



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR MAY 28, 2019

Present: Mayor Frank Bubenik; Councilor Nancy Grimes; Councilor Paul Morrison; Councilor Robert Kellogg; Councilor Maria Reyes; Councilor Bridget Brooks

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Bill Steele; Finance Director Don Hudson; Deputy City Recorder Nicole Morris; Maintenance Services Division Manager Clayton Reynolds; Assistant to the City Manager Tanya Williams; Library Manager Jerianne Thompson; Management Analyst II Kelsey Lewis; City Engineer Jeff Fuchs; IS Director Bates Russell; Parks and Recreation Director Ross Hoover

A. CALL TO ORDER

Pledge of Allegiance

Mayor Bubenik called the meeting to order at 7:15 p.m.

B. ANNOUNCEMENTS

1. Council President Appointment

MOTION by Councilor Robert Kellogg, SECONDED by Councilor Bridget Brooks to appoint Councilor Nancy Grimes as Council President.

Aye: Mayor Frank Bubenik, Councilor Nancy Grimes, Councilor Bridget Brooks, Councilor Maria Reyes, Councilor Paul Morrison, Councilor Robert Kellogg

MOTION CARRIED

2. Proclamation Declaring the First Friday in June to be National Gun Violence Awareness Day

Councilor Reyes read the proclamation declaring the first Friday in June to be National Gun Violence Awareness Day.

3. New Employee Introduction- Mark Schlagel, Engineering Associate

Public Works Director Jeff Fuchs introduced Engineering Associate Mark Schlagel. The Council welcomed him.

C. 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.

Arthur Breur announced the Tualatin Valley Symphony will be hosting the Oregon Composers Concert on June 9th, 7pm, at Living Savior Church. The orchestra will perform the Tualatin Overture. He invited everyone to attend.

Angela Tyler and Cyndy Hillier of Tualatin Together encouraged the Council to not consider changes to the zoning regarding marijuana facilities. They urged Council to keep it out of the downtown corridor.

Tualatin Chamber of Commerce Director Linda Moholt stated they are not opposed to a Parks SDC fee but they want to make certain there is time and the opportunity for businesses to prepare for them. She encouraged the Council to look at a phasing structure for the fees so the business community can plan accordingly and the Council can develop a plan for those areas.

Valerie Pratt and Candice Kelly spoke in favor of Parks SDCs. They stated it is an important step to continue to help the community stay connected.

D. 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. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, Items Removed from the Consent Agenda. The entire Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.

MOTION by Councilor Nancy Grimes, SECONDED by Councilor Robert Kellogg to adopt the consent agenda.

Aye: Mayor Frank Bubenik, Councilor Nancy Grimes, Councilor Bridget Brooks,
Councilor Maria Reyes, Councilor Paul Morrison, Councilor Robert Kellogg

MOTION CARRIED

1. Consideration of Approval of the Minutes for the Regular Meeting of April 22, 2019
2. Consideration of **Resolution No. 5438-19** Awarding the Bid for the Construction of the 2019 Pavement Maintenance Program

E. SPECIAL REPORTS

1. Update from Katie Riley Regarding the Washington County Kids Initiative

Katie Riley, President of Washington County Kids, presented an update on the Washington County Kids Initiative. She presented the Council with the Imperative to Act manual that address items such as barriers to access for after school care, insufficient diversity of programs, and inadequate programming for specific populations. She stated in order for the barriers to be addressed the Washington County Board of Commissioners would need to identify and implement sustained funding for OST Programs, collect data on program availability and cost, and serve as a clearinghouse of program information.

Councilor Reyes asked how their groups serves the programs. Ms. Riley stated they provide education and training for the community and providers.

Councilor Brooks asked about both arms of Washington County Kids. Ms. Riley stated the 501c3 portion provides research and education for community needs to help other non-profits and the 501c4 helps with political action to leverage policy and money to make programs available.

Mayor Bubenik stated the League of Oregon Cities is not in favor of the HB that has been brought forward by the group. He noted they have questions on compression if it is passed and the impact a potential levy would have. Ms. Riley stated the compression already exists.

Mayor Bubenik asked if this program will overlap with what the schools are already doing. Ms. Riley stated it's not duplicative but an expansion on access to the programs.

Mayor Bubenik asked if a levy were passed who would be responsible for the funding and programs. Ms. Riley stated a special district would be formed to oversee the process.

