** Public hearings on quasi-judicial land use matters;
- h. **General Business.** Consideration of ordinances, resolutions, contracts, policy statements, and other items. General Business items may also include public hearings on those matters;
- i. **Items Removed from Consent Agenda.** Any item removed from the Consent Agenda will be discussed and voted on at this time;
- j. **Communications from Councilors.** Announcements and information provided by members of Council related to matters such as City, regional and state committees and boards as well as City or community events. Members of Council may also request information regarding public comment received during Citizen Comments and raise matters generally concerning the Council or City. This opportunity to speak shall not be used to advance a member of Council's personal political agenda or private interest; and
- k. **Adjournment.** The conclusion of the meeting. Adjournment of the meeting is by majority vote of the members of Council present at the meeting.

**H. Reports of Boards, Commissions, Committees, Elected Officials and City Employees.**

- 1. When necessary, reports can be given to the Council by boards, commissions committees, elected officials and/or City employees.
- 2. When appropriate, reports to the Council should include written materials which are provided to the Council at least seven (7) days in advance of the meeting.
- 3. Oral reports to the Council should generally not exceed five (5) minutes in length.
- 4. The Council may ask questions of the presenter upon conclusion of the report being given.

**I. Public Comment.**

- 1. One (1) period for public comment will be reserved for every regular meeting of the Council.

2. Persons wishing to speak during public comment should sign the “Speaker Request Form” and provide the person’s name and place of residence, as well as the topic upon which the person wishes to speak. The Council may request that groups with like comments choose a spokesperson to present joint remarks.
3. If a member of the public wishes to speak on an item that is scheduled for a public hearing at that same meeting, the speaker must wait until that public hearing portion of the meeting. Public comment must not be used to testify about a quasi-judicial land use matter, to testify on an item that is not a public matter, to testify on a matter which has been or is scheduled to be heard by a hearings official, or to provide or gather additional testimony or information on any matter after the official record has been closed on any matter which has been the subject of a public hearing.
4. Speakers are limited to three (3) minutes. At the discretion of the Presiding Officer, spokespersons for a group of people may be given additional time beyond three (3) minutes to speak on the matter.
5. Before providing any public comment, speakers must announce the person’s name and place of residence to the Council.
6. Members of Council may, after obtaining the floor, ask questions of speakers during public comment. In general, members of Council should not respond to comments made during the public comment agenda time, except to ask clarifying questions. Any public requests for Council action will be referred to staff for review before placing it on a future agenda. Any member of Council may intervene if the Mayor or a Councilor is violating the spirit of this guideline.
7. Speakers may play electronic audio or visual material during the time permitted for comment and may use available City-provided audio or visual equipment located in the Council chambers.

**J. Consent Agenda.**

1. In order to expedite the Council’s business, the approval of minutes and other routine agenda items will be placed on the consent agenda.
2. All items on the consent agenda must be approved by a single motion, unless an item is removed for separate consideration.
3. Any item on the consent agenda may be removed for separate consideration by any member of Council by stating which item is to be removed.
4. Appointments to committees must not be placed on the consent agenda.

**K. Ordinances and Resolutions – See RULE 3**

**L. Public Hearings Generally.**

1. Public hearings may be held to consider legislative, quasi-judicial, or administrative matters.

2. Persons wishing to speak should sign the “Speaker Request Form” with the person’s name and place of residence prior to the commencement of the public hearing at which the person wishes to speak.
3. The Presiding Officer will announce at the commencement of any public hearing the subject of the hearing as it is set forth on the agenda. The Presiding Officer will then declare the hearing open.
4. Prior to giving testimony, each person must state the person’s name and their place of residence. All remarks must be addressed to the Council as a body and not to any member thereof.
5. Speakers at hearings on legislative or administrative matters, other than legislative land use matters, will be limited to three (3) minutes.
6. Members of Council may, after recognition by the Presiding Officer, ask clarifying or follow up questions of individuals providing testimony after that individual has completed testifying. Questions posed by members of Council should be to provide clarification or additional information on testimony provided. Questions should not be used as an attempt to lengthen or expand the testimony of the individual. Members of Council should use restraint and be considerate of the meeting time of the Council when exercising this option. Any member of Council may intervene if another member of Council is violating the spirit of this guideline.
7. Members of Council may, after the presentation of testimony of all interested persons, ask clarifying or follow-up questions of staff. Questions posed by a member of Council should be to provide clarification or additional information on testimony provided.
8. The Presiding Officer may exclude or limit cumulative, repetitious, or immaterial matters. The Presiding Officer may order the testimony by having all speaking in favor testify, followed by all those in opposition. The Presiding Officer, with the approval of the Council, may further limit the time and/or number of speakers at any public hearing; provided that the Presiding Officer should announce any such restrictions prior to the commencement of the testimony.
9. At the end of public testimony and questions of staff, the Council must do one of the following:
  - a. Initiate deliberations by introducing a motion on the matter;
  - b. Continue the hearing; or
  - c. Keep the record open for additional written testimony.
10. During deliberations, each member of Council must have the opportunity to comment on or discuss testimony given during the public hearing.
11. A copy of any written testimony or physical evidence, which a party desires to have introduced into the record of the hearing, must be submitted to the City Recorder, or designee, prior to the conclusion of the hearing, unless the record is held open.

12. Documents submitted to the City as evidence or written testimony during a public hearing are public records. If such a document contains the name, address, including email address, and telephone number of the person, then it will be included in the record of the proceeding. Because the name, address, including email address, and telephone number are part of a public record, this information will be generally disseminated to the public, and must be disclosed, unless exempt under Oregon law, if a public records request is submitted for the documents. A person who believes such disclosure would present a danger to his or her personal safety, and who wishes to exempt his or her address, including email address, and telephone number from disclosure must submit a written request for non-disclosure to the City Recorder, or designee, pursuant to ORS 192.455(1).

**M. Conduct of Hearings on Land Use Matters – See RULE 4**

**RULE 2**  
**Meeting Time, Location, and Frequency**

**A. Regular Meetings.** The Council will generally hold regular meetings at 7:00 p.m. on the second and fourth Monday of each and every month, excluding the fourth Monday in December. If a second or fourth Monday falls on a City-recognized holiday, the meeting will be held on the following business day. <sup>11</sup>

**B. Special Meetings.** Special meetings may be called by the Mayor, three members of Council, or by the City Manager. <sup>12</sup>

1. The City Manager will provide notice of the special meeting to each member of Council, each local newspaper, radio, and television station, and any other person or entity which has on file a written request for notice of special meetings.
2. The notice of the special meeting must be given to each Councilor via personal notice, telephone, email, or other electronic means sufficient to provide actual notice.
3. Special meetings must be noticed in accordance with Oregon’s public meetings law, and, at a minimum, must be noticed at least 24 hours prior to the meeting taking place.

**C. Emergency Meetings.** Emergency meetings may be called by the Mayor, three members of Council, or by the City Manager. <sup>13</sup>

1. The City Manager will provide notice of the emergency meeting to each member of Council, each local newspaper, radio, and television station, and any other person or entity which has on file a written request for notice of emergency meetings.
2. The notice of the emergency meeting must be given to each Councilor via personal notice, telephone, email, or other electronic means sufficient to provide actual notice.
3. Emergency meetings are those meetings called with less than 24 hours’ notice and the Council must identify why the meeting could not be delayed 24 hours immediately after calling the meeting to order.

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<sup>11</sup> Charter Section 13 (Meetings) (“The Council shall hold a regular meeting at least once a month in the City at a time and a place which is designated.”); Tualatin Municipal Code 1-04 (setting forth specific times of meetings); see also ORS 192.610 to 192.705 (Oregon Public Meetings Law).

<sup>12</sup> Charter Section 13 (Meetings) (“The Mayor upon his or her own motion may, or at the request of three members of the Council shall, by giving notice thereof to all members of the Council then in the City, call a special meeting of the Council in accordance with procedures prescribed by the state law and general ordinance. Special meetings of the Council may also be held by the common consent of all the members of the Council in accordance with procedures prescribed by state law and general ordinance.”); ORS 192.610 to 192.705 (Oregon Public Meetings Law).

<sup>13</sup> Charter Section 13 (Meetings); see also ORS 192.610 to 192.705 (Oregon Public Meetings Law).

4. The minutes for any emergency meeting must specifically identify why the meeting constituted an emergency and was necessary.

**D. Executive Sessions.** Executive sessions may be called by the Presiding Officer, by the request of three members of Council, by the City Manager, or by the City Attorney.<sup>14</sup>

1. Executive Sessions may be called for any purpose authorized by ORS 192.660, including but not limited to the following reasons:
  - a. Consider employment of a public officer, employee, or agent pursuant to regularized procedures for hiring adopted by the public body in meetings open to the public in which there has been opportunity for public comment. (ORS 192.660(2)(a)).
  - b. Consider discipline of a public officer, employee, or agent. (ORS 192.660(2)(b)).
  - c. Conduct deliberations with persons designated by the governing body to carry on labor negotiations. (ORS 192.660(2)(d)). Conduct deliberations with persons designated to negotiate real estate transactions (ORS 192.660(2)(e)).
  - d. Consider information or records exempt by law from public inspection. (ORS 192.660(2)(f)).
  - e. Consult with legal counsel concerning litigation or litigation likely to be filed. (ORS 192.660(2)(h)).
  - f. Review and evaluate the employment-related performance of the chief executive officer pursuant to standards, criteria, and policy directives adopted by the governing body. (ORS 192.660(2)(i)).
2. Only members of Council, the City Manager, and persons specifically invited by the City Manager or the Council are allowed to attend executive sessions.
3. Representatives of recognized news media may attend executive sessions, other than those sessions during which the Council conducts deliberations with persons designated to carry on labor negotiations, or where the matter involves litigation and the news media is a party to the litigation. Members of the media are not to report on the issues discussed in executive session.
4. No final decision can be made in executive session. All final decisions must be made in open session at a regular meeting.

**E. Work Sessions.** Work sessions are permitted to present information to the Council so that the Council is prepared for regular or special meetings.<sup>15</sup>

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<sup>14</sup> Charter Section 13 (Meetings); see also ORS 192.610 to 192.705 (Oregon Public Meetings Law).

<sup>15</sup> Charter Section 13 (Meetings); TMC 1-4-020 (“A work session of the City Council will be held from 5:00 p.m. to 7:00 p.m., as needed, before each regular meeting.”); see also ORS 192.610 to 192.705 (Oregon Public Meetings Law).

