

Steve Koper

From: G Lucini <grluci@gmail.com>
Sent: Friday, January 22, 2021 4:58 PM
To: Steve Koper; Kim McMillan; Council; Frank Bubenik; Nancy Grimes; Bridget Brooks; Valerie Pratt; Christen Sacco; Cyndy Hillier
Cc: John Lucini
Subject: LUCINI Tualatin Stormwater Master Plan -FOLLOW UP AFTER 1-21-2021 Tualatin Planning Commission Meeting
Attachments: 2020 12-15 LUCINI Comments Stormwater Master Plan Update Tualatin.pdf; OR Statewide Land Use Planning Goals 1 & 2 Citizen Involvement & Land Use Planning.pdf; 2021 1-15 Notice of Hearing _ PTA 21-0001_ City of Tualatin Stormwater Master Plan Adoption.pdf; 2021 1-10 EM Followup to Tualatin-Stormwater Master Plan Update TPC.pdf; 2021 1-21 Text for Verbal Testimony to Tual Planning Com 1-21-2021.docx

FOR PUBLIC RECORD - PROPOSED TUALATIN STORMWATER MASTER PLAN UPDATE PTA 21-0001

Due to lack of a direct email address for the City of Tualatin Planning Commission, and/or for the City's designated Committee for Citizen Involvement, we request the City's Department for Community Development to forward this email to Ms. Kuhn, and a copy to the other members of the Planning Commission in a prompt and timely manner.

A copy of this email which includes a text copy of the verbal testimony we presented to the 1-21-21 meeting of the TPC, is being submitted to the Tualatin City Council, as per Mr. Koper's comments during the 1-21-2021 TPC meeting.

Ms. Kuhn,

We again thank the Planning Commission for making time last night during the Planning Commission Meeting, for us to present our concerns regarding the need for the City's Stormwater Master Plan to address issues within the Basalt Creek Area, and to our related concerns regarding the City's Proposed PTA 21-0001 scheduled for Council Hearing on 2-8-2021.

We also appreciate the offer you extended to provide us an opportunity to help clarify and discuss the issues we have regarding the proposed Update to the Stormwater Management Plan and proposed updates to the Tualatin Development Code.

As you requested to help facilitate communication, we have attached copies of

- our 12-15-2020 Citizen Comments submitted to the City staff and the City Council during the Citizen Comment period, and
- our follow up email of 1-10-2021 which we sent to the City staff, the City Council and due to a lack of email addresses posted to the City's website – we included requests the email be forwarded to the Planning Commission and the City's Committee for Citizen Involvement (CCI).

The email of 1-10-2021 also included a request to questions presented in our 12-15-2020 email, and the 1-10-2021 email- which included specific procedural questions relating to last night's TPC meeting.

We did not receive informative replies-and did not know if the City staff had forwarded the 1-10-2021 email directly to the PTC or the City's CCI as requested. From the discussion last night, I believe I heard - our email of 1-10-2021 was included within an Informational Packet of 400+ pages.

Would you be able to clarify for us, if our email of 1-10-2021 was not forwarded directly as an individual communication to the City's TPC/CCI, and only received within the Informational Packet for the TPC 1-21-2021 Meeting? We are attempting to determine what is an effective and timely method for communicating with the City and in particular the City's designated CCI on matters relating to Land Use issues.

As discussed during last night's meeting, we have also attached a copy of the concerns which I read during the TPC meeting, as well as a copy of Oregon Statewide Planning Goals #1 for Citizen Involvement and #2 for Land Use Planning, as there was discussion regarding the City's implementation of Goal #1 (if there are differing roles, functions and responsibilities between the TPC and the State's mandated CCI).

The City's Assistant Community Development Director's stated the City's Planning Commission Meeting fulfills the Goal #1 requirements for Citizen Involvement. He asked several questions as to what role or function the TPC should play within Land Use Planning-and this Planning Action- which would be different than a meeting of a CCI. Our responses included -facilitating 2-way communication between Citizens and the Governing Body for Land Use Action, clarifying technical information, and oversight of the Citizen Involvement Program (a main component of the requirement), we also offered to provide a copy of the State regulations.

When we mentioned we are not able to be members of the City's Citizen's Involvement Organizations (CIO) as we are not residents of the City, the City's Assistant Community Development Director then commented we could use the City's Citizen Involvement Program--- if we wanted to annex our property into the City and become City residents.

We believe the response we provided- that the State's mandate does not include limitations as to who can participate within the Citizen Involvement Program for a Land Use Action-that the requirement states the Goal #1 Citizen Involvement Program is to be available to the "general public"-- is an accurate statement.

