



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR DECEMBER 9, 2019

Present: Mayor Frank Bubenik, Council President Nancy Grimes, Councilor Bridget Brooks, Councilor Robert Kellogg, Councilor Paul Morrison, Councilor Valerie Pratt, Councilor Maria Reyes,

Call to Order

Mayor Bubenik called the meeting to order at 7:00 p.m.

Pledge of Allegiance

Announcements

1. Tualatin Youth Advisory Council 2019 Year in Review

Members of the Youth Advisory Committee (YAC) presented their year in review and mission statement: The Tualatin Youth Advisory Council works to improve the lives of youth by building relationships, advocating for diverse needs, and providing a link from youth to government. They will work to achieve their mission through advocacy, activities, and education.

2. New Employee Introduction- Hector Aguilar, Police Officer

Police Chief Bill Steele introduced Police Officer Hector Aguilar. The Council welcomed him.

Public Comment

None.

Consent Agenda

Motion to adopt the consent agenda as amended made by Councilor Kellogg, Seconded by Council President Grimes.

Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Pratt, Councilor Reyes

MOTION PASSED

1. Consideration of the System Development Charge Annual Reports for Fiscal Year 2018-19.
2. Consideration of Approval of a New Liquor License Application for Tualatin Station Bar and Grill

General Business

1. Consideration of **Resolution No. 5479-19** Accepting the Tualatin 2040 Work Including the Policy Priorities, Housing Needs Analysis, Housing Strategy, Economic Opportunities Analysis, and Economic Development Strategy

Community Development Director Aquilla Hurd-Ravich, Planning Manager Steve Koper, and Senior Planner Karen Fox presented the Tualatin 2040 plan. At the November 25 meeting, the Planning Commission recommended the Council accept the Tualatin 2040 work. The Council accepted the recommendation and directed staff to draft a Resolution for their review and approval.

PUBLIC COMMENT

None.

DISCUSSION

Councilor Morrison noted the Clackamas County Coordinating Committee is working on a housing needs assessment, which encompasses a study of 12 cities. He stated only two of those cities have completed their needs assessment thus far.

Motion to adopt Resolution 5479-19 accepting the Tualatin 2040 work including the Policy Priorities, Housing Needs Analysis, Housing Strategy, Economic Opportunities Analysis, and Economic Development Strategy made by Councilor Kellogg, seconded by Council President Grimes.

Roll Call Vote Yea: Mayor Frank Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Pratt, Councilor Reyes

MOTION PASSED

2. Consideration of **Ordinance 1429-19** Relating to Building Codes; Amending Tualatin Municipal Code 4-1-010 To Adopt State Building Code Updates; Adding New Provisions; And Declaring An Emergency

Community Development Director Aquilla Hurd-Ravich and Building Official Chris Ragland presented an overview of the ordinance. This ordinance is an amendment to adopt the most recent state building codes into the municipal code, specifically the Oregon structural code, mechanical code, and energy code. This ordinance is considered an emergency as it will become effective on January 1. The State issued a grace period from October 1-January 1 to adopt these changes.

PUBLIC COMMENT

None.

DISCUSSION

Council President Grimes asked if any of the updates are related to seismic retrofitting. Official Ragland stated the State is no longer regulating seismic upgrades and are instead empowering local governments to adopt those locally. He will plan to bring additional updates to the council at an upcoming meeting that will include seismic requirements.

Councilor Brooks asked for clarification on what the code changes included. Official Ragland stated changes would be made to the commercial structural code, commercial mechanical code, and energy code. Councilor Brooks asked what changes are being made to the energy code. Official Ragland stated instead of adopting model code, Oregon adopted a unique zero energy code.

Councilor Morrison asked what would happen if the city did not adopt the ordinance. City Attorney Sean Brady responded the state may choose to take away the authority delegated to the City with respect to enforcing the state building code.

Mayor Bubenik asked if someone is currently working on a project, would that builder be under the old rules and if they took out a new project after January 1, they would be under the new rules. Official Ragland indicated yes.

Mayor Bubenik asked if the building community, such as the Home Buildings Association (HBA), commercial builders and commercial realtors, are aware of these changes. Official Ragland stated many conversations have occurred with the organizations through several state agencies.

Councilor Grimes asked if there is a strategy to help people through the changes. Official Ragland said codes have been online since October. He does not foresee longer plan review times or permit turnaround times. He noted the changes primarily apply to design and enforcement.

Councilor Grimes asked if we could be proactive with the business development community and make more staff available. Director Hurd-Ravich shared the transition should happen naturally as we educate ourselves and our customers.