1. Work sessions are generally scheduled, as needed, between 5:00 and 7:00 p.m., immediately preceding each regular meeting.
2. All work sessions are subject to Oregon's public meetings law and must be noticed accordingly.
3. Work sessions are intended to allow for preliminary discussions, and the Council is not permitted to take formal or final action on any matter at a work session.
4. Work sessions are to be scheduled by the City Manager.
5. The City Manager may invite any relevant staff to work sessions so that the sessions are as productive as possible.
6. At any work session or regular meeting, a member of Council may request an item be placed on a work session agenda. A majority vote of the Council members present is required to place the item on a future work session agenda.

**F. Location of Meetings.**<sup>16</sup>

1. Council meetings must be held at City Hall.
2. In the event City hall is not available for a meeting, the Council must meet at a venue open to the public and which is located within the jurisdictional limits of the City.
3. Training sessions may be held outside of the City's jurisdictional limits, provided no deliberations toward a decision are made.
4. Interjurisdictional meetings may be held outside of the City's jurisdictional limits, but should be held as close as practical to the City, and such meetings must be located within the jurisdictional boundaries of the other government entity.
5. No Council meeting must be held at any place where discrimination on the basis of an individuals' race, religion, color, sex, national origin, ethnicity, marital status, familial status, age, gender, sexual orientation, source of income, or disability is practiced.

**G. Notice of Meetings.** The City Recorder, or designee, must provide notice of all meetings in accordance with Oregon's public meeting law and City codes.<sup>17</sup>

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<sup>16</sup> This section sets forth the requirements for public meetings locations as contained in ORS 192.610 to 192.705 (Oregon Public Meetings Law).

<sup>17</sup> Tualatin Municipal Code Chapter 1-04; ORS 192.610 to 192.705 (Oregon Public Meetings Law).



## H. Attendance at Meetings.

1. Under the charter, a Council position becomes vacant if the member of Council is absent from the City for more than 30 days without Council permission or absent from all meetings of the Council within a 60-day period.<sup>18</sup>
2. Members of Council are expected to regularly attend Council meetings and assigned committee meetings as their schedule allows.
  - a. It is the responsibility of each member of Council to advise the City Manager and Deputy City Recorder if the member of Council will be unable to attend any regular, special, emergency, or work session meeting as soon as reasonably practicable under the circumstances.
  - b. A member of Council who is unable to attend an assigned committee meeting shall communicate their absence to the Council alternate without undue delay, so that the Council alternate may be afforded a reasonable opportunity to attend the committee meeting. In addition to the enforcement and consequences provisions set out at Rule 10, repeated violation of this subsection may result in the member being removed as liaison to their appointed committee/s.
3. While members of Council are expected to attend in-person whenever possible, members may participate and vote in City Council meetings via telephone, electronically or by other virtual means consistent with the Oregon Public Meetings Law if personal circumstances require such attendance. Whenever possible, members of Council shall notify the Presiding Officer, Manager, and Deputy City Recorder the week before a scheduled Council meeting before electing to attend virtually.
4. Members of Council attending virtually are expected to remain present for the entire meeting unless an absence is due to a malfunction or technical issue out of the control of the Councilor. If attending virtually with video capabilities, members of Council are expected to have their video turned on.

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<sup>18</sup> Charter Section 32 (What Creates Vacancy) (vacancy created “upon absence from the City for 30 days without the consent of the Council or upon absence from meetings of the Council for 60 days without like consent, and upon a declaration by the Council of the vacancy.”)

<sup>19</sup> ORS 192.610 to 192.705 (Oregon Public Meetings Law) requires the public to have the opportunity to meeting access and attend the meeting by telephone, video or other electronic or virtual means.

**RULE 3**  
**Ordinances and Resolutions**

**A. Ordinances.** An ordinance is a law passed by the Council in its legislative capacity.

**1. Introduction.**

- a. An ordinance is introduced for consideration by the Presiding Officer for presentation for first reading.
- b. After introduction, the Council may direct by majority vote of the members present any of the following:<sup>20</sup>
  - 1. A public hearing on the ordinance be held;
  - 2. Refer the ordinance to committee for review and recommendation;
  - 3. Refer the ordinance to the City Manager for further revision;
  - 4. Pass the ordinance to a second reading; or
  - 5. Reject the ordinance in whole or in part.

**2. Readings and Final Action.**

- a. Every ordinance of the Council must, before final passage, be read fully and distinctly in an open Council meeting on two different days.<sup>21</sup>
- b. However, an ordinance may be enacted at a single meeting, if the Council approves the ordinance by the unanimous vote of all Council members present. In such cases, the ordinance must be read first in full and then by title.<sup>22</sup>
- c. Any of the readings may be by title only, instead of a full reading, if:<sup>23</sup>
  - 1. No Council member present at the meeting requests to have the ordinance read in full; or

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<sup>20</sup> Charter Section 19 (Vote Required) Charter Section 35 (Mode of Enactment).

<sup>21</sup> Charter Section 35 (Mode of Enactment).

<sup>22</sup> Charter Section 35 (Mode of Enactment).

<sup>23</sup> Charter Section 35 (Mode of Enactment).

2. A copy of the ordinance is provided for each Council member, and a copy is available for public inspection in the office of the City Recorder, or designee, not later than five days before the first reading of the ordinance and notice of its availability is given forthwith upon the filing, by: (i) written notice posted at the City Center; or (ii) advertisement in a newspaper of general circulation in the City.
- d. An ordinance enacted after being read by title alone has no legal effect if it differs substantially from its original terms, unless, prior to being approved by the Council, each substantial difference is read fully and distinctly at the meeting as finally amended.<sup>24</sup>
- e. The City Recorder, or designee, must take a “roll call” vote of each Councilor upon the final vote on an ordinance and the ayes and nays and abstentions of the members of Council must be recorded in the meeting minutes.<sup>25</sup>

**B. Resolutions.** A resolution is an action by the Council to adopt a policy, order, rule, or expression of opinion. All resolutions considered and voted upon by the Council must adhere to the rules outlined herein.

### 1. Introduction.

- a. Resolutions should be introduced by the Presiding Officer.
- b. After introduction of the resolution, the Council may direct that:
  1. A public hearing be held on the resolution;
  2. Pass the resolution; or
  3. Reject the resolution in whole or in part.

### 2. Readings and Final Action.

- a. Resolutions do not need to be read in full or by title at a Council meeting prior to adoption.
- b. An affirmative vote of a majority of the Council members present is necessary to pass a resolution.<sup>26</sup>

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<sup>24</sup> Charter Section 35 (Mode of Enactment).

<sup>25</sup> Charter Section 35 (Mode of Enactment) (“Upon the final vote of an ordinance, the ayes and nays of the member shall be taken and recorded in the journal); Charter Section 15 (Journal); ORS 192.650(1)(c)(Oregon Public Meetings Law) (require the meeting minutes to include “[t]he results of all votes and, except for public bodies consisting of more than 25 members unless requested by a member of that body, the vote of each member by name”).

<sup>26</sup> Charter Section 19 (Vote Required) (“ Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

- c. Resolutions may be placed on the Consent Agenda and may be considered as a group under the Consent Agenda.
- d. Resolutions may also be placed on the agenda as a General Business item.
- e. For resolutions placed on General Business, the City Recorder, or designee, must take a “roll call” vote of each Councilor upon the final vote on the resolution and the ayes and nays and abstentions of the members must recorded in the meeting minutes.<sup>27</sup>

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<sup>27</sup> Charter Section 15 (Journal) (“Upon request of any of its members, the ayes and nays upon any question before it shall be taken and a record of the vote entered in the journal.”); ORS 192.650(1)(c)(Oregon Public Meetings Law) (require the meeting minutes to include “[t]he results of all votes and, except for public bodies consisting of more than 25 members unless requested by a member of that body, the vote of each member by name”).

**RULE 4**  
**Land Use Hearings**

**A. General Conduct of Hearings.**<sup>28</sup>

1. Any party may speak in person, through an attorney, or elect to have a representative from an officially recognized Citizen Involvement Organization (CIO) present the party's case.
2. A copy of any written testimony or physical evidence which a party desires to have introduced into the record at the time of hearing must be submitted to the City Recorder, or designee, at the time the party makes his or her presentation. If the testimony or evidence is not submitted to the City Recorder, or designee, it must not be included in the record for the proceeding.
3. Except as otherwise provided by these rules, no person may speak more than once without obtaining permission from the Presiding Officer.
4. Upon being recognized by the Presiding Officer, any member of Council, may question any person who testifies.
5. Testimony must be directed towards the applicable standards and criteria which apply to the proposal before the Council.
6. The Presiding Officer may exclude or limit cumulative, repetitious, or immaterial testimony. To expedite hearings, the Presiding Officer may call for those in favor and those in opposition to rise, and the City Recorder, or designee, must note the numbers of such persons for the record in the minutes.

**B. Quasi-Judicial Land Use Matters.**

1. **Scope of Review.** All appeals and Council-initiated review in quasi-judicial land use proceedings are new (de novo) and must be held on the record.
2. **Conflicts of Interest.**
  - a. A member of Council must not participate in a discussion or vote in a quasi-judicial land use proceeding if:
    1. The member of Council has an actual conflict of interest as defined by the Oregon Revised Statutes or the City charter; or
    2. The member was not present during the public hearing; provided, however, the member may participate if they have reviewed the evidence, including recordings of the hearing, and declared such fact for the record.

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<sup>28</sup> State law governs this process. ORS Chapter 197 (Comprehensive Land Use Planning; ORS Chapter 227 (City Planning and Zoning).

### 3. Ex Parte Contact.

- a. Ex parte contacts are any contacts with any party outside of the hearing process. Specific questions about whether a contact is considered ex parte should be discussed with the City Attorney before the meeting begins.
- b. Members of the Council must reveal any ex parte contacts with regard to the proceeding at the commencement of any quasi-judicial land use proceeding. See, ORS 227.180. If such contact impairs the member's impartiality, the member must state this fact and abstain from participation on the matter.

### 4. Burden of Proof.

- a. The proponent has the burden of proof on all elements of the proposal, and the proposal must be supported by proof that it conforms to all applicable standards and criteria.
- b. The decision of the Council must be based on the applicable standards and criteria set forth in the Tualatin Development Code, the City's comprehensive plan, and, if applicable, any other land use standards imposed by state law or administrative rule.
- c. The proponent, any opponents, and/or City staff may submit to the Council a set of written findings or statements of factual information which are intended to demonstrate the proposal complies or fails to comply with any or all applicable standards and criteria.