To provide a basis of information from which to clarify expectations for all parties, and to establish more effective 2-way communication between Citizens, the TPC, and the Governing Body making Land Use Decisions, we have included a copy of Land Use Goals #1 and 2 for Citizen Involvement and Land Use Planning.

As to specific issues resulting from the TPC meeting last night...

1. It is our understanding from the discussions at last night's TPC meeting that the Planning Commission's approval was only for the text amendment making language changes to the Development plan --- that the Commission wasn't addressing the Stormwater Master Plan's adequacy in dealing with current and future storm water needs in Tualatin and more specifically the Basalt Creek area.

a. This information appears to differ from the electronic Public Notice of Hearing on No PTA 21-0001 (copy of Notice information provided below and as an attachment)

b. The first topic within the Public Notice states, "[Adoption of an updated Stormwater Master Plan \(2019\)](#)" and included additional information as to updated scope of plan, plan analysis, project recommendations and other implementation actions for a Stormwater Master Plan

-does not correlate with the remarks made by City staff that the upcoming Hearing will be limited to cleaning up text within the Development Code to enable to the City to update the Stormwater Master Plan more easily in the future.

(Text copy of Notice provided at the end of this email and an attachment of full electronic Notice is also provided)

c. Would you be able to clarify for us- if the City Council 2-8-2021 Hearing will only address text modifications to the wording of the Development Code,

• **what portions of the City's Stormwater Master Plan (2019) as identified in the Public Notice is to be included within the Council Hearing on 2-8-2021?**

• The 1-15-2021 Hearing Notice specifies several Land Use actions relating to an Updated 2019 Stormwater Master Plan, as well as a 2020 Stormwater Master Plan

1. We and our Consultant reviewed the information posted to the City's website for the Stormwater Master Plan- both the 1972, and a "City of Tualatin Stormwater Master Plan" by Brown and Caldwell April 2019 "Draft /Final",

Our Consultant also requested and reviewed the City's technical documents provided by the City to support the City's Stormwater Management Plan.

We submitted our comments which included our Consultant's CV qualifications; and his comments upon the 2019 Brown and Caldwell Draft-Final; the City's technical support documents; and addition Stormwater Management analysis and modeling our Consultant has conducted within the Basalt Creek Area--- during the Citizen Comment Period and additional follow up comments afterwards.

2. However, **Exhibit 4 to proposed PTA 21- 0001 Findings and Analysis** identifies a different document

[The Project Description](#)

[Plan Text Amendment \(PTA\) 20-0001 proposes amendments to the Tualatin Comprehensive Plan Chapters 1 and 9 to reflect the updated version of the Stormwater Master Plan \(2020\) as well as reference changes in Tualatin Development Code Chapter 74.](#)

[The proposed amendments would facilitate future development of stormwater management projects throughout the City and aid development by providing reliable information in the City's development code.](#)

[C. Exhibit List](#)

[\(a\) Stormwater Master Plan \(2020\)](#)

It is unclear as to which Stormwater Master Plan is being presented to the Council as part of proposed PTA 21-0001.

Is there a 2020 Stormwater Master Plan which differs from the "City of Tualatin Stormwater Master Plan" by Brown and Caldwell April 2019 "Draft Final" posted for Public Review on 12-1-2020?

We submitted our Citizen Comments based upon the Brown and Caldwell April Draft/Final document. There are numerous Findings presented within the Findings and Analysis Document which with we do not agree- and the related issues are presented within our Citizen Concerns submitted on 12-15-2020 and 1-10-2021.

If PTA 21-0001 is proposing Land Use Action based upon a changed version of the Brown and Caldwell April 2019 Draft Final, or a different document, we request further clarification and information

d. If the City does not intend to submit for Council adoption on 2-8-2021

-any or all of the "City of Tualatin Stormwater Master Plan" by Brown and Caldwell April 2019 "Draft Final",

or a changed version of the Brown and Caldwell document, will the City be modifying PTA 21-0001 as presented in the Public Notice

- **will the City provide the Public a revised Notice?**

e. When will the City and the Planning Commission address the functional adequacy of a proposed Update to the City's 1972 Stormwater Master plan which should include stormwater planning within the Basalt Creek Area?

- **Will this be done before the plan is forwarded to the City Council Hearing for adoption?**

Our concern is that the "City of Tualatin Stormwater Master Plan" by Brown and Caldwell April 2019 "Draft Final", as presented to date, is mute on any issues within the Basalt Creek area, part of which has already been annexed, or will be soon annexed, into the City for development in the relatively near future.