Motion for first reading by title only of Ordinance 1429-19 relating to building codes; amending Tualatin Municipal Code 4-1-010 to adopt State Building Code updates; adding new provisions; and declaring an emergency made by Councilor Kellogg, Seconded by Council President Grimes. Voting Yea: Mayor Frank Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Reyes, Councilor Pratt
MOTION PASSED

Motion for second reading by title only of Ordinance 1429-19 relating to building codes; amending Tualatin Municipal Code 4-1-010 to adopt State Building Code updates; adding new provisions; and declaring an emergency made by Councilor Kellogg, Seconded by Council President Grimes. Voting Yea: Mayor Frank Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Reyes, Councilor Pratt
MOTION PASSED

Motion to adopt Ordinance 1429-19 relating to building codes; amending Tualatin Municipal Code 4-1-010 to adopt State Building Code updates; adding new provisions; and declaring an emergency made by Councilor Kellogg, Seconded by Council President Grimes. Voting Yea: Mayor Frank Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Pratt, Councilor Reyes
MOTION PASSED

Items Removed from Consent Agenda

1. Consideration of Resolution No. 5478-19 Amending the City of Tualatin Fee Schedule and Rescinding Resolution No. 5471-19

Parks and Recreation Director Ross Hoover and Recreation Manager Julie Ludemann presented. Over the last year, staff has met with all the sports groups in Tualatin about their experience with Tualatin's sports fields including the level of service and reservation system process. Through these conversations, staff learned field users want a higher level of service (i.e., bathroom

cleanliness and field maintenance) and that there is more demand for field space than there is available. The Parks Department wants to be responsive and proactive in these areas. Currently there is no tracking if a group uses a field or not when reserved. The City can better manage field use with a fee as it creates a commitment to use. The additional revenue will also allow the Parks Department to increase the level of service provided. After conversations with sports groups and additional research staff is recommending a flat fee of \$5/hour.

Public Comment

None.

Council Discussion

Council President Grimes asked what the average cost would be for a little league game. Director Hoover answered \$10 to \$15. If there is a rainout, they would not pay. Non-residents and other groups would pay higher rates. He noted youth sport groups would have priority booking.

Councilor Morrison commented because of this proposal the Tualatin Youth Baseball league plans to increase their fee \$50. He added girls' softball also plans to increase fees by \$50-\$75 and Tualatin soccer plans to raise fees by \$12. All expect fewer participants. In his conversations, all acknowledge a need for increased maintenance, but there is confusion about the potential of a levy. Councilor Morrison proposed the council defer action on the sports fees until a decision is made about the operating levy.

Councilor Reyes commented the biggest issues she is aware of is from her work with the Diversity Taskforce and people not knowing how to access the form they need to fill out, cost, and availability of fields. She asked Parks staff to include the Spanish-speaking community in these conversations.

Council President Grimes asked for additional information on how the youth programs calculated their fee increases based on staff's proposed \$5/hour rate. Manager Ludemann stated fields were booked for 1,686 hours with approximately 166 players last year which amounts to \$8,430 based on \$5/hour fees using last year's reservations, which are inflated. The \$5/hour fee is the average of data collected from other communities like Hillsboro, Wilsonville, West Linn, Lake Oswego, Tigard, and Sherwood; the average cost came to \$5.21/hour.

Mayor Bubenik shared he would also like to defer action until the city makes a decision about the levy. He does not want to put a barrier up that we might not have to.

Councilor Pratt ran in to several parents with children in programs. She received positive response about the ability to pay but negative response about the quality of the field.

Councilor Brooks does not want cost to be a barrier but likes the fee-based structures so those who are using the fields are investing in the quality of the fields.

MOTION to adopt Resolution No. 5478-19 Amending the City of Tualatin Fee Schedule and Rescinding Resolution No. 5471-19 made by Councilor Morrison, Seconded by Council President Grimes

Yea: Mayor Bubenik, Council President Grimes, Councilor Kellogg, Councilor Morrison, Councilor Pratt, Councilor Reyes

Voting Nay: Councilor Brooks

MOTION PASSED

Council Communications

Councilor Morrison attended the Transit Town Hall. His sense was that Interstate 205 was well on the way to being funded. He also attended the R1 meeting where ODOT made a presentation on tolling for the future and his impression was they felt they had funding and were planning on starting work in 2022. He stated he attended the C4 meeting on the housing needs assessment.

Councilor Pratt attended Starry Nights and Holiday Lights.

Councilor Brooks attended the Transportation Town Hall and Starry Nights and Holiday Lights.

Councilor Kellogg attended Starry Nights and Holiday Lights. He stated he is looking forward to the SW Corridor meeting on Monday, December 16, at 9:00 a.m. at Tigard City Hall regarding decisions the Steering Committee will be making on the route and preferred terminus. He understands from previous discussions among this group that we are still pushing for an above-grade crossing over Boones Ferry, pedestrian improvements at 72nd, and a larger parking garage.

Councilor Reyes also attended Starry Nights and Holiday Lights.

Mayor Bubenik had lunch with Dr. Su, Superintendent of Tigard-Tualatin School District, where several items were discussed. He also attended the Transportation Town Hall and the Westside Economic Alliance (WEA) meeting, Starry Nights and Holiday Lights, and the AARP Age Friendly Oregon Summit which helps communities become friendlier for all ages.

Adjournment

Mayor Bubenik adjourned the meeting at 8:41 p.m.

Sherilyn Lombos, City Manager

_____ / Teresa Wegscheid, Recording Secretary

_____ / Frank Bubenik, Mayor