### 5. Hearing Procedures. The order of hearings in quasi-judicial land use matters is:

- a. **Land Use Hearing Disclosure Statement.** The Presiding Officer must read the land use hearing disclosure statement, which must include:
  - 1. A list of the applicable criteria;
  - 2. A statement that testimony, arguments and evidence must be directed toward the applicable criteria or other criteria in the plan or land use regulation which the person believes to apply to the decision;
  - 3. A statement that failure to raise an issue accompanied by statements or evidence sufficient to afford the Council and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue; and
  - 4. If applicable, a statement that a failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.
- b. **Call for Ex Parte Contacts.** The Presiding Officer must inquire whether any member of Council had ex parte contacts. Any member of Council announcing an ex parte contact must state for the record the nature and content of the contact.

- c. **Call for Abstentions.** The Presiding Officer must inquire whether any member of Council must abstain from participating in the hearing due to a conflict of interest or bias. Any member of Council announcing a conflict of interest must or bias must state the nature of the conflict or bias, and must not participate in the proceeding, unless the person's vote is necessary to meet a requirement of a minimum number of votes necessary to take official action; provided, however, that the member must not participate in any discussion or debate on the issue of which the conflict arises.
  - d. **Staff Summary.** Planning staff will present a summary and recommendation concerning the proposal.
  - e. **Presentation of the Case.** The presentation of the case will be as follows:
    - 1. Proponent's case.
    - 2. Persons in favor.
    - 3. Persons opposed.
    - 4. Other interested persons.
    - 5. Rebuttal. Rebuttal may be presented by the proponent. The scope of rebuttal is limited to matters which were introduced during the hearing.
  - f. **Close of Hearing.** Unless the Council leaves the record open for a specified period of time, no further information will be received after the close of the hearing, provided however Council may ask specific questions of staff. If the response by staff to any such questions requires the introduction of additional factual evidence, all parties must be afforded an opportunity for rebuttal.
  - g. **Deliberations.** Deliberations will immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.
6. **Findings and Order.** The Council may approve or reject the proposal. The Council must adopt a resolution or order containing findings to support its decision. The Council may incorporate findings proposed by the proponent, the opponent, or staff in its decision.
7. **Continuances.** Only one continuance is available by right. However, nothing in this section restricts the Council, in its discretion, from granting additional continuances. Any continuance must result in a corresponding extension of the 120-day time limitations imposed by the Oregon Revised Statutes.

### **C. Legislative Land Use Matters.**

- 1. **Hearings Procedures.** The order of procedures for hearings on legislative land use matters must be:
  - 1. **Call for Abstentions.** Inquire whether any member of Council wishes to abstain from participation in the hearing. Any member announcing an abstention must identify the reason therefore and must not participate in the proceedings.

2. **Staff Summary.** Staff must present a statement of the applicable criteria, and a summary and recommendation concerning the proposal.
3. **Presentation of the Case.** The presentation of the case will be as follows:
  - a. Proponent's case.
  - b. Persons in favor.
  - c. Persons opposed.
  - d. Other interested persons.
4. **Close of Hearing.** Unless the Council leaves the record open for a specified period of time, no further information will be received after the close of the hearing, provided however, Council may ask questions of staff.
5. **Deliberations.** Deliberations will immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.
6. **Reopening Hearing.** Prior to second reading of an ordinance relating to a legislative land use matter, and upon majority vote of the Council, a hearing may be reopened to receive additional testimony, evidence or argument. The same notice requirements must be met for the reopened hearing as were required for the original hearing.



**RULE 5**  
**Motions, Debate, Public Comment, and Voting**

**A. Motions.** The following rules apply to motions:

1. The Presiding Officer shall ensure that the wording of motions are clear.
2. The Presiding Officer must repeat the motion prior to a vote.
3. The Council will discuss a motion only after the motion has been moved and seconded. Nothing in this section prevents general discussion or expression of opinions before a motion is made.
4. If a motion does not receive a second, it dies.
5. A motion that receives a tie vote fails.<sup>29</sup>
6. A motion to amend can be made to a motion that is on the floor and has been seconded.
7. Amendments are voted on first, then the main motion is voted on, as amended.
8. A member of Council may have a motion which contains several elements divided, but the mover has the right to designate which element will be voted on first.
9. A motion may be withdrawn by the mover at any time without the consent of the Council.
10. No motion will be received when a question is under debate except for the following:
  - a. To lay the matter on the table;
  - b. To call for the previous question;
  - c. To postpone;
  - d. To refer; or
  - e. To amend.
11. A call for the question is intended to close the debate on the main motion; does not require a second and is not debatable.
12. A call for the question fails without a majority vote.
13. Debate on the main subject resumes if the motion to call for the question fails.
14. A motion to adjourn cannot be amended.

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<sup>29</sup> Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

**B. Motion to Reconsider.**

1. A motion to reconsider may only be made by a member of the prevailing side. Any member may second the motion.
2. A motion to reconsider can be made only once and must be made before the final adjournment of the meeting when the item goes out of possession of the Council.

**C. Debate.** The following rules govern the debate of any item being discussed by the Council:

1. Every member of Council wishing to speak on the matter must address the Presiding Officer, and, upon recognition by the Presiding Officer, confine remarks to the question under debate, at all times acting and speaking in a respectful manner.
2. Once the member of Council is recognized by the Presiding Officer, the other members of Council must not interrupt, unless it is a call to order.
3. The member of Council moving the adoption of any ordinance or resolution will have the privilege of closing the debate.

**D. Public Comment.**

1. The public is entitled to comment on all matters before the Council that require a vote.
2. Public comment will occur after the matter up for vote has been presented by City staff and before the Council takes any formal action on the matter.
3. Each member of the public is entitled to comment on the matter before the Council for three (3) minutes.
4. Public comment is a time for comment; it is not a time for debate. Any questions from members of the public to Council or City staff will be referred to City staff for a response to be provided a later time.
5. Prior to giving comment, each person must state the person's name and their place of residence. This information will be used to insure the minutes of the meeting properly reflect those persons who provided public comment.
6. All remarks must be addressed to the Council as a whole. Any person engaging in behavior causing an actual disruption of the meeting may be requested to leave the meeting.

**E. Voting.** The following rules apply to voting on matters before the Council, unless amended in the manner outlined in Rule 3 of these Rules.

1. **Reports.** A majority of a quorum is required to approve or accept a report. However, no vote is required if the report is only for informational purposes.<sup>30</sup>

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<sup>30</sup> Charter Section 19 (Vote Required) ("Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.")

2. **Consent Agenda.** The unanimous vote of all members of Council present is required to approve the matters on a consent agenda.
3. **Ordinances.** An ordinance requires a majority of a quorum to pass.<sup>31</sup>
4. **Emergency Clause in Ordinances.** An emergency ordinance requires the unanimous vote of all Council members present.<sup>32</sup>
5. **Resolutions.** A majority of a quorum is required to pass a resolution.<sup>33</sup>
6. **Budget.** The budget requires a majority of a quorum to pass.<sup>34</sup>
7. **Franchise Agreements.** A majority of a quorum is required to pass an ordinance granting a franchise.<sup>35</sup>
8. **Suspension of Rules.** A majority vote of all members of Council present is required to suspend or rescind a rule contained in these rules of procedure, however, rules which also appear in the Charter may not be suspended or rescinded.<sup>36</sup>

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<sup>31</sup> Charter Section 35 (Mode of Enactment); Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

<sup>32</sup> Charter Section 35 (Mode of Enactment) (“an ordinance may be enacted at a single meeting of the Council by unanimous vote of all Council member present...”); Charter Section 36 (When Ordinances Shall Take Effect) (“An ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. When the Council deems it advisable, however, an ordinance may provide a later time for it to take effect, and in case of an emergency, it may take effect immediately.”)

<sup>33</sup> Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

<sup>34</sup> Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

<sup>35</sup> Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

<sup>36</sup> Charter Section 6 (Where Powers Vested) (“Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.”); Charter Section 13 (Meetings) (“[the Council] shall adopt rules for the government of its members and proceedings.”); Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

9. **Votes.** All votes must be recorded in the minutes. <sup>37</sup>

10. **Tie Votes.** Tie votes indicate a denial of the motion or proposal. <sup>38</sup>

**F. Effective Date.**

1. Ordinances take effect 30 days from the date of passage, unless a later date is indicated in the ordinance, in which case it takes effect on that date. However, the following ordinances take effect immediately upon passage: <sup>39</sup>
  - a. Ordinances making appropriations and the annual tax levy;
  - b. Ordinances relative to local improvements and assessments; and
  - c. Emergency ordinances.
2. A resolution becomes effective upon adoption unless otherwise stated in the resolution.
3. The filing of a referendum petition suspends the effective date of an ordinance.

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<sup>37</sup> Charter Section 15 (Journal); Charter Section 35 (Mode of Enactment) (“Upon the final vote of an ordinance, the ayes and nays of the member shall be taken and recorded in the journal); ORS 192.650(1)(c)(Oregon Public Meetings Law) (require the meeting minutes to include “[t]he results of all votes and, except for public bodies consisting of more than 25 members unless requested by a member of that body, the vote of each member by name”).

<sup>38</sup> Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

<sup>39</sup> Charter Section 36 (When Ordinances Shall Take Effect) (“An ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. When the Council deems it advisable, however, an ordinance may provide a later time for it to take effect, and in case of an emergency, it may take effect immediately.”)

**RULE 6**  
**Minutes**

**A. Generally.**<sup>40</sup>

1. All minutes must be in written form, with an electronic copy of the meeting maintained by the City Recorder, or designee, in accordance with the appropriate record retention schedule.
2. The minutes must contain the following information:
  - a. The date, time and place of the meeting;
  - b. The members of the Council present;
  - c. The motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition;
  - d. The results of all votes and the vote of each member by name;
  - e. The substance of any discussion on any matter; and
  - f. A reference to any document discussed at the meeting.

**B. Approval.** The Council must approve all minutes of any meeting.

1. All minutes must be approved within ninety days of the meeting having occurred.
2. The draft minutes must be submitted to the Council as part of the Council's packet prior to the meeting where they will be discussed.
3. Any member of Council may request an amendment or correction of the minutes prior to a final vote being taken on the minutes.

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<sup>40</sup> Charter Section 15 (Journal) (“The Council shall cause a journal of its proceedings to be kept. Upon request of any of its members, the ayes and nays upon any question before it shall be taken and a record of the vote entered in the journal.”); Charter Section 13 (Meetings); Charter Section 22 (Recorder); see also, ORS 192.610 to 192.690~~705~~ (Oregon Public Meetings Law).

