



## OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR AUGUST 12, 2024

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

Absent: Councilor Cyndy Hillier

---

### Call to Order

Mayor Bubenik Called the meeting to order at 7:06pm

### Pledge of Allegiance

### Announcements

#### 1. Tualatin Science & Technology Scholarship

Library Director Jerianne Thompson announced the Tualatin Science and Technology Scholarship winners had been chosen. Councilor Sacco announced the winners: Karys Noelle Gates and Miguel Angel-Aguilar.

#### 2. Proclamation Declaring August 17, 2024 as Tonga Day in the City of Tualatin

Councilor Brooks read the proclamation declaring August 17, 2024 as Tonga Day in the City of Tualatin.

Kolini Fishitu'a announced a celebration will be held on August 17<sup>th</sup> at Gateway Discovery Park in Portland. Mr. Fishitu'a extended a warm invite to all.

#### 3. New Employee Introduction - City Manager's Office Management Intern Wyatt Bean

Deputy City Manager Megan George introduced Management Intern Wyatt Bean. The Council welcomed him.

#### 4. New Employee Introduction - Public Works Management Intern Jake Hush

Management Analyst Lindsay Marshall introduced Management Intern Jake Hush. The Council welcomed him.

### Public Comment

Steve Titus spoke regarding the LAM Research Tux expansion. He stated as a resident of the Riverpark neighborhood he would like the city to extend the required notification of this proposed project to all of the residences in the Riverpark CIO.

Sandra Wiszneaukas a USMC reserve veteran and member of the Women Marines Association requested that Council approve Joe Galloway and Ben Richardson's request for the placement of

the Wings of Freedom Statue and include a plaque honoring the service of women veterans in Tualatin.

David Wiszneauckas spoke in support of the request for the placement of the Wings of Freedom statue. Mr. Wiszneauckas feels it would be a great honor for the city to approve the plaque honoring women who served in the military.

Danielle Schneider, Tualatin Food Pantry, discussed the potential various negative impacts of replacing the Ride Connection bus stop with a Tri-Met bus stop. Ms. Schneider described the population the food pantry serves as being low-income families, many with small children and the needs they have for a safe and well-lit area. Ms. Schneider requested to discuss a more appropriate location for the ride service.

Bruce Bohman spoke to high school students parking in his neighborhood before, during and after school hours. Mr. Bohman voiced several complaints regarding unfavorable behavior by the students and gave various solutions that don't involve using his neighborhood streets.

Linda Hackenbruck spoke to the congested parking situation created by high school students parking on her street. Ms. Hackenbruck shared her personal experience and mentioned various negative impacts it has had on her and her family. She also requested that her street be changed to parking by permit only.

Chris Gillett expressed his concerns regarding high school students parking their cars in his neighborhood. He stated residents have verbally agreed to parking regulations and would like quick action to be taken prior to the upcoming school year.

Mayor Bubenik and City Manager Lombos discussed the plans for managing parking in the area noting a study is being conducted on permitted parking and won't be ready until later this year. Mayor Bubenik committed to speaking with the City Manager to come up with a solution.

Gary Brannen spoke in support of the Wings of Freedom artwork in the Veteran's Plaza. Mr. Brannen strongly emphasized the need for a placing the military medallions in the correct order at the plaza.

Lt Col Jessica Bradley (USMC Retired) spoke in support of the Wings of Freedom artwork at the plaza. Lt Col Retired Bradley offered her deepest gratitude to the women veterans.

Len Shaber spoke to the Tri-Met plans for changing bus service on the 76 route. He expressed concerns and would like to further discuss the planned stops with Council and Tri-Met. Mayor Bubenik replied that the Council is aware of these concerns and working on a solution.

## **Consent Agenda**

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

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

**MOTION PASSED**

1. Consideration of Approval of the Work Session and Regular Meeting Minutes of July 8, 2024

2. Consideration of Approval of a Change in Liquor License Application for Hana Sushi and Izakaya
3. Consideration of **Resolution No. 5794-24** Increasing the Construction Contract Amount for the Martinazzi Sanitary Sewer Trunk Line Upsizing Project to Replace and Upsize the Adjacent Water Pipe
4. Consideration of **Resolution No. 5795-24** Authorizing the City Manager to Execute an Amendment to the Professional Services Contract with Wallis Engineering for Professional Engineering and Related Services for the Martinazzi Sanitary Sewer Trunk Line Upsizing Project
5. Consideration of **Resolution No. 5796-24** Authorizing the City Manager to Execute a Grant Agreement for an Oregon Department of Emergency Management, State and Local Cybersecurity Grant
6. Consideration of **Resolution 5797-24** Authorizing the City Manager to Execute a Grant Agreement with the Oregon Department of Energy for Acceptance of Energy Efficiency Community Block Grant Funding for the Design and Installation of a Micro-Hydro Turbine

#### **Public Hearings - Quasi-Judicial**

1. Consideration of **Ordinance No. 1488-24** a Plan Map Amendment to Rezone a Portion of the Willow Glen Mobile Home Park Located at 9700 SW Tualatin Road from the Light Manufacturing Zoning District to the Medium Low Density Residential Zoning District

Mayor Bubenik opened the hearing in accordance with state law.