We hope to obtain a better understanding of this recent Land Use proposal by the City prior to the scheduled hearing by the Council on 2-8-2021 -within a timeframe that we may be able to respond, if needed.

Again, we appreciate your offer to assist us with understanding of the City's process and of this proposed Land Use Action.

Our email addresses are listed below

Attachments:

- 2020 12-15 email containing multiple attachments including 12-15-2020 Citizen Comments (included as part of this email)
 - And 4 additional related Google links (due to size of file)
- 2021 1-10 Follow Up Citizen Comments
- 2021 1-15 Notice of Hearing _ PTA 21-0001_ City of Tualatin Stormwater Master Plan Adoption.pdf
- 2021 1-21 Copy of Comments presented by Grace Lucini to Tualatin Planning Commission Meeting 1-21-2021
- Oregon Statewide Land Use Planning Goals #1 Citizen Involvement #2 Land Use Planning

We look forward to hearing from you,

John and Grace Lucini

electronic Notice 1-15-2021

Public Notice -for the 2-8-2021 Council Hearing File No PTA 21-0001 (email copy also attached)

NOTICE IS HEREBY GIVEN that a public hearing will be held before the City of Tualatin City Council at 7:00 p.m., **Monday, February 8, 2021**, streamed online and accessible at the Juanita Pohl Center ([8513 SW Tualatin Road, Tualatin, OR 97062](#)).

You are invited to attend and participate in the public hearing. Under consideration is **File No. PTA 21-0001:**

The scope of PTA 21-0001 includes:

- Adoption of an updated Stormwater Master Plan (2019);
- Amendments to the Tualatin Comprehensive Plan Updates specific to stormwater management practices, reflecting updated recommendations, practices, and partnerships;
 - An updated map of capital projects;

- Updated references to the Stormwater Master Plan in the Tualatin Development Code.

The scope of the updated plan includes updated technical analyses, a recommended capital improvement program, programmatic approaches such as pipe repair and replacement and vegetation management, and a set of policy recommendations such as approaches to channel erosion and beaver management. The Stormwater Master Plan outlines capital improvement projects that will improve management for existing development and that is critical to managing future development impacts. The scope also includes smaller projects and programs. Altogether, the efforts would serve the aims of maintaining our stormwater system to:

- Increase capacity;
- Address erosion;
- Increase water quality treatment;
- Address pollutant sources and/or improve treatment functions;

Make it easier to maintain stormwater systems.

----- Forwarded message -----

From: **G Lucini** <grluci@gmail.com>

Date: Tue, Dec 15, 2020 at 4:37 PM

Subject: LUCINI COMMENTS -Proposed Update to Tualatin Stormwater Master Plan

To: Kim McMillan <kmcmillan@tualatin.gov>, Hayden Ausland <hausland@tualatin.gov>

Cc: Tualatin City Council <council@ci.tualatin.or.us>, Frank Bubenik <fbubenik@tualatin.gov>, Robert

Kellogg <rkellogg@tualatin.gov>, Paul Morrison <pmorrison@tualatin.gov>, Bridget Brooks

<bbrooks@tualatin.gov>, Maria Reyes <mreyes@tualatin.gov>, Valerie Pratt <VPratt@tualatin.gov>, Nancy

grimes <ngrimes@tualatin.gov>, John Lucini <JWLuci@gmail.com>

Please find 5 attachments to this email providing Citizen Comments on the proposed City of Tualatin Stormwater Master Plan Update.

- 2020 12-15 LUCINI COMMENTS Attachment and DRIVE LINK

 [2020 12-15 LUCINI Comments Stormwater Master Pl...](#)

- Attachments #1, #2 and #3 LIBERTE ENVIRONMENTAL ASSOCIATES DRIVE LINKS

 [ATT #1 Tual-SWMP_LEA_Comments_w-Supplements_a.pdf](#)

 [ATT #2 Supplement- B_Part1_LEA_Lucini_DrainageA...](#)

 [ATT # 3 Supplement-B_Part2_RptAppendix_LEA_Nov1...](#)

- MAPS DRIVE LINK (AND INCLUDED WITHIN COMMENT DOCUMENT PAGES 13-20)

Please let me know if you have difficulty opening any of these files.

Please forward this email and all attachments to the City of Tualatin Planning Commission, as I do not have a direct email address for them.

My husband and I appreciate the opportunity to be able to participate in the review of the proposed Update to this Master Plan.

Regards,
Grace Lucini