**RULE 7**  
**Appointments**

**A. Appointments of City Staff.** The Council appoints and can remove those positions identified in the City’s charter. All appointments require a majority vote of the members of Council present at a meeting.<sup>41 42</sup>

**B. City Manager/Recorder.** The City Manager (who also serves the role of Recorder under the Charter) is appointed by the Council.<sup>43</sup>

1. **Reviews.** The City Manager is subject to a review by the Council to be generally conducted during the first quarter of the year, in even numbered years.

2. **Removals.** The City Manager may be removed by a majority vote of the entire Council.<sup>44</sup>

**C. Municipal Judge.**

1. **Appointment and Removal.** The Mayor, with the consent of the Council, appoints and may remove the Municipal Judge, including pro tem judges.<sup>45</sup>

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<sup>41</sup> Charter Section 20a (City Manager); Charter Section 21 (Municipal Judge); Charter Section 22 (Recorder); Charter Section 10 (Other Officers) (“Additional officers of the City shall be a Municipal Judge, a Recorder, and such other officer as the Council deems necessary. Each of these officers shall be appointed and may be removed by the Mayor with the consent of the Council. The Council may combine any two or more appointive City offices. The Council may designate any appointive officer to supervise any other appointive officer, except the Municipal Judge in the exercise of judicial functions.”)

<sup>42</sup> The City Manager has the power to appoint and remove all other City officers under Charter Section 20a (City Manager) (City Manager’s power to “appoint and may remove appointive City officers and employees except as this Charter otherwise provides, and shall have general supervision and control over them....”)

<sup>43</sup> Charter Section 20a (City Manager) (“The Manager shall be chosen by the Council....”); Charter Section 22 (Recorder); Charter Section 10 (Other Officers) (“Additional officers of the City shall be a Municipal Judge, a Recorder, and such other officer as the Council deems necessary. Each of these officers shall be appointed and may be removed by the Mayor with the consent of the Council. The Council may combine any two or more appointive City offices. The Council may designate any appointive officer to supervise any other appointive officer, except the Municipal Judge in the exercise of judicial functions.”)

<sup>44</sup> Charter Section 20a (City Manager) (“The Manager shall be appointed for an indefinite term and may be removed at the pleasure of the Council.”); Charter Section 22 (Recorder); Charter Section 10 (Other Officers) (“Additional officers of the City shall be a Municipal Judge, a Recorder, and such other officer as the Council deems necessary. Each of these officers shall be appointed and may be removed by the Mayor with the consent of the Council. The Council may combine any two or more appointive City offices. The Council may designate any appointive officer to supervise any other appointive officer, except the Municipal Judge in the exercise of judicial functions.”)

<sup>45</sup> Charter Section 21 (Municipal Judge) (“The Council may, in addition to appointing the Municipal Judge, appoint such pro tem judges as it considers necessary, to hold office at the pleasure of the Council.”); Charter Section 10 (Other Officers) (“Additional officers of the City shall be a Municipal Judge, a Recorder, and such other officer as the Council deems necessary. Each of these officers shall be appointed and may be removed by the Mayor with the consent of the Council. The Council may combine any two or more appointive City offices. The Council may designate any appointive officer to supervise any other appointive officer, except the Municipal Judge in the exercise of judicial functions.”).

2. **Interference.** If the Council appoints a municipal judge, the Council may meet with the judge, but in no instance may the Council interfere with the judge’s exercise of judicial authority or discretion.<sup>46</sup>

**D. Council Subcommittees.** Council subcommittees may be created, and dissolved, by a majority vote of the members of Council present at a meeting.<sup>47</sup>

1. Under Section 20 of the Charter, the Mayor appoints Councilors to all Council subcommittees.<sup>48</sup>
2. Council subcommittees may be standing committees or other committees created under the rules of the Council.
3. The following are current Council subcommittees that have been previously created or are created by these rules. These may be dissolved by majority vote of the members of Council present at a meeting:

- a. *Council Committee on Advisory Appointments.* The purpose of the CCAA is to screen and recommend citizens to be appointed City Boards, Commissions, and Committees.

**E. Appointments of Citizen Members to Boards, Commissions and/or Committees.**

1. **Council Committee on Advisory Appointments.** The Council Committee on Advisory Appointments (CCAA) is a standing subcommittee of the Council. The purpose of the CCAA is to screen and recommend citizens to be appointed City Boards, Commissions, and Committees through the following general process:
  - a. The CCAA will conduct interviews of all candidates for appointment, including candidates wishing to renew their appointments.
  - b. After reviewing the candidates, the CCAA will vote on all recommendations and forward those recommendations to the full Council for consideration.

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<sup>46</sup> Charter Section 21(Municipal Judge); Charter Section 10 (Other Officers).

<sup>47</sup> Charter Section 6 (Where Powers Vested) (“Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.”); Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”).

<sup>48</sup> Charter Section 20 (Mayor) (“The Mayor shall appoint the committees provided by the rules of the Council and sign all approved records of proceedings of the Council.”)

- c. Upon receiving the recommendation from the CCAA, the Council will place the names for consideration on the regular meeting agenda as a General Business item.
- d. The Council may consider the candidates submitted as a group or may consider each candidate individually.
- e. The Council may accept, reject, or appoint any candidate, including those not considered by the CCAA.
- f. All appointments must be by majority vote of the members of Council present.



**RULE 8**  
**Ethics, Decorum, Outside Statements, and Social Media**

**A. Ethics.** <sup>49</sup>

1. All members of Council must review and observe the requirements of state ethics laws.
2. In addition to complying with state ethics law, all members of Council must refrain from:
  - a. Disclosing confidential information.
  - b. Taking action which benefits special interest groups or persons at the expense of the City as a whole.
  - c. Expressing an opinion contrary to the official position of the Council without so saying.
  - d. Conducting themselves in a manner so as to bring discredit upon the government of the City.
  - e. Not profiting from their position on Council in violation of state law.
3. All ethics complaints received about a Councilor will be forwarded to the Oregon Government Ethics Commission (OGEC).
4. In addition to any training required by state law, every member of Council shall attend or view an Oregon Government Ethics training prepared by the Oregon Government and Ethics Commission or the City Attorney within one year of assuming office. Members of Council reelected to office shall attend the training required by this rule within one year of their reelection.
5. Every member of Council shall attend or view a Council Rules training prepared by the City Manager or City Attorney within one year of assuming office. Members of Council reelected to office shall attend the training required by this rule within one year of their reelection.

**B. Decorum.**

1. These rules are intended to ensure that Council meetings are conducted in an orderly, respectful and disciplined manner; provide clarity on expectations to effectively govern the City; and demonstrate each member of Council's commitment to work together in a spirit of partnership.
2. The Presiding Officer will preserve decorum during meetings and decide all points of order, subject to appeal of the Council. An appeal shall substantially conform to the following procedure:

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<sup>49</sup> ORS Chapter 244 (Government Ethics).

- a. A member of Council desiring to appeal a decision of the Presiding Officer shall state “I appeal from the decision of the Presiding Officer.” The appeal must be seconded to move forward.
- b. If the appeal is seconded, the Presiding Officer shall state the exact question at issue and explain the reason for the decision.
- c. Members of Council shall then debate the matter.
- d. After debate has concluded, the Council will vote to decide whether the decision of the Presiding Officer shall be sustained. The Presiding Officer shall have a vote on the matter.
- e. After the result of the vote is announced, business shall resume in accordance with the decision.

3. Members of the Council will preserve decorum during meetings, and must not, by conversation or action, delay or interrupt the proceedings or refuse to obey the orders of the Presiding Officer or these rules. Members of Council shall not engage in personal attacks of any kind or otherwise belittle or intimidate other members or any speaker.

4. In the event a member of Council is personally offended by the actions or remarks of another member, the member of Council should note the action or actual words used and call for a “point of personal privilege” that challenges the other member to justify the action or the language used. A point of personal privilege shall substantially conform to the following procedure:

- a. A member of Council desiring to raise a personal point of privilege shall state “I rise to a question of personal privilege.”
- b. The Presiding Officer shall request the member of Council to state their question of privilege.
- c. The member of Council shall describe issue and request the issue be remedied.
- d. The Presiding Officer shall review the matter and act in accordance with these rules.

5. City staff must observe the Council’s rules of proceedings and adhere to the same standards of decorum as members of Council.

6. No audience member may engage in behavior that results in an actual disruption of the Council meeting. Any audience member who does so will be deemed out of order and the Presiding Officer may have the person removed from the Council chambers immediately, and the person will not be permitted to attend the remainder of that Council meeting. The Presiding Officer may request that the audience member be arrested for disorderly conduct if the disruption threatens the safety and security of the public.

### **C. Statements to the Media and Other Organizations**

1. **Representing City.** If a member of Council, to include the Mayor, appears as a representative of the City before another governmental agency, the media or an organization to give a statement on an issue, the member of Council may only state the official position of the City, as approved by a majority of the Council.
2. **Personal Opinions.** If a member of Council, to include the Mayor, appears in their personal capacity before another governmental agency, the media or an organization to give a statement on an issue, the member of Council must state they are expressing their own opinion and not that of the City or of any other Councilor, unless they receive the express permission of that Councilor, before giving their statement.

### **D. Use of Social Media.**

1. Members of Council are encouraged to exercise caution when commenting on municipal affairs on social media platforms. While using social media, members of Council are subject to applicable Oregon Laws as they pertain to public meetings and public records retention schedules.
2. Under ORS 192.610, a public meeting occurs when a quorum is required in order to make a decision or to deliberate toward a decision on a matter. Under Oregon Law, certain telephone and electronic communications may be considered a public meeting. Certain uses of social media may constitute a public meeting, and accordingly, Councilors should use appropriate caution to avoid public meeting violations.<sup>50</sup>
3. A public record created through a member of Council's social media footprint must be retained by the elected official in accordance with any state laws and local retention schedules. A "public record" encompasses any information that is prepared, owned, used or retained by the city; relates to an activity, transaction or function of the city; and is necessary to satisfy the fiscal, legal, administrative or historical policies, requirements or needs of the city. Councilors should forward social media posts to the City Manager or seek other assistance from the City for retention if the member of Council does not wish to be individually responsible for retaining the public record.<sup>51</sup>
4. The digital decorum of elected and appointed officials will be governed by Council Rules. Consistent with these Rules, members of Council must conduct themselves so as to bring credit upon the City government. Councilors must abide by Rule 8 (C)(Statements to the Media and Other Organizations) above in all social medial activities.
5. City Council members will refrain from posting comments that:
  - a. Express a Council or Committee position prior to a Council or Committee determination of a position or on a matter that would otherwise require Council or Committee authorization prior to the conveyance of a position; or
  - b. Express an opinion in a manner contrary to Rule 8 (C) (Statements to the Media and Other Organizations) above.