Assistant Community Development Director Steve Koper and Associate Planner Keith Leonard presented a Plan Map Amendment (PMA) for rezoning a portion of the Willow Glen Mobile Home Park. Director Koper introduced the ordinance, explaining that the configuration was designed to address a property line adjustment issue caused by encroachment. He noted that the applicant worked to achieve a mutually agreeable adjustment, facilitating a zoning map amendment essential for regulatory compliance.

Planner Leonard stated that the applicant had previously gained approval for a property line adjustment that aligns with the area proposed for the zoning map adjustment. The applicant is now requesting approval for a zoning map change from Light Manufacturing (ML) to Medium-Low Density Residential (RML). He shared a map of the adjustment area and emphasized that the proposed change from ML to RML is consistent with the current mobile home park use. Planner Leonard outlined the applicable state criteria, comprehensive plan criteria, Metro Function Plan criteria, and the Tualatin Development Code criteria for the application, noting that all criteria have been met. He stated staff recommends approval of the Plan Map Amendment.

Planning Commission Vice-Chair Janelle Thompson stated the Planning Commission voted unanimously to approve the application.

Miller Nash applicant representative Blake Lee Vogel stated this application is administrative and to clean-up the lot lines and meet current use.

#### **PUBLIC COMMENT**

None.

## COUNCIL QUESTIONS

Councilor Brooks stated she appreciates the two parties working together.

Mayor Bubenik closed the hearing.

## COUNCIL DELIBERATIONS

Council President Pratt stated since both parties are in agreement she is in favor of approval.

Mayor Bubenik stated this is a great example of people working together and is in favor of approval.

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

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

## MOTION PASSED

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

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

## MOTION PASSED

Motion to adopt Ordinance No. 1488-24 a plan map amendment to rezone a portion of the Willow Glen Mobile Home Park located at 9700 SW Tualatin Road from the Light Manufacturing Zoning District to the Medium Low Density Residential zoning district made by Council President Pratt, Seconded by Councilor Brooks.

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

## MOTION PASSED

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

1. Consideration of **Ordinance Nos. 1489-24 and 1490-24**, City-Initiated Updates to the Tualatin Comprehensive Plan, Municipal Code, and Development Code

Mayor Bubenik opened the hearing in accordance with state law.

Community Development Director Steve Koper and Senior Planner Erin Engman presented the Stormwater Master Plan (Ordinance #1489-24) and the Basalt Creek Parks & Recreation Master Plan (Ordinance #1490-24). Planner Engman stated the Stormwater Master Plan provides an assessment of existing conditions and assets, identifies Capital Improvement Plan projects, and highlights areas requiring a “sub-basin strategy” to address unique needs. She noted this plan replaces the previous one adopted in 1972. Since that time, only minor updates had been made to the plan, and in 2022, work began to address the Basalt Creek Area specifically. An addendum was created to enforce more stringent stormwater standards in the Basalt Creek area.

Planner Engman then spoke about the Basalt Creek Parks and Recreation Plan. She explained the planning effort in the Basalt Creek area was centered on community engagement, identified parks and recreation investments and estimated costs, and outlined steps toward implementation. In 2022, significant public involvement led to the creation of the Basalt Creek Parks and Recreation Plan, which was accepted by the Council under Resolution No. 5593-22.

Planner Engman stated adoption of these plans will add them as supporting technical documents to the Tualatin Comprehensive Plan, update Chapter 9 policies specific to stormwater management practices, add Map 9-3 Stormwater Plan, amend Map 8-4 and 72-2 consistent with the Basalt Creek Parks and Recreation Plan, and update corresponding references in the Municipal and Development Codes. She shared text and map amendments and noted that the project supports several Climate Action Plan strategies.

Planner Engman confirmed that all applicable criteria from statewide planning goals, Oregon Administrative Rules, Metro Code, and the Tualatin Development Code have been met. She stated staff received public comments and addressed concerns related to outdated public outreach, noting that the claims do not address the approval criteria or legal merits. Planner Engman stated materials in the packet also addressed additional comments, stating that claims about Maps 8-4 and 72-2 involving conflicting information do not meet the approval criteria and issues related to alignments and are not location specific. She reiterated that these claims do not address the approval criteria.

Planning Commission Vice Chair Janelle Thompson stated they recommend approval of the PTA/PMA 24-003.

