



## OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR JUNE 10, 2024

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

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### Call to Order

Mayor Bubenik called the meeting to order at 7:01 p.m.

### Pledge of Allegiance

### Announcements

#### 1. National Pollinator Week Presentation and Proclamation

Parks Advisory Committee Vice-Chair Beth Dittman presented information on Pollinator Week, emphasizing the city's status as a Bee City USA. She explained that Bee City USA provides a framework for communities to collaborate on conserving native pollinators by increasing native plant abundance, providing nesting sites, and reducing pesticide use. She highlighted that 13 pollinator events were held in the city over the past year. Vice-Chair Dittman outlined the community benefits of these efforts, which include ensuring the survival of vital animal species, building community locally and nationally, improving local food production, supporting small businesses, addressing pest problems with fewer pesticides, and raising awareness of biological diversity. She shared pollination facts and encouraged the community to get involved by planting pollinator-friendly gardens and reducing pesticide use.

Councilor Brooks mentioned that MITCH Charter School inquired about increasing awareness of the city's status as a Bee City USA. She also asked about the status of the city's new pest management project. Director Hoover responded that they are testing new products for effectiveness and working toward a safer solution.

Councilor Gonzalez expressed gratitude to the committee for their work on the program.

Council President Pratt suggested increasing youth involvement in pollinator conservation efforts.

Councilor Brooks read the proclamation declaring the week of June 17-23, 2024 as National Pollinator Week in the City of Tualatin.

#### 2. Proclamation Declaring June 19, 2024 as Juneteenth Day in the City of Tualatin

Councilor Hillier read the proclamation declaring June 19, 2024 as Juneteenth Day in the City of Tualatin.

## **Public Comment**

AFSCME Local 422 Members presented statements to the Council requesting fair COLA's and insurance benefits.

## **Consent Agenda**

Councilor Gonzalez requested to have Resolution No. 5778-24 removed from the consent agenda for further discussion.

Motion to adopt the consent agenda as amended 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 May 27, 2024
2. Consideration of Approval of a New Liquor License Application for The Black Wine Market LLC

## **Special Reports**

1. Outside Agency Grant Awardee- Borland Free Clinic

Borland Free Clinic Executive Director Jordan Skornik presented information on their services. He stated their vision is that every person in the South Portland Metro area has access to quality health care that is respectful and compassionate. Director Skornik shared a list of their services, including primary care, mental health, physical therapy, and diabetes education. He noted that they partner with many other services to provide additional programs. In 2023, the clinic served 400 unique patients, most of whom were uninsured. He also mentioned that they have launched a \$1.5 million capital improvement project to remodel their current facility. Director Skornik highlighted ways people can get involved in their mission, such as spreading the word, volunteering, and donating.

Councilor Brooks stated she is proud to have this service in Tualatin and glad that the Council can support them.

Councilor Reyes stated she is proud to see how much the clinic has grown over the years.

Mayor Bubenik stated the new clinic is great and was so happy to hear that they were able to remain open during the remodel.

2. Review of the 2025–2029 Capital Improvement Plan

Management Analyst Cody Field presented a review of the 2025–2029 Capital Improvement Plan (CIP). He stated the CIP identifies and prioritizes funding for projects related to new infrastructure, master plans, new vehicles and equipment, and new technology. Analyst Field explained that the CIP helps to coordinate projects, plan for necessary rate adjustments, create an approved list for grants, establish an approved list for SDC funding, and prioritize limited funding. He explained how to navigate the document, noting that projects are sorted by category and funding source, with each project having its own dedicated page. He noted that additionally, there is an unfunded project list at the end of the document.

Analyst Field shared that the total project costs by category amount is \$176,397,079 over the five-year plan. He highlighted several projects, including the police station roof replacement, library light control, the Nyberg Creek Greenway Trail, the Veteran's Plaza, the new Riverfront Access Park, and various transportation projects.

Councilor Brooks inquired about funding for the Climate Action Plan. Analyst Field responded that there are no specific funding sources allocated in the CIP for the Climate Action Plan at this time, but he anticipates projects related to the plan will start to appear as the plan progresses.