2. Tualatin Moving Forward Quarterly Report & Neighborhood Safety Program

Public Works Director Jeff Fuchs presented the quarterly report and spoke to the Neighborhood Safety Program for the Tualatin Moving Forward project. Director Fuchs presented an updated scorecard for the project and an overview of public involvement since the last update in October. A program delivery update was shared and it was noted the team is now ready to begin to deliver the Universe of Projects. Director Fuchs stated eight projects are currently underway and four additional have been built. The project schedule for the underway projects including the Martinazzi and Sagert Signal, Tualatin-Sherwood Road-Martinazzi to I-5, Hwy 99W Pony Ridge to 124th, Boones Ferry at the High School, Grahams Ferry at Dogwood, Garden Corner Curves, Siletz Boones Ferry Intersection, and the Sagert Street Sidewalks was shared.

Director Fuchs spoke to the Neighborhood Traffic Safety Program that will work towards speed reduction, safe access to parks, pedestrian safety improvements, and bike lane upgrades. He stated the program has a total budget of \$2,226,000. The types of projects anticipated to be funded with the program include speed feedback signs, protected midblock crosswalks, curb extensions, buffered bike lanes, and other safety improvements. The goal of the program is to build projects to address concerns in neighborhoods. He shared a list of projects that has been

submitted for the program from the public to date. He stated project suggestions can be made through CIOs, committees, taskforces, staff contact with the public, and the suggest a project form on the project website. Director Fuchs stated there is an annual call for projects occurring now and suggestions should be submitted by June 30th. He stated suggested projects should address safety issues and cost less than \$100,000. The selection process will be determined based of the project selection criteria which include geographic diversity, solution-oriented, and budget-approved.

Councilor Morrison asked where staff is on the design process for the crosswalks at the high school. Director Fuchs stated they are in the design phase and are making decisions on how many sidewalks will be included.

Council President Grimes asked how much a flashing signs costs for this program. Director Fuchs stated they are \$15,000 for the equipment and engineering and an additional \$15,000 for placement

F. GENERAL BUSINESS

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

1. Consideration of **Ordinance No. 1420-19** Relating to the Adoption of Metro Council's Business Food Waste Disposal Requirement in the Greater Portland Area

Management Analyst Lindsay Marshall and Washington County Solid Waste and Recycling Senior Program Coordinator Thomas Egleston presented information on Metro's requirements for business food waste. Coordinator Egleston spoke to Washington County's Cooperative Recycling Program. He stated the program pools funds to create economies of scale and efficiencies in the system. They provide education and outreach services to the community. Coordinator Egleston stated business food waste is the largest portion of what is left in the waste stream. He noted businesses in Washington County throw away over 20,000 tons of food each year. The business community represents an opportunity to collect large amounts of food waste at fewer collection points. Coordinator Egleston stated there are currently voluntary programs in place for food waste recycling. The region as a whole lacks stable processing capacity and wants to attract a processor but needs to be able to guarantee more food waste to make it worth a substantial investment. Coordinator Egleston stated Metro Council has adopted an ordinance establishing business food waste collection requirements. The ordinance requires local governments to require businesses to source separate and recover business food waste, notify covered businesses and waste haulers of the requirement, provide education and technical assistance to covered businesses, enforce the requirement, and ensure property managers provide opportunity for tenants to comply. The requirement in Tualatin means mandatory food scraps collection for 84 food generating businesses. The plan will be phased in over five years and will be followed by a potential disposal prohibition for food in the landfill. The phasing plan for Tualatin was shared. Coordinator Egleston stated Tualatin will need to pass an ordinance, set a rate, and notify and monitor compliance. Compliance can be conducted by the County on behalf of the

Cooperative Recycling program. The cooperative will assist in providing notification, technical assistance, resources, and compliance.

Councilor Kellogg asked how many of the top producers are voluntarily participating now. Coordinator Egleston stated 22 of the 84 identified businesses are currently participating. He noted eight of those are part of the first phase rollout.

Councilor Reyes asked what businesses would be included in which phases. Coordinator Egleston shared examples of different restaurant types in each phase.

Councilor Reyes asked how long food waste would sit outside of businesses before being picked up. Republic Services General Manager Jason Jordan stated pickup will vary depending on the amount of waste that is generated.

Council President Grimes asked what the cost of this type of recycling is for businesses and where the food scraps go when they are transferred. Coordinator Egleston stated the cost will be determined by the Council. He stated there are two main rate models: cost of service and an inclusive model. Republic Services Manager Jordan stated food scraps currently go to a composting facility outside of Corvallis.

Councilor Morrison asked what happens if the Council chooses to not adopt this ordinance. Coordinator Egleston stated Metro has been designated by the State of Oregon via the Recycling Opportunity Act to run the Solid Waste Management program for our area. He stated if the ordinance is not passed they can withhold grant funding.

