



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Kim McMillan, City Engineer
Sean Brady, City Attorney

DATE: April 13, 2020

SUBJECT:

Consideration of **Ordinance No. 1435-20** Relating to the Public Works Construction Code; Amending Tualatin Municipal Code Chapter 2-03: and creating new provisions.

RECOMMENDATION:

Staff recommends Council adopt the ordinance.

EXECUTIVE SUMMARY:

The Tualatin Municipal Code establishes the Public Works Construction Code, which applies to public works and private development projects within the public right-of-way. The proposed ordinance would modify the Public Works Construction Code to allow for an administrative rule process instead of the current Council resolution process. Currently, all revisions of the Public Works Construction Code require a Council resolution.

The Public Works Construction Code is an operative document, not a policy document. Updates often include engineering or technical revisions, such as a type of valve or quantity of materials. Other revisions include the color of a fire hydrant or size of pipe. As such, an administrative rules process allows for more focused public outreach and a more expeditions update process.

Under the administrative rules process proposed by the Ordinance, City staff would draft revisions and publicly notice the proposed administrative rule. Staff would also send the updates to stakeholder groups and users, e.g., engineer and design firms, and construction companies that construct public improvements and would be most impacted by the changes. Both the public and stakeholders will have an opportunity to comment on the proposed rules. Staff will then review the public comments received and either adopt the administrative rule as proposed or amend the rule in response to comments.

Approving the Ordinance would allow for a more efficient and timely update process for the Public Works Construction Code and allow the City to adapt quicker to best industry practices.

OUTCOMES OF DECISION:

Provides an administrative rule process for efficient and timely updates to the Public Works Construction Code.

ALTERNATIVES TO RECOMMENDATION:

Council could decide not to authorize this ordinance and the updates will continue to be updated by resolution before council.

FINANCIAL IMPLICATIONS:

There are no financial implications.

ATTACHMENTS:

Ordinance No. 1435-20 Relating to the Public Works Construction Code