Councilor Brooks also asked how new state regulations and policies impact the funding in the CIP. Analyst Field explained that staff would apply these regulations to the relevant projects and review the funding sources as necessary.

Councilor Brooks inquired about cybersecurity for water sources and if there are any related projects in the CIP. IS Director Bates Russell mentioned that the city is receiving grants to support its cybersecurity efforts.

Council President Pratt asked about additional repairs needed at the police department. Analyst Field pointed out that some of these upgrades are detailed within the document.

### **Public Hearings - Legislative or Other**

1. Consideration of **Ordinance No. 1486-24**, Updating the Tualatin Development Code to comply with Climate Friendly and Equitable Communities (CFEC) Parking Reform (PTA/PMA 24-0002)

Mayor Bubenik stated this is a Legislative Land Use Hearing for the City Council to consider Ordinance No. 1486-24, updating the Tualatin Development Code to comply with Climate Friendly and Equitable Communities (CFEC) Parking Reform (PTA/PMA 24-0002) and modifying fifteen (15) chapters of the Tualatin Development Code, including substantial amendments to Chapter 73C- Parking Standards. He stated the proposed amendments are limited to compliance with CFEC parking mandates to repeal minimum parking requirements and address parking lot design, pedestrian connectivity, tree canopy, electric vehicle readiness, and maximum parking requirements. If approved, Ordinance 1486-24 will adopt CFEC Parking Reform PTA/PMA 24-0002 to comply with Transportation Planning Rule 660-012-0400. He stated the criteria for granting a Plan Text Amendment are the Applicable Statewide Planning Goals; Tualatin Development Code Section 33.070 (Plan Amendments), and the applicable Goals and Policies of the City of Tualatin Comprehensive Plan.

Assistant Community Development Director Steve Koper and Senior Planner Erin Engman presented the staff report for Climate Friendly and Equitable Communities (CFEC) parking reform code amendments. Planner Engman explained that the CFEC initiative is a state mandate aimed at reducing greenhouse gas emissions from transportation, and is applicable to eight metro regions in Oregon. She stated CFEC aims to alleviate the regulatory burden of parking by removing minimum parking requirements and addressing parking lot design standards. Planner Engman highlighted that the deadline for these new state rules to take effect is July 10, 2024.

Planner Engman detailed the amendments affecting 15 code chapters, explaining the new formatting of the code documents to incorporate these changes. The new chapters cover areas such as electric vehicle readiness, parking lot coverage, tree canopy, climate mitigation, and

maximum parking requirements. She noted that these state mandates support numerous actions outlined in the Climate Action Plan.

Planner Engman stated all approval criteria have been met and the Tualatin Planning Commission have unanimously recommended approval of the amendments.

## PUBLIC COMMENT

None.

## COUNCIL QUESTIONS

Council President Pratt asked for further explanation on the removal of parking requirements. Planner Engman explained that minimum parking requirements were removed citywide but noted that developers usually provide adequate parking for a successful development and to secure funding for the development.

Councilor Brooks asked if parking measures will be integrated with the Climate Action Plan in regards to carbon emissions. Director Koper stated there are reporting requirements to the Department of Land Conservation and Development, and they will aggregate the data from around the metro region. He stated how that is applied locally still remains to be seen.

Councilor Reyes asked for clarification on the need to have the minimum parking requirements removed. Planner Engman stated the number of parking spaces will now be left to the developer to determine how much parking is needed. She mentioned that there tends to be an abundance of parking at shopping centers, and they often get overbuilt.

Council President Pratt asked what the implications are of not adopting these changes. Planner Engman stated if the Council elects to not adopt the changes, they will still have deadlines that they will have to apply to the rules.

Councilor Gonzalez asked when these standards will take effect. Planner Engman stated this will apply to new development.

Councilor Gonzalez asked how the tree canopy portion of the code would be enforced. Planner Engman explained that as inconsistencies are pointed out by the public, the code enforcement officer can then address the compliance issues.

Councilor Brooks stated that if the city doesn't pass this, the will the rules still apply, thus passing this language makes it easier to interpret during development. Planner Engman added that the language adds transparency and clarification.