Councilor Morrison asked how the Tigard-Tualatin School District has afforded the cost of this program. Coordinator Egleston stated he worked with them to evaluate their portfolio for efficiencies and in the long term they have experienced cost savings.

Mayor Bubenik asked how an increase in food waste collection would impact the system. Republic Services Manager Jordan stated the current composting facility can handle the increased volume for the program. Metro Public Affairs Staff Ken Ray spoke to future capacity needs and the process Metro is going through to plan for the future.

Mayor Bubenik stated the City of Hillsboro and the City of Sherwood voted down this ordinance, he asked how this will impact their funding. Coordinator Egleston stated Metro told them they would be holding back future funding.

PUBLIC COMMENT

Chamber of Commerce Director Linda Moholt stated feedback from participating businesses has been positive. She noted the communication about the program has been great and there has been good follow-up.

MOTION by Councilor Bridget Brooks, SECONDED by Councilor Nancy Grimes for first reading by title only.

Aye: Mayor Frank Bubenik, Councilor Nancy Grimes, Councilor Bridget Brooks,
Councilor Maria Reyes, Councilor Paul Morrison, Councilor Robert Kellogg

MOTION CARRIED

MOTION by Councilor Nancy Grimes, SECONDED by Councilor Bridget Brooks for
second reading by title only.

Aye: Mayor Frank Bubenik, Councilor Nancy Grimes, Councilor Bridget Brooks,
Councilor Maria Reyes, Councilor Paul Morrison, Councilor Robert Kellogg

MOTION CARRIED

MOTION by Councilor Nancy Grimes, SECONDED by Councilor Bridget Brooks to
adopt Ordinance No. 1420-19 relating to the adoption of Metro Council's Business
Food Waste Disposal Requirement in the Greater Portland Area.

Aye: Mayor Frank Bubenik, Councilor Nancy Grimes, Councilor Bridget Brooks,
Councilor Maria Reyes, Councilor Paul Morrison, Councilor Robert Kellogg

MOTION CARRIED

2. Consideration of Resolution No. 5440-19 Declaring City Council Position 6 Vacant

Mayor Bubenik spoke to the process that has been used for previous vacancies.
He stated the last time Council put out an application, a special meeting was held
to interview candidates, and a decision was made at the following Council meeting
via a vote.

Councilor Grimes stated that was the process she went through when she was
appointed. She was satisfied with how smoothly it went.

City Manager Lombos stated applications could be accepted from June 3-19 and
the Council could then discuss a process on June 24 based on the number of
applications received.

Councilor Morrison stated he has been disappointed with the process in the past.
He would like to see election process take place and leave the decision to the
voters at a special election.

Councilor Kellogg stated he would like to move forward with the process as
outlined in the staff report.

Council consensus was reached to move forward as outlined in the staff report.

MOTION by Councilor Robert Kellogg, SECONDED by Councilor Paul Morrison to
adopt Resolution No. 5440-19 declaring City Council Position 6 vacant.

Aye: Mayor Frank Bubenik, Councilor Nancy Grimes, Councilor Bridget Brooks,
Councilor Maria Reyes, Councilor Paul Morrison, Councilor Robert Kellogg

MOTION CARRIED

G. Committee Assignments

The Council discussed committee assignments and assigned members.

H. COMMUNICATIONS FROM COUNCILORS

Councilor Brooks stated she attended the Memorial Day event held by the VFW.

Councilor Kellogg stated he also attended the Memorial Day event. He stated Family Promise will be holding there Drive In-Sleep Out fundraising event and encouraged citizens to get involved. Councilor Kellogg announced there will be a Red Cross Blood Drive on June 6 at the Tualatin Police Department.

Councilor Reyes stated she participated in the selection of the recipients for the Tualatin Science and Technology Scholarship. Recipients will be announced at the June 10 Council meeting. In addition, she attended the Diversity Task Force meeting where they continued planning for the Viva Tualatin event.

Council President Grimes asked if there would be a mechanism for people to acquire the plants from the planter strip that will be removed along Tualatin-Sherwood Road. City Manager Lombos stated she can pass along the request to the Parks Division for consideration of a process.

Mayor Bubenik stated he attended the following meetings and events: Mayors Meeting to discuss projects along Hwy 99W, Metro Mayors Consortium meeting, Westside Economic Alliance meeting, met with the Home Builders Association, and attended the Memorial Day event hosted by the VFW.

Mayor Bubenik stated a local business who runs bingo was recently shut down in Tualatin because the City does not have a social gaming ordinance. He asked staff to bring back information regarding social gaming at an upcoming work session for consideration.

I. ADJOURNMENT

Mayor Bubenik adjourned the meeting at 10:07 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Frank Bubenik, Mayor