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<sup>50</sup> ORS 192.610 to 192.705 (Oregon Public Meetings Law).

<sup>51</sup> ORS 192.311 to 192.478 (Oregon Public Records Law).

**RULE 9**  
**Interactions with City Staff**

**A. City Staff.** All members of Council must respect the separation between the Council's role and the City's Manager's responsibility by:

1. Not interfering with the day-to-day administration of City business, which is the responsibility of the City Manager.<sup>52</sup>
2. Refraining from actions that would undermine the authority of the City Manager or a Department Head.
3. Limiting individual inquiries and requests for information from staff to those questions that may be answered readily as part of staff's day-to-day responsibilities. Questions of a more complex nature must be directed to the City Manager. Questions sent to staff must be copied to the City Manager. Councilors may not directly interfere with staff or the City Manager's management of staff.
4. Members of the Council must normally share any information obtained from staff with the entire Council when it involves an action item on a Council agenda. This section is not intended to apply to questions by members of Council acting in their individual capacities rather than as members of Council, nor to questions regarding conflict of interest or similar issues particular to a member of Council.

**B. City Attorney.** Members of the Council may contact the City Attorney directly without contacting the City Manager in the following circumstances:

1. When the issue involves allegations of misconduct by the City Manager; or
2. To discuss parliamentary procedures of these Rules.

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<sup>52</sup> Charter Section 20a (City Manager) (“(c) Powers and Duties. The Manager shall: (1) Devote his or her entire time to the discharge of official duties, attend all meetings of the Council unless excused therefrom by the Council or the Mayor, keep Council advised at all times of the affairs and needs of the City, and make reports annually, or more frequently if requested by the Council, of all the affairs and departments of the City. (2) See that all ordinances are enforced and that the provisions of all franchises, leases, contracts, permits, and privileges granted by the City are observed. (3) Appoint and may remove appointive City officers and employees except as this Charter otherwise provides, and shall have general supervision and control over them and their work with power to transfer an employee from one department to another. The Manager shall supervise the departments to the end of obtaining the utmost efficiency in each of them but shall have no control over the judicial activities of the Municipal Judge. (4) Be responsible for preparing and submitting to the Budget Committee the annual budget estimates and such reports as the body requests. (5) Supervise the operation of all public utilities owned and operated by the City and shall have general supervision over all City property.”).

**RULE 10**  
**Enforcement and Consequences**

**A. Enforcement.** The Council may ensure compliance with City ordinances, charter, and state laws applicable to governing bodies.<sup>53</sup> If a member of Council violates these rules, City ordinances, the City charter, or state laws applicable to governing bodies, the Council may take action to protect the integrity of the Council and discipline the member with a public reprimand or removal as provided for in the City charter.<sup>54</sup> A majority of the entire Council is required to issue a reprimand.

**B. Investigations and Hearings.**

1. A majority of the Council may investigate the actions of any member of Council and meet in executive session under ORS 192.660(2)(b) to discuss any finding that reasonable grounds exist that a violation of these rules, local ordinance, the City charter, or state laws applicable to governing bodies has occurred.<sup>55</sup>
2. Before the Council may publicly reprimand or remove a member of Council, the Council must provide the member of Council notice of the alleged violations and an opportunity to be heard on, and rebut, the allegations. Sufficient notice must be given to the affected member of Council to afford them the opportunity to request an open hearing under ORS 192.660(2)(b).<sup>56</sup>
3. No final action or decision can be made in executive session, as provided by ORS 192.660(6).<sup>57</sup>

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<sup>53</sup> Charter Section 6 (Where Powers Vested) (“Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.”); Charter Section 19 (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”).

<sup>54</sup> Other than for the reasons stated in Charter Section 32 (What Creates Vacancy), an elected official cannot be removed from office absent a recall vote by the electorate in accordance with the Oregon Constitution Article II, section 18, and ORS 249.865.

<sup>55</sup> Charter Section 6 (Where Powers Vested) (“Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.”); Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”).

<sup>56</sup> ORS 192.610 to 192.705 (Oregon Public Meetings Law) (process for executive session).

<sup>57</sup> ORS 192.610 to 192.705 (Oregon Public Meetings Law) (process for executive session).

**RULE 11**  
**Amendment and Repeal of Council Rules**

**A. Amendment.** These Rules are subject to amendment by the Council.<sup>58</sup>

1. Any proposed amendment to these rules must be listed on an agenda for a regular meeting and the agenda posted prior to the meeting, wherein the same will be discussed, and open for comment by the public, except in cases of an emergency.
2. All amendments to these rules require approval by a majority of a quorum of Council.
3. Amended rules do not go into effect until the meeting after the rule was approved.

**B. Repeal.** These Rules are subject to repeal and replacement by the Council. <sup>59</sup>

1. Any proposed repeal of these rules must be accompanied by a proposed replacement rule.
2. Any proposed repeal and replacement of these rules must be noted on an agenda for a regular meeting and the agenda posted prior to the meeting, wherein the same will be discussed, and open for comment by the public.
3. Any repeal and replacement of these rules requires approval by a majority of a quorum of Council.
4. Any repeal and replacement of these rules does not go into effect until 30 days after the replacement rule was approved.

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<sup>58</sup> Charter Section 6 (Where Powers Vested) (“Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.”); Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”); Charter Section 13 (Meetings) (“[the Council] shall adopt rules for the government of its members and proceedings.”).

<sup>59</sup> Charter Section 6 (Where Powers Vested) (“Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.”); Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”); Charter Section 13 (Meetings) (“[the Council] shall adopt rules for the government of its members and proceedings.”).

**RULE 12**  
**Finances and Travel Policy**

**A. Financial Statements.** Pursuant to ORS 244.050, members of Council are required to file annual Statements of Economic Interest (SEI) by April 15 of each year. For more information, see the Oregon Government Ethics Commission (OGEC) website on how to file.<sup>60</sup>

**B. Health Insurance.** Pursuant to Resolution No. 3837-01, members of Council are entitled to receive the following health insurance benefits:

1. The Mayor may receive City health insurance benefits at the family level.
2. Councilors may each receive City health insurance benefits at the single employee level, not to exceed the level offered to City department managers. In lieu of health insurance benefits, Councilors may receive a stipend in an amount determined by the City's health insurance provider (currently CIS), consistent with all plans and requirements of the health insurance provider. Councilors may obtain family level coverage by paying the difference in the cost of the family policy and the single employee policy.
3. The health insurance benefits provided are subject to the rules for enrollment and contractual conditions of the health insurance provider.

**C. Technology Stipend.** Pursuant to Resolution No. 5128-13, each member of Council is entitled to a technology stipend of \$750.00 to be received at the beginning of their terms of office.

**D. Water Bill.** Pursuant to Resolution No. 3216-96, each member of Council receives a \$20.00 monthly credit on their water bill.

**E. Travel Policy.**

1. **Adoption of Reimbursement Rates.** Members of Council may be reimbursed, or may seek an advancement of funds, for normal expenses incurred while carrying out their official duties at the usual and customary rates. Councilors are required to submit receipts and appropriate documentation to the City Manager. Councilors should use prudence in the expenditure of City funds.
2. **Registration Fees for Conferences and Trainings.** Members of Council are encouraged to take advantage of early registration to obtain discounted rates.
3. **Transportation.**
  - a. **Airfare.** The City will pay for roundtrip, coach airfare. Members of Council are expected to look for the least expensive fare available within the appropriate arrival/departure times. However, members may choose to book a premium economy class seat if personal circumstances require or for any flight over two hours long. If the member of Council makes first-class or business-class travel reservations, the member must pay the difference between those rates and the City-paid airfare.
  - b. **Vehicle Rental.** Vehicle rental is a reimbursable expense at the midsize rate.

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<sup>60</sup> ORS Chapter 244 (Government Ethics).

- c. **Ground Transportation.** Ground transportation (e.g., taxis, buses, mass transit, and shuttles) is a reimbursable expense.
- d. **Individual Vehicles.** Members of Council will be reimbursed for City-related travel in their individual vehicles for the actual miles traveled at the GSA rate.

#### 4. **Parking.**

- a. Parking fees are reimbursable for business purposes or attending training.
- b. Long-term economy parking at airports is expected to be used for airport travel of more than one day in duration.

#### 5. **Lodging.**

- a. Reimbursement for lodging is authorized when the member of Council's travel requires an overnight accommodation.
- b. Reimbursement will be at the reasonable and customary cost of a single standard room, or at the conference/training rate.
- c. The final itemized lodging bill is required when submitting for reimbursement of the expenditure.
- d. Any additional room charges room service, movies, personal phone calls, laundry service, etc. are the responsibility of the member of Council. If cell phone coverage is unavailable, business calls and reasonable personal calls will be reimbursed. In- room internet is reimbursable.

#### 6. **Meals.**

- a. The City will pay reasonable and customary meal expenses.
- b. Members of Council have the choice of an advance or a reimbursement for the total authorized per diem amount.
- c. When meals are provided as part of the conference or training, reimbursement will generally not be given for that meal without proper cause. Conference "continental" is not considered a meal.
- d. A member of Council may meet with and purchase a meal for others, including persons of other government jurisdictions and professional institutions from which an exchange of information is obtained that may aide the City in improving its efficiency, service, or governance.

#### 7. **Travel Advances and Reimbursements.**

- a. Members of Council may choose to be reimbursed for expenses or receive an advance.



- b. For travel and training cash/check advances, members of Council should submit a check request to the City Manager one week in advance of the expected travel or training date, when possible.
- c. If a member of Council chooses to be reimbursed instead of an advance, the member of Council must submit the following:
  - 1. A receipt is provided; or
  - 2. The expense report states the amount spent, who was present, and the specific topic or project of discussion.
- d. Personal items and expenses of family members traveling with the member of Council are not authorized expenses.

**F. Council Report for Certain Expenses.** Any member of Council requesting reimbursement or advancement for a conference or event is required to give an oral or written report about the conference or event to the Council.



# CITY OF TUALATIN

## Staff Report

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

**FROM:** Sherilyn Lombos, City Manager

**DATE:** October 14, 2024

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**SUBJECT:**  
Consideration of the 2024-2026 Climate Action Plan Work Plan

**RECOMMENDATION:**  
Staff recommends the City Council approve the 2024-2026 Climate Action Plan Work Plan

**EXECUTIVE SUMMARY:**

The Community Climate Action Plan was adopted by the City Council on May 28, 2024 by resolution #5775-24. The adopted Climate Action Plan includes 4 sections, 7 focus areas, 28 strategies, and 146 actions oriented towards the goal of net zero emissions by 2050. In addition, as part of the 2024-25 budget process, the Council added \$125,000 to the budget as a placeholder for two actions: 1) hire a firm to facilitate prioritization and development of a 5-year implementation plan, and 2) hire a firm to analyze and provide options for a sustainable funding strategy.

