



TUALATIN CITY COUNCIL

OFFICIAL WORK SESSION MEETING MINUTES FOR NOVEMBER 25, 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 5:00 p.m.

1. Record Council Holiday Greeting.

The Council recorded the holiday greeting.

2. Grant Application, Acceptance, and Management Policy Discussion.

Assistant City Manager/Finance Director Don Hudson and Assistant Finance Director Matt Warner presented a proposed policy for grant application, acceptance, and management. Director Hudson explained that the policy aims to address the current decentralized system for accepting grant awards. Director Warner outlined the purpose of the policy, which is to establish uniform guidelines and procedures for city staff in developing, submitting, managing grants, and receiving restricted donated funds. He stated the policy's goals are to align grants with the city's mission and priorities, ensure compliance with grant terms to maintain eligibility for future funding, and evaluate fiscal and operational implications. Director Warner reviewed key sections of the policy, including definitions, responsibilities, procedures, and general guidelines. He also provided examples of past and current federal, state, and county grants that would fall under the policy's scope.

Councilor Hillier inquired whether the policy would include a requirement for staff involvement if a grant exceeds a certain amount. Director Hudson clarified that while the policy does not explicitly include such a provision, the need for staff support would be evaluated during the operational analysis conducted for each grant. He emphasized that this would be addressed on a case-by-case basis, depending on the operational capacity and requirements at the time.

Councilor Hillier inquired about the length of the analysis and whether a policy for indirect costs exists. Director Hudson explained there is no established process for analysis or indirect costs, but staff can explore creating such a policy. Councilor Hillier encouraged staff to consider this. She also asked how the policy would improve efficiency and reduce silos.

Councilor Brooks expressed concerns about the potential for added bureaucracy, fearing it could delay grant submissions. She emphasized the importance of incorporating grant planning into the city's strategic planning phase and asked if a draft policy was available. Director Hudson stated the draft would be presented at a future meeting.

Council President Pratt supported the policy and encouraged staff to seek grant funding. She asked how the proposed changes would alter current procedures. Director Hudson explained that

the policy would centralize processes, provide a checklist to ensure steps are not missed, and add resources for staff without significantly changing the overall process.

Councilor Reyes voiced support for establishing a policy and requested a draft for review and feedback.

Councilor Gonzalez also supported the policy and is happy to see it moving forward.

Mayor Bubenik endorsed the concept, highlighting the need to address federal grant reporting requirements and ensure the city has adequate capacity for compliance. Director Hudson agreed, noting that the policy would require a review of administrative requirements before applying for grants to ensure understanding and preparedness.

3. *Planning 401: Development Review Process Overview.*

Assistant Community Development Director Steve Koper and Senior Planner Erin Engman continued the planning education series, focusing on the development review process. Planner Engman began by recapping previous sessions covering land use history, comprehensive planning, and the development code.

Planner Engman explained that the development review process is governed by state law, which sets requirements for procedures, steps, and timelines to ensure the public can review applications and participate in decision-making. She provided an overview of the procedural types (Type I-IV), as outlined in Tualatin Development Code Chapter 32, and described the two decision types: clear and objective decisions and discretionary decisions. Planner Engman outlined the typical process for development review, including intake, staff review, public comment and noticing, and final decision-making, emphasizing the structured yet participatory nature of the process.

Director Koper added that while the land use process is highly technical and detailed, staff make a concerted effort to engage with the public and applicants, answering questions and addressing concerns. He emphasized that staff dedicate significant time to listening and responding to public input, ensuring a human approach to the process, despite its technical nature. Director Koper emphasized the high threshold required to deny an application, noting that unless there is no viable way to meet the development code criteria, including through mitigations like traffic signals or lane adjustments, applications are generally approvable. He stated that denials must be supported by substantial factual evidence. Koper also reiterated that the criteria in place on the date the application is submitted govern the decision-making process, regardless of how long the review takes. He cautioned against incorporating external evidence or criteria not established in the code, even if they seem relevant or appropriate.

Councilor Brooks shared how her understanding of property rights has deepened through her experiences. She acknowledged the importance of property rights as a foundational principle in the country and expressed appreciation for the staff's efforts in providing personal responses to public inquiries. Councilor Brooks noted the numerous emails she receives and praised the staff for their expertise and ability to navigate what can often be a complicated process for the public.

Councilor Sacco inquired about the public notice process, specifically asking where notices are mailed and whether renters are included. She questioned why notices are sent to property owners rather than renters. Director Koper explained that notices are based on information from tax records and are sent to property owners in compliance with state law.

Councilor Sacco followed up by asking how renters can be notified about impacts in their area to ensure they are included in the conversation.

Councilor Reyes asked about the methods used for public notification, inquiring whether it solely involves mailings, emails, and social media, or if applicants are required to hold neighborhood meetings to engage the community directly. Director Koper explained that for neighborhood meetings held by developers before submitting their applications, the notification process mirrors the city's, involving traditional mailings. He stated these mailings are sent to properties within a specific radius, typically 300 feet, and also to any relevant Community Organizations (CIOs). Director Koper noted notifications are not limited to just the immediate area but extend to include surrounding areas, allowing CIOs to help communicate concerns from the broader community.

Councilor Reyes asked if a City Councilor could attend a neighborhood meeting. City Attorney Kevin McConnell advised against Councilors attending such meetings, explaining that it could be considered ex-parte contact and might create potential bias in future matters.

Councilor Brooks suggested considering a more targeted approach to notifying renters in apartment buildings, rather than mailing notices to every individual tenant. She proposed sending notices to the property managers of apartment buildings, who could then post the notices in common areas like lobbies. This would ensure that renters are informed without needing to send individual notices to each resident, which she felt might be more efficient given the number of apartment buildings in the city. Director Koper stated when they have asked for apartment managers to post notices they were not amenable. He stated when they sent to every mailing address in the complex the mailing costs exceeded the annual budget for mailings.

Councilor Gonzalez inquired if the responsibility for notifying renters lies with the city, property owners, or CIOs. Director Koper stated it is a policy decision for the Council to determine.

Council President Pratt emphasized the importance of engaging property managers to assist in distributing communications. Director Koper noted challenges in maintaining contact due to high turnover among property management staff.

City Manager Lombos suggested revisiting the topic in early 2025, allowing staff time to research renter notification strategies further.

Mayor Bubenik asked about the current practice of using conditions of approval and whether they remain effective. Director Koper explained the trend has shifted toward clear and objective conditions, moving away from discretionary practices. City Manager Lombos added that conditional use approvals, previously outside the Planning Commission's purview, are now handled by the commission, reducing the need for Council involvement.

4. Council Meeting Agenda Review, Communications & Roundtable.

Moved to the regular meeting.

Adjournment

Mayor Bubenik adjourned the meeting at 6:55 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Frank Bubenik, Mayor