



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR DECEMBER 14, 2020

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

Call to Order

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

Moment of silence for those who have lost their lives to COVID-19

Announcements

1. Recognition of Outgoing Councilors

City Manager Sherilyn Lombos presented plaques of appreciation to outgoing Councilors Paul Morrison and Robert Kellogg.

Mayor Bubenik read a proclamation thanking Councilor Paul Morrison for his Leadership, Dedication, and Commitment to the City of Tualatin.

Mayor Bubenik read a proclamation thanking Councilor Robert Kellogg for his Leadership, Dedication, and Commitment to the City of Tualatin.

The Council shared sentiments with the outgoing Councilors.

Public Comment

None.

Consent Agenda

Motion to adopt the consent agenda. made by Council President Grimes, Seconded by Councilor Brooks.

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

MOTION PASSED

1. Consideration of Approval of the City Council Work Session and Regular Meeting Minutes of November 23, 2020
2. Consideration of **Resolution No. 5528-20** Authorizing the City Manager to Sign an Intergovernmental Agreement between Washington County and the City of Tualatin Related to Towing of Vehicles
3. Consideration of **Resolution No. 5529-20** Canvassing Results of the General Election Held in the City of Tualatin, Washington and Clackamas Counties, Oregon on November 3, 2020

4. Consideration of **Resolution No. 5530-20** Authorizing Splashpad Equipment and Materials Purchase through an Interstate Cooperative Procurement
5. Consideration of the System Development Charge Annual Reports for Fiscal Year 2019-20

Public Hearings - Legislative or Other

1. Consideration of **Resolution No. 5527-20** Authorizing the City Manager to Execute a Quitclaim Deed of a Public Utility Easement Located at the Intersection of SW 124th and 99W

Mayor Bubenik opened the hearing under ORS 221.725.

City Attorney Sean Brady explained what a quit claim deed is. Community Development Director Kim McMillan shared a vicinity map for the property at 17905 SW Pacific Hwy. She shared maps of the detector loops.

PUBLIC COMMENT

None.

Motion to adopt Resolution No. 5527-20 authorizing the City Manager to execute a Quitclaim Deed of a Public Utility Easement located at the intersection of SW 124th and 99W made by Councilor Kellogg, Seconded by Councilor Morrison.

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

MOTION PASSED

2. Consideration of **Ordinance No. 1450-20** Relating to Land Use; Establishing a Separate Comprehensive Plan Document; Deleting Tualatin Development Code Chapters 1 Through 16, 20, and 30; Amending the Housing Element of the Comprehensive Plan; and Amending Tualatin Development Code Chapters 33, 38, 39, 40, 41, 42, 43, 44, 50, 52, 54, 56, 58, 60, 61, 62, 63, 64, 73g, 74, Appendix A (Maps), and Appendix B (Figures) (PTA 20-0004)

Mayor Bubenik opened the hearing.

Assistant Community Development Director Steve Koper, Assistant Planner Tabitha Boschetti, and Associate Planner Erin Engman presented the ordinance for consideration. Director Koper recapped the Tualatin 2040 project to date. He noted the city is currently in the implementation phase for public housing policies. Planner Boschetti presented proposed amendments to adopt the Tualatin 2040 policy priorities into the Housing Element of the Comprehensive Plan, incorporate the housing needs analysis, streamline and reorganize the language to be succinct with the goals, and a graphic redesign to comply with city branding. She shared examples of the housing policies will be incorporated in the comprehensive plan. Planner Engman spoke to the new layout and design. Planning Commission Chair Mona St. Clair stated the commission voted unanimously to recommend approval of the PTA. Planner Boschetti stated staff recommends approval.

PUBLIC COMMENT

None

COUNCIL DISCUSSION

Councilor Morrison asked if this aligns with HB 2000. Director Koper stated that alignment will happen during the next phase.

Councilor Pratt stated the document is beautifully done and very easy to read. She appreciates staff work on this project.

Motion for first reading by title only made by Councilor Kellogg, Seconded by Councilor Morrison.

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

MOTION PASSED

Motion for second reading by title only made by Council President Grimes, Seconded by Councilor Brooks.

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

MOTION PASSED

Motion to adopt Ordinance No. 1450-20 relating to land use; establishing a separate Comprehensive Plan Document; deleting Tualatin Development Code chapters 1 through 16, 20, and 30; Amending the Housing Element of the Comprehensive Plan; and Amending Tualatin Development Code Chapters 33, 38, 39, 40, 41, 42, 43, 44, 50, 52, 54, 56, 58, 60, 61, 62, 63, 64, 73g, 74, Appendix A (Maps), and Appendix B (Figures) (PTA 20-0004) made by Councilor Brooks, Seconded by Councilor Reyes.

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

MOTION PASSED

General Business

1. Consideration of **Resolution No. 5531-20** Authorizing the City Manager to Execute an Intergovernmental Agreement with Washington County for Small Business Emergency Assistance Grant Funds

Economic Development Manager Jonathan Taylor presented an Intergovernmental Agreement (IGA) with Washington County for Small Business Emergency Assistance grant funds. He stated this is the same IGA the city entered into for the initial \$680,000. Manager Taylor stated the city is set to receive \$441,690 with a 10% administrative fee. Manager Taylor stated these funds will be distributed the same as the prior funds but businesses who have not received any funds at this time will be prioritized.