After adoption of the Plan, the City Manager convened an interdepartmental work group tasked with becoming familiar with the Plan, understanding what actions are already in progress, and discussing what actions are realistic to take on as an organization. The group's mission was to put together a work plan that was opportunistic, included high impact actions (as defined by the Good Company's list of the Top 10 Priority Actions), and make meaningful progress towards the goal of net zero emissions by 2050.

The group ultimately recommended that a work plan could be developed without the help of an outside consultant, and that rather than a 5-year work plan, they are recommending a 2-year work plan.

The Work Plan starts with two actions:

- 1) *Conduct an analysis of options for sustainable funding for the climate action program with the outcome of funding for a staff resource/position to oversee and manage the program, and funding for the general program.* This action is funded in the budget and we expect to have information to the City Council about these options in early 2025.
- 2) *Following up on the analysis and presentation of options, implement a sustainable funding source for the climate action program including hiring a staff resource/position to oversee and manage the program.*

Besides the two "sustainable funding" actions listed above, the recommended 2-year work plan (2024-2026) includes 33 actions, spanning 6 of the 7 focus areas, including both adaptation action and mitigation actions. In addition, the work plan includes 4 of the Top 10 Priority Actions (as identified by the Good Company).

Staff respectfully recommends the City Council approve the 2-year Climate Action Plan Work Plan.

**ATTACHMENTS:**

- Presentation





# Moving the Plan Forward: Developing the Work Plan

October 14, 2024

# ReCAP

✓ Adopted by Council on May 28, 2024  
*Resolution #5775-24*

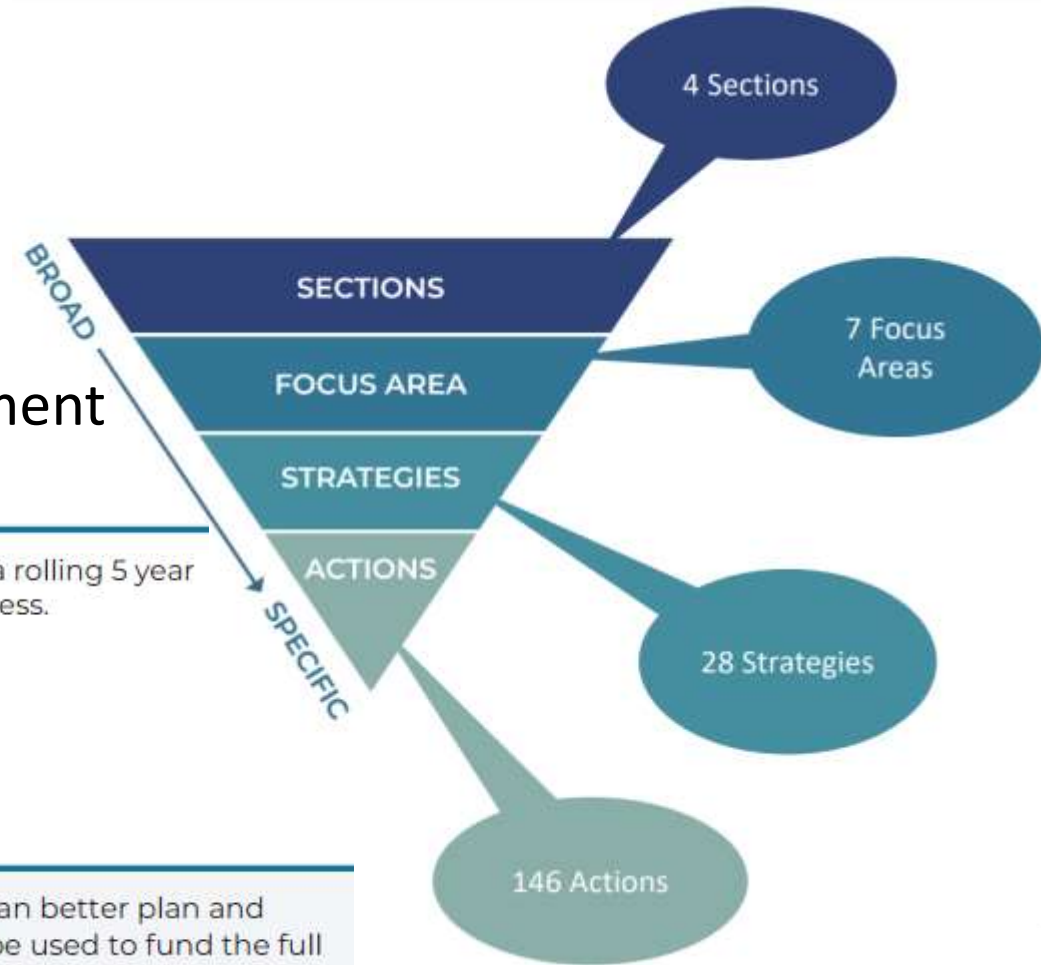
✓ Added \$125,000 to 24-25 budget as a placeholder for two actions:

1. Hire a firm to facilitate prioritization and development of a 5-year implementation plan (\$50,000)

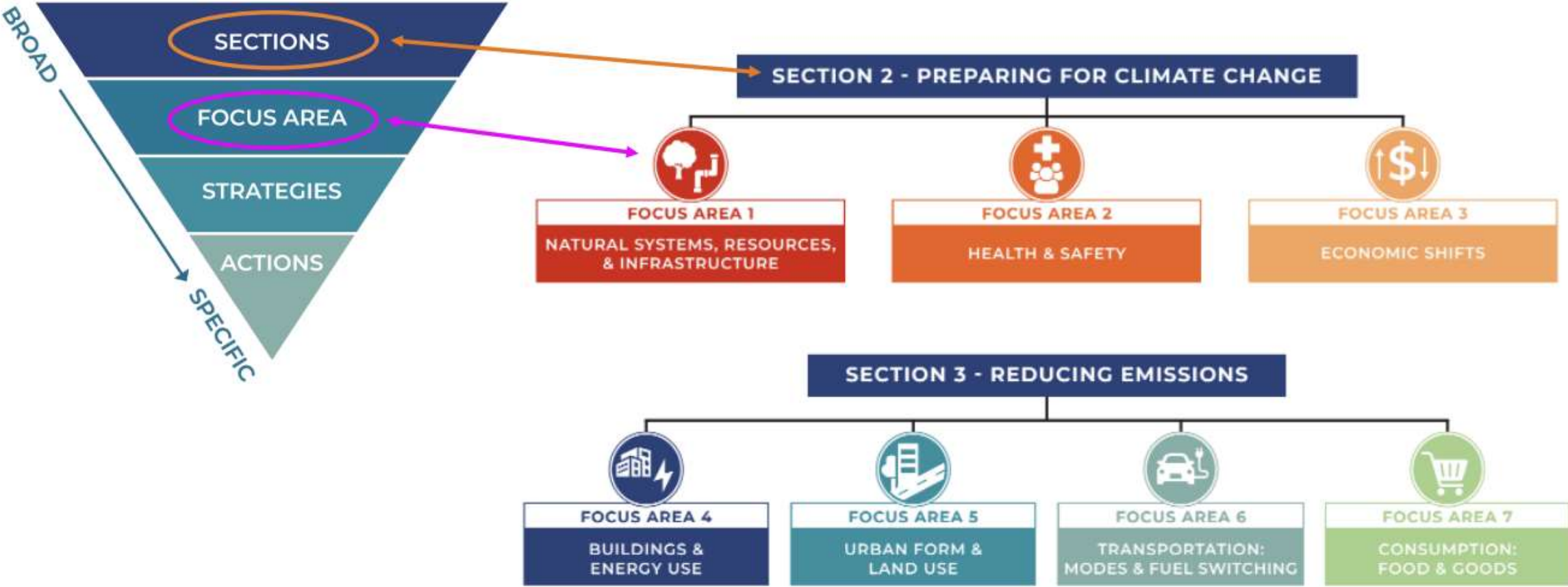
8.1.12 **Create a 5 year work plan.** The CAP includes a large number and variety of actions. Creating a rolling 5 year work plan will make the plan more manageable and help focus recourses and measure progress.

2. Hire a firm to analyze and provide options for a sustainable funding strategy (\$75,000)

8.1.11 **Identify an ongoing funding source.** By identifying a consistent funding source the City can better plan and carry out actions that have a monetary cost or rely on consultant support. This could also be used to fund the full time employee recommended in another implementation action.



# More ReCAP



# Moving the CAP Forward



- Convened interdepartmental work group:
  - Become familiar with the plan
  - Understand what actions are already in progress
  - Discuss what is realistic to take on until additional capacity can be added
- Mission:
  - Be opportunistic
  - Include high impact actions ★
  - Make meaningful progress towards goal
- Group recommendation:
  - Develop a shorter term, “kick-start” work plan (2-year)



# High Impact Actions



## Top 10 Priority Action List

Tualatin's top 3 emissions sources are:

- Building energy (42%)
- Goods production (15%)
- Transportation energy (12%)

Scaling results showed these strategies to have the highest emissions reduction potential:

- 4.2 - Transition to 100% carbon-free electricity supply (Buildings)
- 4.3 - Transition to 100% RNG and clean hydrogen supply (Buildings)
- 6.1 - Fuel switching – EVs, renewable diesel, biodiesel, ethanol, and other low-emissions fuels (Transportation)
- 4.1 - Energy efficiency and conservation (Buildings)
- 4.5 - Electrification of space and water heating for existing buildings (Buildings)

Emissions reduction strategies for upstream goods production were not scaled in the analysis. However, as Tualatin's 2<sup>nd</sup> largest emissions source, this list includes 1 priority action focused on reducing emissions from goods consumption based on the emissions reduction hierarchy.



July 2024

December 2024

July 2025

December 2025

July 2026

**8.1.11 Identify an ongoing funding source.** By identifying a consistent funding source the City can better plan and carry out actions that have a monetary cost or rely on consultant support. This could also be used to fund the full time employee recommended in another implementation action.

1. SUSTAINABLE FUNDING: Conduct an analysis of options for sustainable funding for the climate action program with the outcome of funding for a staff resource/position to oversee and manage the program, and funding for the general program (*Fall 2024*)

2. SUSTAINABLE FUNDING: Following up on the analysis and presentation of options, implement a sustainable funding source for the climate action program including hiring a staff resource/position to oversee and manage the program (*Summer 2025*)

# CFI Grant - \$15 million



**6.1.2** Promote programs to help fund installation of EV chargers at new and existing affordable housing and multifamily complexes. Prioritize multifamily housing and workplaces.

