



## OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR APRIL 13, 2020

Present: Mayor Bubenik, Council President Nancy Grimes, Councilor Morrison, Councilor Pratt, Councilor Brooks, Councilor Reyes, Councilor Kellogg

---

### **7:00 P.M. CITY COUNCIL MEETING**

#### **Call to Order**

Mayor Bubenik called the meeting to order at 7:07 p.m.

Mayor Bubenik addressed citizens in relation to the Stay at Home Order in Oregon. He thanked citizens for closely following the order. He encouraged citizens to support local businesses as much as possible.

Chief Steele reassured the public that the Police Department is still out serving the community.

#### **Announcements**

1. Proclamation Declaring the Week of April 19 – April 25, 2020 as Volunteer Appreciation Week in the City of Tualatin

Councilor Morrison read the proclamation declaring the week of April 19-25, 2020 as Volunteer Appreciation Week in the City of Tualatin.

#### **Public Comment**

None.

#### **Consent Agenda**

Motion to adopt the consent agenda 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

1. Consideration of Approval of the Regular Meeting Minutes of April 13, 2020
2. Consideration of Approval of a New Liquor License Application for Claim Jumper Restaurant
3. Consideration of Approval of a New Liquor License Application for El Juan Colorado
4. Consideration of Approval of a New Liquor License Application for Bridge City Spirits

## Special Reports

### 1. Economic Stabilization Program Report

Economic Development Manager Jonathan Taylor presented a report on the Economic Stabilization Program. He recapped the application process and promotion that was conducted. Manager Taylor stated the city received 146 applications. He recapped the award and criteria ranking noting 62 applications made it through the initial process. An internal staff committee then ranked the applications using a non-biased numerical ranking system. From that process 54 applications were awarded funding. A total of \$252,000 was awarded, he noted the additional \$2,000 was a contribution from NW Natural Gas.

Councilor Brooks commended the city for coming together to issue these grants to help a variety of impacted business owners so quickly.

Council President Grimes thanked city staff for helping find a way to support our local businesses. She asked of the 54 recipients how many employees will the grant be helping. Manager Taylor stated he would need to further research the answer.

Mayor Bubenik thanked city staff for putting this program together so quickly. He thanked NW Natural Gas for their contribution.

Manager Taylor stated grant notifications will be sent out via email tomorrow.

Councilor Pratt asked how many people were part of the internal staff committee. Manager Taylor stated there were three individuals on the committee.

## General Business

### 1. Consideration of **Ordinance No. 1433-20** Relating to Public Meetings; and Amending Tualatin Municipal Code Chapter 1-04

Mayor Bubenik stated this ordinance is being brought back from the last meeting for consideration.

City Attorney Sean Brady noted there is a section in the language to put this into effect immediately, if not unanimous it would go into effect in 30 days.

Councilor Morrison stated he believes 48 hours is enough time for notification for an emergency meeting, which is why he is opposed to the change.

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

Absent: Councilor Kellogg

MOTION PASSED

Motion to adopt Ordinance No. 1433-20 relating to public meetings; and amending Tualatin Municipal Code Chapter 1-04 made by Councilor Brooks, Seconded by Council President Grimes.

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

Voting Nay: Councilor Morrison  
Absent: Councilor Kellogg  
MOTION PASSED

2. Consideration of **Resolution No. 5486-20** Amending Rule 2 of the Council Rules

City Attorney Brady stated this resolution updates the council rules to match the ordinance that was adopted.

Motion to adopt Resolution No. 5486-20 amending rule two of the Council Rules made by Council President Grimes, Seconded by Councilor Brooks.

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

Voting Nay: Councilor Morrison

Absent: Councilor Kellogg

MOTION PASSED

3. Consideration of **Ordinance No. 1434-20** Relating to Mobile Food Units and Amending Tualatin Municipal Code Chapter 9-10 to allow Mobile Food Units to Operate in the General Commercial Zones Abutting 99W

Community Development Director Aquilla Hurd-Ravich stated this ordinance will allow a portion of the general commercial zone along Hwy 99W to allow food carts and mobile food units. This will provide more options for the west side of Tualatin. She stated staff's recommendation is approval of the ordinance.

Mayor Bubenik stated both the Chamber of Commerce and Commercial CIO are in favor of the ordinance. He stated this still protects the downtown core restaurants.

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

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

Absent: Councilor Kellogg

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 Morrison, Councilor Reyes, Councilor Pratt

Absent: Councilor Kellogg

MOTION PASSED

Motion to adopt Ordinance No. 1434-20 relating to mobile food units and amending Tualatin Municipal Code Chapter 9-10 to allow mobile food units to operate in the General Commercial Zones abutting 99W made by Council President Grimes, Seconded by Councilor Brooks.