## PUBLIC COMMENT

Tualatin Parks and Recreation Advisory Committee Chair Emma Gray presented testimony in support of the ordinance. She stated the committee believes the plan successfully facilitates a positive result for the community. The plan was unanimously recommended by the committee.

## COUNCIL QUESTIONS

Councilor Brooks expressed concerns about the higher EPA standards applied to this area. She inquired whether additional water quality features, such as sediment counts, organic matter, and mineral matter limits, were included in the master plan. Director Koper clarified that the master plan itself does not regulate water quality specifics. He stated they are handled through development application processes and Clean Water Services' (CWS) standards. Engineer Hayden Ausland added that specific water quality standards, hydro-modification standards, and other FEMA-required floodplain standards would be addressed in detailed design and construction standards administered by CWS.

Councilor Brooks also questioned if the master plan offers developers best practices for permeability and other environmental considerations. Engineer Ausland replied that while the master plan itself does not go into those specifics, the CWS design and construction standards promote sustainable building practices, including low-impact development approaches and stringent sediment controls. Director Koper mentioned that although these specifics are captured in the development review process, they emanate from the general principles set forth in the master plan.

Councilor Gonzales asked about the revised policy regarding beaver dam activity. He sought to understand why the language was changed to "implement beaver management techniques" from specifically restricting beaver dam activity. Engineer Ausland explained that the change reflects updates by the Oregon Department of Fish and Wildlife (ODFW), requiring cities to follow new standards related to beaver activity. Director Koper added that the city is aligning its policies with state regulatory updates to ensure compliance with the latest environmental guidelines.

Council President Pratt inquired about the provision concerning industrial areas requiring on-site stormwater detention. She sought clarity on whether those areas are predefined or determined on a site-by-site basis. Director Koper explained those details are managed at the development review stage. The focus is on site-specific conditions such as the porosity of the soil, the extent of anticipated impervious surfaces, and infrastructural capabilities. Engineer Ausland added that CWS regulations would govern those standards stringently, depending on site-specific geotechnical analysis and feasibility.

Mayor Bubenik asked if the stormwater system would have to be pumped offsite in coordination with the City of Wilsonville. Engineer Ausland clarified that stormwater handling remains the responsibility of Clean Water Services, with no operational coordination involving Wilsonville. Director Koper added that system alignment facilitates streamlined service operations, ensuring both jurisdictions' codes and services merge at the operational level without invoking systemic disconnects.

Mayor Bubenik closed the hearing.

## COUNCIL DELIBERATIONS

Councilor Brooks stated she would like the stormwater master plan to be more specific. She expressed concerns with naming the streams and the features in the area so that it is meeting community desires.

Motion for first reading by title only for Ordinance No. 1489-24 made by Council President Pratt, Seconded by Councilor Sacco.

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

## MOTION PASSED

Motion for second reading by title only for Ordinance No. 1489-24 made by Council President Pratt, Seconded by Councilor Sacco.

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

## MOTION PASSED

Motion to adopt Ordinance No. 1489-24 an ordinance related to land use; amending the Tualatin Comprehensive Plan, municipal code, and development code; PTA/PMA 24-0003 made by Council President Pratt, Seconded by Councilor Sacco.

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

## MOTION PASSED

Motion for first reading by title only of Ordinance No.1490-24 made by Council President Pratt, Seconded by Councilor Sacco.

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

MOTION PASSED

Motion for second reading by title only of Ordinance No. 1490-24 made by Council President Pratt, Seconded by Councilor Sacco.

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

MOTION PASSED

Motion to adopt Ordinance No. 1490-24 an ordinance related to land use; amending the Tualatin Comprehensive Plan and development code; PTA/PMA 24-0003 made by Council President Pratt, Seconded by Councilor Sacco.

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

MOTION PASSED

2. Consideration of **Ordinance No.1494-24** Vacating a Portion of Right-of-Way located East of SW Boones Ferry Road, South of SW Norwood Road, and North of SW Greenhill Lane

Mayor Bubenik opened the hearing in accordance with state laws.

Assistant Community Development Director Steve Koper and Assistant Planner Madeline Nelson presented the consideration of vacating a portion of right-of-way located east of SW Boones Ferry Road, south of SW Norwood Road, and north of SW Greenhill Lane. Director Koper explained that the area was inadvertently dedicated as a right-of-way because it is contiguous to Boones Ferry Road, which created complications for establishing a community park. He stated the purpose of this Ordinance is to correct the designation, allowing the park to be located on the site.

Assistant Planner Nelson provided a brief presentation and overview, detailing the background information. She stated on March 20, 2023, the right-of-way was dedicated to the city with an access and utility easement over it for the benefit of Plambeck Gardens. Planner Nelson shared that the Washington County surveyor determined that for the area to be used as a park site, the right-of-way would need to be vacated and re-conveyed to the city. She stated vacating the right-of-way is necessary to construct a city park, and the existing access and utility easement for the benefit of Plambeck Gardens will be maintained. Planner Nelson confirmed the city has met the standards outlined in the statute and staff recommends adopting the ordinance as presented.