**STAKEHOLDERS**

- City of Tualatin Finance Department and City Manager's Office
- Portland General Electric (PGE)



**6.1.4** Increase the number of events promoting electric vehicles. For example, 'EV Rodeos' can help increase community members' familiarity and comfortability with EVs.

**STAKEHOLDER**

- Portland General Electric (PGE)
- Forth Mobility



**6.1.8** Install publicly-accessible community EV chargers in Tualatin. Community charging focuses on installing charging infrastructure in local areas like residential neighborhoods and commercial districts, typically in parking lots, shopping centers, or other public spaces, to provide convenient charging options for EV owners who primarily use their vehicles for distance travel. As of June 2024, the City is partnering with PGE to pursue a CFI grant to fund infrastructure.

**STAKEHOLDERS**

- City of Tualatin Community Development and Economic Development Departments
- US Department of Transportation (US DOT)
- Oregon Department of Transportation (ODOT)
- Forth Mobility



As of June 2024, the City is partnering with PGE to pursue a CFI grant to fund infrastructure.

**6.1.6** Conduct an electric car share pilot program at low income or high equity needs residential areas in Tualatin. EV car share pilot programs can help increase community members' familiarity and comfortability with EVs while providing a low-cost, low barrier way for community members to get around town.



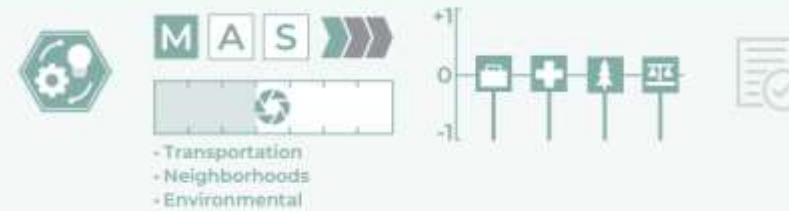
**6.1.3** Develop policies and priorities around installation of publicly accessible charging stations in the right-of-way, including electric vehicle charging. Perform a study to determine needs and preferred locations for charging infrastructure.

**STAKEHOLDERS**

- City of Tualatin Public Works and Community Development Departments, and the City Manager's Office

**PLANNING DOCUMENTS**

- Transportation System Plan (TSP)



# Other Recommended Actions

1.1.7 Create park design standards to increase shade cover, shelter, increase the availability of drinking water fountains and water features in City parks.

**POLICY/PLANNING DOCUMENT**  
- Parks System Plan



4.1.7 Establish citywide water conservation program. This program could include incentives for reducing indoor and outdoor water use and community education. Lower water use results in less energy used to pump water.

**STAKEHOLDER**  
- City of Tualatin Public Works and Finance Departments



★ 4.2.1 Participate in the SolSmart program. SolSmart is a free program that provides technical assistance to local governments to reduce barriers to installing solar in their communities. The City of Tualatin is currently participating in the program.

**STAKEHOLDER**  
- City of Tualatin Community Development Department



5.1.1 Reduce barriers to compact urban development in the downtown/town center(s), transit corridors. This could include identifying and reducing regulatory barriers, flexible uses within industrial and commercial zones; reducing financial obstacles; restructuring System Development Charges (SDCs) for smaller additions; offering flexible land use codes; and ensuring the transportation system can support planned development.

**STAKEHOLDERS**  
- City of Tualatin Community Development and Public Works Departments



5.2.2 Update Tualatin's approved street tree list with climate adapted and/or drought resistant tree options to better withstand climate change. Trees should be selected based on their ability to withstand local changes in climate, growth rate, and resiliency to pests and disease. Consider including large shrubs to increase biodiversity and reduce impacts on infrastructure. The street tree list was last updated in 2019 – consider revisiting this list every 5 years to ensure the list is responsive to changes in climate. This action supports Strategy 1.1 and should be completed prior to action 1.1.1.

**STAKEHOLDERS**  
- City of Tualatin Parks and Public Works Departments

**PROGRAM**  
- Sidewalk/Street Tree program



- Environmental

# City "Proof of Concept" Actions

**4.1.8 Enroll in the Strategic Energy Management (SEM) program.** SEM provides the tools and education to start saving energy today and continue saving over time. SEM participants learn how their businesses use energy and identify where waste is happening. Program participants have the opportunity to share best practices with a cohort of peers, learn to increase employee engagement and monitor the progress of their energy savings work.

**STAKEHOLDER**  
 • Energy Trust of Oregon (ETO)

**PROGRAM**  
 • Strategic Energy Management program



**4.2.2 Enroll in PGE's Green Future Choice or Green Future Enterprise Renewable Power program(s)** to match 100% of electricity use with renewable energy and help build more renewable energy projects in Oregon.

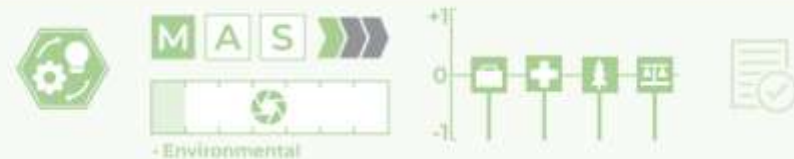
**STAKEHOLDER**  
 • Portland General Electric (PGE)

**PROGRAMS**  
 • Green Future Choice (for individual and small business customers)  
 • Green Future Enterprise (for commercial/industrial customers)



**7.3.1 Update Public Works construction code to require low emission concrete and asphalt materials.** These could include warm mix asphalt (WMA), supplementary cementitious materials (SCMs) for portland cement, etc

**STAKEHOLDERS**  
 • City of Tualatin Public Works and Community Development Departments



July 2024

July 2025

July 2026

December 2024

December 2025

CFI

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★ 6.1.2 Promote programs to help fund installation of EV chargers at new and existing affordable housing and multifamily complexes. Prioritize multifamily housing and workplaces.

6.1.8 Install publicly-accessible community EV chargers in Tualatin. Community charging focuses on installing charging infrastructure in local

★ 6.1.3 Develop policies and priorities around installation of publicly accessible charging stations in the right-of-way, including electric vehicle charging. Perform a study to determine needs and preferred

6.1.4 Increase the number of events promoting electric vehicles. For example, 'EV Rodeos' can help increase community members' familiarity and comfortability with EVs.

6.1.6 Conduct an electric car share pilot program at low income or high equity needs residential areas in Tualatin. EV car share pilot programs can help increase

4.2.2 Enroll in PGE's Green Future Choice or Green Future Enterprise Renewable Power program(s) to match 100% of electricity use with renewable energy and help build more renewable energy projects in Oregon.

★ 4.2.1 Participate in the SolSmart program. SolSmart is a free program that provides technical assistance to local governments to reduce barriers to

4.1.8 Enroll in the Strategic Energy Management (SEM) program. SEM provides the tools and education to start saving energy today and continue saving over time. SEM participants learn how their businesses use

1.1.7 Create park design standards to increase shade cover, shelter, increase the availability of drinking water fountains and water features in City parks.

5.2.2 Update Tualatin's approved street tree list with climate adapted and/or drought resistant tree options to better withstand climate change. Trees should be selected based on their ability to withstand local changes in climate,

7.3.1 Update Public Works construction code to require low emission concrete and asphalt materials. These could include warm mix asphalt (WMA), supplementary cementitious materials (SCMs) for portland cement, etc

4.1.7 Establish citywide water conservation program. This program could include incentives for reducing indoor and outdoor water use and community education. Lower water use results in less energy used to pump water throughout the system.

5.1.1 Reduce barriers to compact urban development in the downtown/ town center(s), transit corridors. This could include identifying and reducing regulatory barriers, flexible

# In Progress / On-Going Actions

## Focus Area 1: Natural System, Resources & Infrastructure

**1.1.3** Continue partnering with the Regional Water Providers Consortium to share educational materials and resources related to water conservation and source water protection. Staff should continue to assist with the development and refinement of educational materials, provide related materials to Consortium members at meetings and events.

**STAKEHOLDER**  
 • Regional Water Providers Consortium



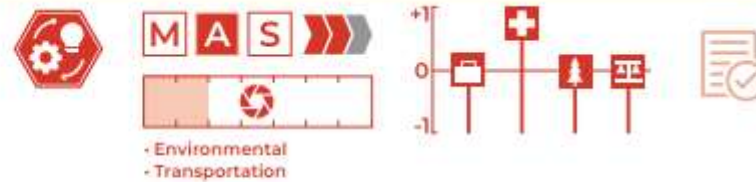
**1.1.5** Advocate for Clean Water Services to update its stormwater treatment facility species list with species that are able to withstand increased temperatures, drought, occasional snow and ice storms, and fire. The City of Tualatin currently follows the Clean Water Services Low Impact Development

**STAKEHOLDER**  
 • Clean Water Services



**1.1.6** Develop parking lot design standards that result in cooler, shaded lots and prevent flooding risks. This could include requiring or providing incentives for cool pavement techniques to reflect heat, increase shade cover from trees and/or solar canopies, and increase drainage permeability of stormwater.

**STAKEHOLDERS**  
 • City of Tualatin Public Works and Community Development Departments



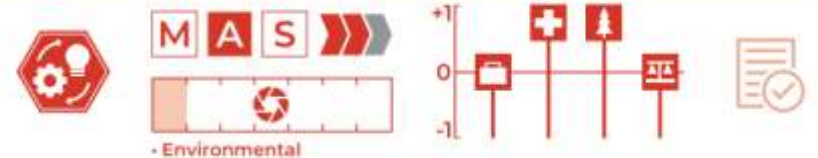
**1.1.8** Work with TriMet and Ride Connection to increase shelter at bus stops. Prioritize efforts in higher equity needs areas of Tualatin. Additional shelter can provide shade in extreme heat events and cover during heavy precipitation events.

**STAKEHOLDERS**  
 • TriMet  
 • Ride Connection



**1.3.8** Consider constructing large, regional stormwater management facilities to increase stormwater management capacity. Larger facilities provide greater flood mitigation and ease development burden,

**STAKEHOLDER**  
 • Clean Water Services



IN PROGRESS

IN PROGRESS

IN PROGRESS

# In Progress / On-Going Actions

## Focus Area 2: Health & Safety

**2.1.4** Share information about available shelters in anticipation of and during extreme weather events, including extreme heat, freezing temperatures, and hazardous air quality due to wildfire smoke. Information should be shared through a variety of communications methods (e.g. social media, website, physical flyers, etc.) and should be available in both English and Spanish. This action supports Strategies 2.2 and 2.3.