Councilor Gonzalez asked if this applies to commercial and residential developments. Planner Engman stated it is more impactful for multi-family townhouse developments.

Mayor Bubenik asked if TriMet changes their frequent routes, how does that impact the development. Planner Engman stated the routes and services in place at the time of the application would be those that are applied at that time.

Councilor Gonzalez asked if additional conservation measures could be added to this code. Director Koper stated those types of regulations would be best addressed as a separate action through the Climate Action Plan.

## COUNCIL DELIBERATIONS

Council President Pratt stated that the rules have to be followed, and by adopting them, the city is simply making them easier to implement and comply with.

Motion for first reading by title only made by Council President Pratt, Seconded by Councilor Sacco.

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

## MOTION PASSED

Motion for second reading by title only made by Council President Pratt, Seconded by Councilor Sacco.

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

## MOTION PASSED

Motion to adopt Ordinance No. 1486-24 updating the Tualatin Development Code to comply with Climate Friendly and Equitable Communities (CFEC) parking reform (PTA/PMA 24-0002) made by Council President Pratt, Seconded by Councilor Sacco.

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

## MOTION PASSED

2. Consideration of **Resolution No. 5779-24** Declaring the City's Election to Receive State Revenue Sharing Funds During Fiscal Year 2024-25

Finance Director Don Hudson stated in order for the city to receive state shared revenues the city must hold two public hearings. He noted the first public hearing was held before the budget committee and the second is being held tonight. Director Hudson stated the city is set to receive \$479,130 in state revenue sharing funds in FY 2024-25.

## COUNCIL DELIBERATIONS

Councilor Gonzalez inquired whether the funds mentioned are unrestricted. Director Hudson confirmed that they are unrestricted funds and are allocated within the general fund. Councilor Gonzalez then asked if these funds could be redirected to help build reserves for the parks maintenance fund. Director Hudson clarified that the funds are already allocated for other uses within the general fund.

Motion to adopt Resolution No. 5779-24 declaring the city's election to receive state revenue sharing funds during fiscal year 2024-25 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

## Items Removed from Consent Agenda

1. Consideration of **Resolution No. 5778-24** Authorizing the City to Enter into a Sole Source Energy Performance Savings Contract with InPipe Energy, Inc. and Tapani Inc.

Councilor Gonzalez wanted to ensure there will be a budget for maintenance and the capacity to build reserves for potential future repairs. Public Works Director Rachel Sykes discussed the return on investment (ROI) and payback period for the device, emphasizing that the ROI is high enough to cover necessary repairs.

Mayor Bubenik inquired about the possibility of obtaining an extended warranty for the device. Director Sykes stated she could look into such a policy.

Councilor Hillier asked about potentially adding the device to the city's insurance policy to cover failures. Director Sykes explained that while most city assets are covered for accidents, she is uncertain if a failure would be covered.

Motion to adopt Resolution No. 5778-24 authorizing the city to enter into a sole source energy performance savings contract with InPipe Energy, Inc. and Tapani Inc. made by Councilor Brooks, Seconded by Councilor Sacco.

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

MOTION PASSED

## **Council Communications**

Councilor Brooks stated she attended the Key Leaders Breakfast and the Water Consortium meeting. She wished the community Happy Fathers Day, Happy Pride Month, and Happy Juneteenth.

Councilor Reyes stated she attended the Latino Business Network event and the Borland Free Clinic opening of the new clinic.

Council President Pratt stated she attended the Key Leaders Breakfast, the MITCH Charter School field day, the Blender Dash event, and the R1ACT meeting.

Mayor Bubenik stated he attended the West Linn State of the City event, Metro President Lynn Peterson meeting on the Metro Tax on Supportive Housing, the Key Leader Breakfast, the Borland Free Clinic reopening, and the CFI Grant meeting. He wished Chair Tottie Smith well wishes in her recovery.

Mayor Bubenik wished all the recent high school graduates well.

## **Adjournment**

Mayor Bubenik adjourned the meeting at 9:06 p.m.

Sherilyn Lombos, City Manager

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

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