



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR SEPTEMBER 12, 2022

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

Call to Order

Mayor Bubenik called the meeting to order at 7:03 p.m.

Pledge of Allegiance

Announcements

1. Public Health Announcement

Councilor Brooks announced their are new vaccines available now for the new variants. She encouraged citizens to receive the new shot.

2. New Employee Introduction – Richard Contreras

Assistant City Manager Don Hudson introduced Contracts Procurement Analyst Richard Contreras. The Council welcomed him.

3. Proclamation Declaring the Month of September 2022 as Emergency Preparedness Month in the City of Tualatin

Councilor Pratt read the proclamation declaring the Month of September 2022 as Emergency Preparedness Month in the City of Tualatin.

4. Proclamation Declaring September 2022 as Hispanic Heritage Month in the City of Tualatin

Councilor Reyes read, in English and Spanish, the proclamation declaring September 2022 as Hispanic Heritage Month in the City of Tualatin.

Public Comment

Linda Moholt announced the Regatta Run 5K to be held on October 16th at 9 a.m. She stated more information can be found at regattarun.com.

Octavio Gonzalez stated he is glad to see the City take a stand on Climate Change. He looks forward to the City's plan coming forward.

Consent Agenda

The Council minutes were removed from the consent agenda for edits and will come back at the next meeting.

Motion to adopt the consent agenda as amended made by Councilor Pratt, Seconded by Councilor Reyes.

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

MOTION PASSED

1. Consideration of **Resolution No. 5643-22** Authorizing the City Manager to Execute a Contract for \$1,980,372 to complete Supervisory Control and Data Acquisition (SCADA) System Improvements

Special Reports

1. Tualatin Community Emergency Response Team (CERT) 2021-2022 Annual Report

Tualatin CERT President Cathy Holland presented the Tualatin CERT annual report. She thanked City staff for their support throughout the year. Ms. Holland stated the group prepares for when first responders are overwhelmed in an emergency and they train in first aid and communications to assist. She stated Tualatin CERT is now a 501c3. Ms. Holland stated Tualatin Neighborhood Ready is part of their program and she encouraged citizens to host neighborhood meetings to help families be prepared. She stated they set up a booth at Viva Tualatin this year where they were able to do Spanish outreach. Ms. Holland announced their fall classes. She stated they are working to set up a GMRS program for communications that is more easily obtained than a HAM license. Ms. Holland stated they have been doing outreach to businesses to help employees prepare. She shared great ways to start preparing by distributing family contact lists, storing emergency water, and knowing where your utilities are.

Councilor Brooks asked if the team is addressing heat concerns. Ms. Holland stated they train for heat exhaustion.

Councilor Sacco thanked Ms. Holland for her leadership and all the volunteers who participate.

Councilor Reyes asked what other sources can be used for water in an emergency. Ms. Holland stated hot water heaters can be used in an emergency.

Councilor Pratt and Hillier thanked all CERT members for all they do.

General Business

1. Consideration of Resolution 5644-22 Authorizing the City of Tualatin to Join a Coalition of Cities Challenging the State's Climate Friendly and Equitable Communities Rules.

Assistant Community Development Director Steve Koper stated DLCD adopted CFEC rules and the Tualatin Council met on August 11th to discuss whether to join litigation opposing the rollout of the rules. On August 22nd the Council approved a motion to draft a resolution to join litigation. He stated many cities have expressed concerns with parking, density, frequent transit corridors, transportation system planning, and overly prescriptive rules without listening to cities feedback. Director Koper stated staff will continue to move forward with work to address climate issues.

Councilor Brooks asked for the list of cities that have joined the litigation. Director Koper stated the City of Springfield, Happy Valley, Troutdale, Medford, and Hillsboro have joined. He stated there are other cities that have expressed interest in joining the litigation. Councilor Brooks stated Lake Oswego and West Linn will not be joining the litigation as noted by the City Attorney

at the last meeting. She stated none of the city's on the list who are joining have a Climate Action Plan. Councilor Brooks stated delays like this are not healthy for our community and she does not like the tone of the lawsuit as there are other ways to work through this. She stated the parking concerns that were presented at the last meeting allow for exchanges with Metro that the city can use that are allowed for in the rules. Councilor Brooks asked how much it would be to have the parking requirements modified. She would like to see a cap put on how much the city would spend on a lawsuit.

Councilor Brooks asked if the City Attorney has an agenda with this item as she felt the discussion from him was one sided at the last meeting. City Attorney Chris Crean apologized for misreporting on the two cities joining who are not currently a part of it at the last meeting. He stated he was only explaining the concerns as presented by the other cities on the west side of the state to challenge the litigation. He stated he does not have an agenda on the matter and wants to make sure the council has the information to make an informed decision.

City Attorney Crean stated Cornelius is on record as joining the lawsuit. Mayor Bubenik stated Sherwood will be joining the lawsuit as well.

Councilor Reyes stated her concerns with the rules are that not enough information was gathered from people of color or other ethnicities. She stated it is important to hear from these communities who will be affected by this.

Motion to adopt Resolution 5644-22 authorizing the City of Tualatin to join a coalition of Cities challenging the State's Climate Friendly and Equitable Communities Rules made by Council President Grimes, Seconded by Councilor Hillier.

Councilor Brooks proposed an amendment to place a cap on the cost of litigation. She asked staff how much transportation plan adjustments would cost the city, as she doesn't want to spend more money on the legal action than the fix. Director Koper stated staff can't readily quantify the difference between the cost to modify the transportation system plan with or without the amendments. He stated it is not necessarily dollars to the city but impacts to potential projects and people by directly reducing parking in one place and burying the costs someplace else. Councilor Brooks stated she feels there is way to do exchanges with Metro on the parking fixes and the transportation system plan is the lynch pin in this lawsuit.

Mayor Bubenik stated the city's portion of the payment is based on city population, he stated the city will be a minor player in this.

Councilor Brooks motioned to amend the resolution to include a cap on litigation to \$10,000. Motion failed for lack of a second.

Motion to adopt Resolution 5644-22 authorizing the City of Tualatin to join a coalition of Cities challenging the State's Climate Friendly and Equitable Communities Rules made by Council President Grimes, Seconded by Councilor Hillier.

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

Voting Nay: Councilor Brooks, Councilor Pratt, Councilor Sacco

MOTION PASSED

Items Removed from Consent Agenda

1. Consideration of Approval of the Work Session and Regular Meeting Minutes of August 22, 2022

Will be amended and reconsidered at the next meeting.

Council Communications

Councilor Sacco invited residents to follow the Yes for Tualatin's Facebook and Instagram pages in support of the Tualatin Parks Bond effort.

Councilor Reyes thanked the City for honoring Hispanic Heritage Month.

Councilor Brooks stated she attended the Climate Action Plan Steering Committee meeting and participated in a Makers Space Tour at the Library.

Adjournment

Mayor Bubenik adjourned the meeting at 8:16 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Frank Bubenik, Mayor