PUBLIC COMMENT

None

Mayor Bubenik closed the hearing.

Motion first reading by title only made by Councilor Brooks, Seconded by Councilor Sacco. Voting Yea: Mayor Bubenik, Council President Pratt, Councilor Brooks, Councilor Reyes, Councilor Sacco, Councilor Gonzalez

MOTION PASSED

Motion second reading by title only made by Councilor Brooks, Seconded by Councilor Sacco. Voting Yea: Mayor Bubenik, Council President Pratt, Councilor Brooks, Councilor Reyes, Councilor Sacco, Councilor Gonzalez

MOTION PASSED

Motion to adopt Ordinance No.1494-24 vacating a portion of right-of-way located east of SW Boones Ferry Road, south of SW Norwood Road, and north of SW Greenhill Lane made by Council President Pratt, Seconded by Councilor Brooks.

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

MOTION PASSED

## **General Business**

1. Consideration of **Resolution No. 5798-24** Authorizing the City Manager to Execute an Intergovernmental Agreement with Metro for Trail and Parkland Acquisition Using 2019 Parks and Nature Bond Measure Acquisition Program Funds

Parks and Recreation Director Ross Hoover and Parks Planning Manager Rich Mueller presented the park acquisition for a future riverfront park. Manager Mueller stated the Council is considering the purchase of 2.79 acres of riverfront property, which will create approximately six total assembled acres in the area. The property will provide a signaled intersection at Martinazzi and Boones Ferry Road and will enhance trail connectivity. The access will link the Tualatin River to the downtown core area. Director Hoover mentioned the purchase aligns with several city plans, including the Parks System Plan, the Transportation System Plan, the Metro Regional Trails Plan, and the Climate Action Plan. He stated the property purchase price is \$1.5 million, with \$1.1 million coming from the Tualatin Parks and Trails Bond and \$400,000 from the Metro Parks Bond. Director Hoover also noted that tonight there are five action items on the agenda related to the property purchase: a Metro Intergovernmental Agreement, the purchase and sale agreement, two maintenance and operation agreements, and an access agreement. He added that if the site is acquired, future work will include concept development and site plan design.

Councilor Sacco expressed excitement to see the vision come to fruition for the community.

Council President Pratt expressed enthusiasm for the project and the river access it will provide to the community.

Councilor Reyes shared excitement to see the area come to life.

Mayor Bubenik thanked city staff for their work on the property negotiations.

Motion to adopt Resolution No. 5798-24 authorizing the City Manager to execute an intergovernmental agreement with Metro for trail and parkland acquisition using 2019 Parks and Nature Bond Measure Acquisition program funds made by Council President Pratt, Seconded by



Councilor Sacco.

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

MOTION PASSED

2. Consideration of **Resolution No. 5799-24** Authorizing the Purchase of Real Property and Execution of a Deed Acquiring Property for Riverfront Parkland

Motion to adopt Resolution No. 5799-24 authorizing the purchase of real property and execution of a deed acquiring property for riverfront parkland made by Council President Pratt, Seconded by Councilor Brooks.

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

MOTION PASSED

3. Consideration of **Resolution No. 5800-24** Authorizing an Agreement Between the City of Tualatin and Marguerite Robb for Maintenance and Operations of Parkland

Motion to adopt Resolution No. 5800-24 authorizing an agreement between the City of Tualatin and Marguerite Robb for maintenance and operations of parkland made by Councilor Sacco, Seconded by Councilor Reyes.

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

MOTION PASSED

4. Consideration of **Resolution No. 5801-24** Authorizing an Agreement Between the City of Tualatin and Dan Cash and Marsha Riley for Maintenance and Operations of Parkland

Motion to adopt Resolution No. 5801-24 authorizing an agreement between the City of Tualatin and Dan Cash and Marsha Riley for maintenance and operations of parkland made by Councilor Brooks, Seconded by Councilor Sacco.

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

MOTION PASSED

5. Consideration of **Resolution No. 5802-24** Authorizing the City Manager to Execute a License Agreement with Marguerite Robb for Property Access

Motion to adopt Resolution No. 5802-24 authorizing the City Manager to execute a license agreement with Marguerite Robb for property access made by Councilor Brooks, Seconded by Councilor Sacco.

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

MOTION PASSED

## **Council Communications**

Councilor Brooks acknowledged the people of Greece who are dealing with wildfires.

## **Adjournment**

Mayor Bubenik adjourned the meeting at 9:47 p.m.

Sherilyn Lombos, City Manager

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

\_\_\_\_\_ / Frank Bubenik, Mayor