IN PROGRESS



**2.1.10** Share emergency preparedness resources in a free, easy-to-access preparedness kit available in English and Spanish. Preparedness information should relate to extreme weather events due to climate change (like extreme heat, wildfire and smoke, and heavy precipitation and flooding) as well as other disasters like earthquakes. This action also supports Strategies 2.2 and 2.3.

IN PROGRESS

**STAKEHOLDERS**

- Community Emergency Response Team (CERT)
- Washington County Emergency Management
- Clackamas County Disaster Management



**2.1.13** Share information about available shelters in anticipation of and during extreme weather events, including extreme heat, freezing temperatures, and hazardous air quality due to wildfire smoke. Information should be shared through a variety of communications methods (e.g. social media, website, physical flyers, etc.) and should be available in both English and Spanish. This action supports Strategies 2.2 and 2.3.

IN PROGRESS



# In Progress / On-Going Actions

## Focus Area 5: Urban Form & Land Use

**5.2.3 Continue to partner with Friends of Trees to plant trees in Tualatin.** The City of Tualatin has partnered with Friends of Trees for 25 years and currently offers three tree planting events per year. These events focus on stream shading. The City could explore options to partner with Friends of Trees to plant street trees and/or trees in stormwater treatment facilities.

**STAKEHOLDERS**

- City of Tualatin Volunteer Services staff and Parks Department
- Friends of Trees

**PROGRAMS**

- Friends of Trees volunteer program
- City of Tualatin Volunteer Services



- Connected, Informed, Engaged
- Gathering Places
- Environmental



# In Progress / On-Going Actions

## Focus Area 6: Transportation



**6.1.1 Establish parking and charging infrastructure requirements for electric vehicles (EVs) at new developments.** Oregon Senate Bill 1044 sets zero emission vehicle (ZEV) targets for the state of Oregon. Under SB 1044, at least 90% of new vehicles sold annually will be EVs by

**STAKEHOLDERS**

- City of Tualatin Community Development Department
- Oregon Department of Land Conservation and Development

**PROGRAMS**



- Transportation
- Neighborhoods
- Environmental



**6.1.7 Advocate to ODOT, Metro, and/or other regional partners to bring corridor charging to Tualatin.** EV corridor charging involves installing charging stations along highways to create a network for long-distance

**STAKEHOLDERS**

- City of Tualatin Community Development Department
- Oregon Department of Transportation

**6.3.1 Advocate for increased transit service coverage, frequency, and safety.** Robust, reliable, and comfortable transit service can increase the appeal of taking transit over driving and create greater mobility for the entire community. This action supports strategy 2.3.

**STAKEHOLDERS**

- City of Tualatin City Manager's Office, Community Development Department
- TriMet
- Ride Connection



- Inclusive Community
- Transportation
- Environmental



**6.2.1 Update the Transportation System Plan (TSP) to increase the use of active transportation options, including any human-powered transportation such as walking,**

**POLICY DOCUMENT**

**6.2.2 Update the Transportation System Plan (TSP) to increase the use of electric micromobility options such as e-bikes, e-scooters, and electric skateboards.** Embed electric micromobility modes throughout the plan and focus on making these options a viable option to move throughout the City. Electric micromobility modes offer many of the same benefits as active transportation but are worthy of independent consideration given charging needs, potential safety concerns and conflicts with non-motorized active transit users.

**STAKEHOLDER**

- City of Tualatin Community Development Department



**POLICY DOCUMENT**

**6.3.4 Increase micromobility access through programs like the e-scooter program in Tualatin.** Micromobility options like e-scooters and e-bikes help to support low-carbon transportation, particularly for first and last-mile travel.

**STAKEHOLDER**

- City of Tualatin Public Works
- PROGRAM**
- E-Scooter program



- Economy
- Transportation
- Environmental



IN PROGRESS

IN PROGRESS

IN PROGRESS

IN PROGRESS

# In Progress / On-Going Actions

## Focus Area 7: Consumption – Food & Goods

**7.1.2 Educate community members about best practices for curbside composting to support the curbside composting programs.** The City of Tualatin is conducting a residential organics (curbside composting) pilot program with Republic Services from July to December 2023. Tualatin residents who

**STAKEHOLDERS**

- City of Tualatin Public Works Department
- Republic Services

**PROGRAM**

- Residential Organics (Curbside Composting)



IN PROGRESS

**7.1.3 Support Washington County's commercial and industrial composting program.** Currently, the City supports the program by sharing information and assisting with compliance, if needed. In 2019, the City adopted Ordinance 1420-19 to reinforce the goals of the program.

**STAKEHOLDERS**

- City of Tualatin Public Works Department
- Washington County
- Republic Services

**PROGRAM**



IN PROGRESS

**7.2.1 Participate in annual Food Waste Prevention Week educational campaign.** This campaign aims to educate and inspire real cultural change around food waste in order to help families save money, reduce the

**STAKEHOLDERS**

- City of Tualatin Public Works Department
- Oregon Department of Environmental Quality (ODEQ)

**PROGRAM**



IN PROGRESS

**7.4.1 Host and promote Repair Fairs to help consumers repair goods and instruct participants how to make their own repairs.** Repair Fairs help consumers avoid purchasing more goods. Repair services are available for a variety of products, including small appliance such as lamps and toasters, tools, clothing and textiles, small electronic home and garden tools, furniture, and toys.

**STAKEHOLDERS**

- City of Tualatin Public Library
- Washington County Health & Human Services (HHS)

**PROGRAM**



IN PROGRESS

**7.4.2 Expand Library of Things offerings to increase community access to minimal-use items (such as power tools, home appliances, entertainment, etc.).** Communicate about Library of Things offerings to increase public awareness of this resource. Consider expanding to a "tool library" model to increase access to useful tools.

**STAKEHOLDER**

- City of Tualatin Public Library

**PROGRAM**

- Library of Things



IN PROGRESS

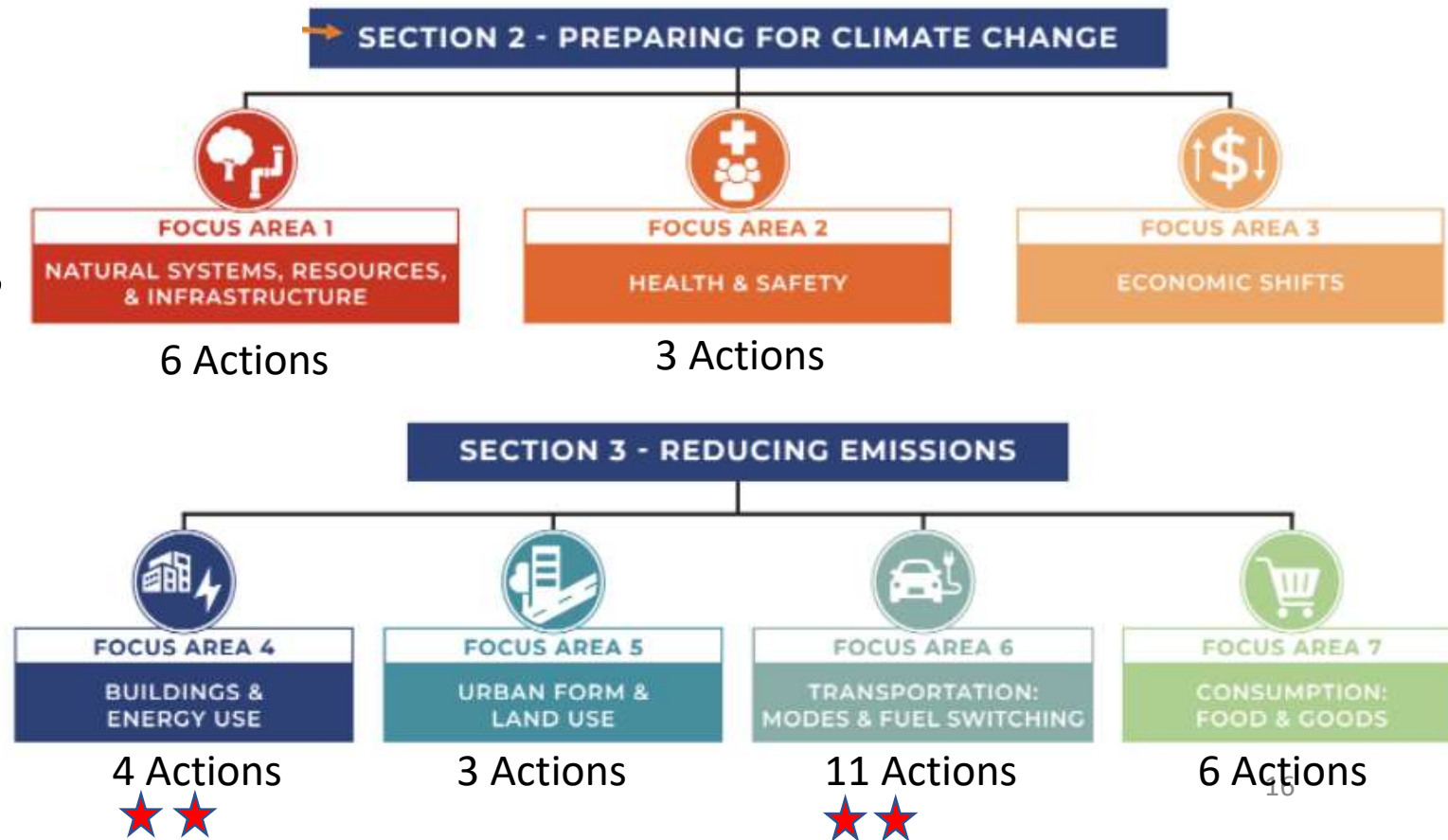
# Recommended 24-26 CAP Work Plan

✓ 33 Actions (23% of all actions)

✓ 4 of the Top 10 Priority Actions

✓ 6 of 7 Focus Areas

✓ Both Adaptation & Mitigation



# Next Steps

- Moving forward with CFI grant
  - Hiring staff person
  - Bringing forward grant authorization to Council
- Moving forward with study to analyze options for CAP program funding
  - Present options to Council, 1Q25
  - Anticipate hiring staff for the program in 2025
- Bring work plan progress update/check-in to Council, July 2025

**8.1.9 Annual progress reports.** Create annual reports on progress of actions and outcomes achieved to increase public accountability.

**8.1.10 Update plan every 5 years.** Every 5 years the CAP and emissions inventory should be updated. This will help measure progress of emissions reductions and allow the plan to capture new policies, programs, partnerships, and technologies that become available over time.

# Recommendation

- Council approval of the 24-26 Climate Action Plan Work Plan