Councilor Brooks thanked Manager Taylor for his leadership on this program.

Mayor Bubenik thanked Manager Taylor for his efforts on distributing these grant funds.

Motion to adopt Resolution No. 5531-20 authorizing the City Manager to execute an Intergovernmental Agreement with Washington County for Small Business Emergency Assistance Grant Funds made by Councilor Kellogg, Seconded by Councilor Morrison.

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

2. Consideration of **Ordinance No. 1446-20** Repealing Tualatin Municipal Code 11-7 Relating to the Urban Renewal Advisory Committee

Economic Development Manager Jonathan Taylor presented an ordinance to repeal the Urban Renewal Advisory Committee. He stated this repealing is to clarify the legal boundaries on what an applicable committee can be. Manager Taylor stated this will allow the Tualatin Development Commission to create a task force. He noted this does not eliminate any stakeholder output.

Motion for first reading by title only made by Councilor Kellogg, Seconded by Councilor Brooks.
Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Reyes, Councilor Pratt

MOTION PASSED

Motion for second reading by title only made by Council President Grimes, Seconded by Councilor Brooks.

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

MOTION PASSED

Motion to adopt Ordinance No. 1446-20 repealing Tualatin Municipal Code 11-7 relating to the Urban Renewal Advisory Committee made by Council President Grimes, Seconded by Councilor Brooks.

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

MOTION PASSED

3. Consideration of **Ordinance No. 1447-20** Establishing a Parks Utility; and Creating Tualatin Municipal Code Chapter 3-7

DISCUSSION

Council President Grimes clarified this does not establish a rate and is part of a potential larger funding opportunity in the future.

Motion for third reading by title only made by Councilor Pratt, Seconded by Councilor Brooks.

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

MOTION PASSED

DISCUSSION

Councilor Morrison stated he recognizes the Council has the same goal but believes this is the wrong way of going about it.

Motion to adopt Ordinance No. 1447-20 establishing a Parks Utility; and creating Tualatin Municipal Code Chapter 3-7 made by Councilor Brooks, Seconded by Councilor Pratt.
Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Pratt
Voting Nay: Councilor Kellogg, Councilor Morrison, Councilor Reyes
MOTION PASSED

4. Consideration of **Ordinance No. 1449-20** Relating to the Initiative Process; and Amending Tualatin Municipal Code Chapter 1-24

Motion for third reading by title only made by Councilor Kellogg, Seconded by Councilor Pratt.
Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Reyes, Councilor Pratt

MOTION PASSED

Motion to adopt Ordinance No. 1449-20 relating to the initiative process; and amending Tualatin Municipal Code Chapter 1-24 made by Councilor Kellogg, Seconded by Councilor Pratt.
Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Reyes, Councilor Pratt
Voting Nay: Councilor Morrison
MOTION PASSED

5. Consideration of **Ordinance No. 1452-20** Relating to the Tax on Marijuana Sales; Amending Tualatin Municipal Code Chapter 13-1 and Creating New Provisions

Assistant City Manager Don Hudson presented the proposed ordinance relating to tax on marijuana sales. He stated in 2016 the Tualatin voters passed a 3% local marijuana sales tax. Manager Hudson stated the best way to receive that tax was to enter into an Intergovernmental Agreement (IGA) with the Department of Revenue since they collect the statewide tax. He stated in order for the City to collect the penalties and interest the city would need to enter into the IGA.

Motion for first reading by title only made by Councilor Brooks, Seconded by Councilor Kellogg.
Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Reyes, Councilor Pratt

MOTION PASSED

Motion for second reading by title only made by Council President Grimes, Seconded by Councilor Brooks.
Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Kellogg, Councilor Morrison, Councilor Reyes, Councilor Pratt

MOTION PASSED

DISCUSSION

Councilor Brooks asked if this goes towards funding for treatment. Director Hudson stated this is not part of the statewide measure that was passed.

Motion to adopt Ordinance No. 1452-20 relating to the tax on marijuana sales; amending Tualatin Municipal Code Chapter 13-1 and creating new provisions made by Council President Grimes, Seconded by Councilor Reyes.

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

Council Communications

Councilor Kellogg gave kudos to staff who came up with the Christmas Lights Parade as it has been a success across the city.

Councilor Morrison wished everyone a happy holiday.

Councilor Pratt stated she attended the League of Oregon Cities and the Portland State University Newly Elected Official's trainings.

Councilor Brooks spoke to numbers around COVID-19. She thanked staff for all the holiday events they have put together including the Christmas Lights Parade, letters to children, and Donuts in the Park. She stated she attended the Council Committee on Advisory Appointments meeting, the TTSD meeting on the School Resource Officer position, the Newly Elected Officials training, and the PAB meeting.

Councilor Reyes stated she attended the MACC meeting and the Council Committee on Advisory Appointments meeting.

Council President Grimes stated she attended the TTSD discussion on the Student Resource Officer position.

Mayor Bubenik attended the TTSD meeting on the Student Resource Officer position, Metro Mayor Consortium meeting, Greater Portland Inc. Small Business Consortium meeting, National League of Cities meeting on vaccine distribution, Washington County Mayors meeting, Family Promise annual meeting, and the Washington County Coordinating Committee.

Mayor Bubenik thanked the many outgoing regional Mayors for their dedication to both their communities and the region.

Adjournment

Mayor Bubenik adjourned the meeting at 9:18 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Frank Bubenik, Mayor