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

Absent: Councilor Kellogg

MOTION PASSED

4. Consideration of **Ordinance No. 1435-20** Relating to the Public Works Construction Code; Amending Tualatin Municipal Code Chapter 2-03: and Creating New Provisions

City Attorney Brady presented an ordinance with updates to the Public Works Construction Code. He stated the Public Works Construction Code is how the city implements its design standards for public improvements. Attorney Brady noted under the current code the rules come to council for consideration and adoption. He stated this has caused a delay in changes. Attorney Brady stated the proposed ordinance would allow staff to draft revisions and publicly notice the proposed administrative rules. He noted noticing would include notification to all interested parties and made available on the city's website. Public comment would be accepted for fifteen days. Attorney Brady stated the changes would allow for a more efficient and timely update process.

Councilor Pratt expressed concerns with items that are visible to the community such as street lights and the ability for public comment. She asked if public facing items would have an additional process. City Engineer Kim McMillan stated it would be the same process and city staff can add Council to the interested parties list so Council can comment on any changes.

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

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

Motion to adopt Ordinance No. 1435-20 relating to the Public Works Construction Code; amending Tualatin Municipal Code Chapter 2-03: and creating new provisions made by Council President Grimes, Seconded by Councilor Morrison.  
Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Morrison, Councilor Reyes, Councilor Pratt  
Absent: Councilor Kellogg  
MOTION PASSED

5. Consideration of **Ordinance No. 1436-20** Amending Tualatin Municipal Code, Chapter 1-06 Relating to New Provisions of the Personnel Rules

City Attorney Brady presented provisions to the new personnel rules. He stated current rules are adopted by Council. This ordinance modifies the current practice to allow the City and Human Resources to amend rules as needed, especially in times of change.

Councilor Pratt asked how Council could amend a future rule if needed. Attorney Brady stated Council can change any rule via the resolution process.

Councilor Brooks asked about communications regarding rule changes. Attorney Brady stated the ordinance states the employment rules will be published on the cities website and a notification list will be maintained.

Councilor Morrison asked about the word “shall” being changed to “must” in the ordinance. Attorney Brady explained different interpretations of shall and noted “must” adds better clarification.

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

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

Absent: Councilor Kellogg

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 Morrison, Councilor Reyes, Councilor Pratt

Absent: Councilor Kellogg

MOTION PASSED

Motion to adopt Ordinance No. 1436-20 amending Tualatin Municipal Code, Chapter 1-06 relating to new provisions of the personnel rules made by Council President Grimes, Seconded by Councilor Pratt.

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

Absent: Councilor Kellogg

MOTION PASSED

6. Consideration of **Resolution No. 5489-20** Ratifying the Mayor’s Order Declaring a Moratorium on Residential and Commercial Evictions within the City of Tualatin During the COVID- 19 State of Emergency

Mayor Bubenik stated he issued this emergency order last week to prevent evictions for residential and commercial units.

Council President Grimes asked what relief is available to landlords. Mayor Bubenik stated this isn’t a waiver this is a deferral of rent. His hope is that aide will begin being distributed shortly to help tenants make payments.

Councilor Morrison stated everyone involved understands the situation. He is in favor of the resolution.

Councilor Reyes stated she is favor of the resolution. She expressed concern for landlords and the potential for a negative ripple effect. Attorney Brady stated the order just prevents the landlord from evicting the tenant not from collecting rent. Landlords can evict at the end of the period if necessary.

Councilor Brooks noted banks are currently offering deferrals and there are small business relief programs available.

Council President Grimes asked how we leave the state of emergency and when that is expected to happen. Mayor Bubenik stated he has heard this will continue into May.

Councilor Kellogg rejoined the meeting at 8:47 p.m.

Councilor Pratt expressed concern for landlords.

Motion to adopt **Resolution No. 5489-20** Ratifying the Mayor's Order Declaring a Moratorium on Residential and Commercial Evictions within the City of Tualatin During the COVID- 19 State of Emergency made by Councilor Brooks, Seconded by Councilor Pratt.

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

Voting Nay: Councilor Reyes

MOTION PASSED

### **Council Communications**

Councilor Pratt stated she has been impressed with social distancing in the community. She thanked city staff for their great communication. Councilor Pratt stated she was glad to see the Gift Card for Good program in action.

Councilor Brooks thanked the community for doing the "Stay Safe, Stay Home" order so effectively. She stated she attended a virtual Policy Advisory Board meeting and provided a recap of the meeting.

Councilor Reyes stated she is very proud of all of the community support in the city.

Councilor Morrison stated he virtually attended the Washington County Coordinating Committee. He stated the Packed with Pride program that is part of the school district in in desperate need of funds. The group is working with US Bank to secure a grant.

Councilor Kellogg stated somberly that he is afraid the virus may last through the fall and we need to be prepared to move forward in the same manner we currently are operating in. He wants to focus preparations on a longer enduring containment period.

Council President Grimes praised city staff for how well the city has been functioning and the level of service they are still able to provide to residents.

Mayor Bubenik encourage citizens to complete their census. He stated he virtually attended the Washington County Coordinating Committee. Mayor Bubenik thanked the residents of Tualatin for heeding the Stay at Home order.

### **Adjournment**

Mayor Bubenik adjourned the meeting at 9:15 p.m.

Sherilyn Lombos, City Manager

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

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