



TUALATIN CITY COUNCIL AND TUALATIN DEVELOPMENT COMMISSION

Monday, September 12, 2011

CITY COUNCIL CHAMBERS
18880 SW Martinazzi Avenue
Tualatin, OR 97062

WORK SESSION begins at 5:30 p.m. *[Note different start time]*

REGULAR MEETING begins at 7:00 p.m.

Mayor Lou Ogden

Councilor Monique Beikman Councilor Wade Brooksby

Councilor Frank Bubenik Councilor Joelle Davis

Councilor Nancy Grimes Councilor Ed Truax

Welcome! By your presence in the City Council Chambers, you are participating in the process of representative government. To encourage that participation, the City Council has specified a time for citizen comments on its agenda - *Item C*, following Presentations, at which time citizens may address the Council concerning any item not on the agenda, with each speaker limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council.

Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are available for review on the City's website at www.ci.tualatin.or.us/government/CouncilPackets.cfm, the Library located at 18878 SW Martinazzi Avenue, and on file in the Office of the City Manager for public inspection. Any person with a question concerning any agenda item may call Administration at 503.691.3011 to make an inquiry concerning the nature of the item described on the agenda.

In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, you should contact Administration at 503.691.3011. Notification thirty-six (36) hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

Council meetings are televised *live* the day of the meeting through Washington County Cable Access Channel 28. The replay schedule for Council meetings can be found at www.tvctv.org. Council meetings can also be viewed by live *streaming video* on the City's website, the day of the meeting at www.ci.tualatin.or.us/government/CouncilPackets.cfm.

Your City government welcomes your interest and hopes you will attend the City of Tualatin Council meetings often.

PROCESS FOR LEGISLATIVE PUBLIC HEARINGS

A **legislative** public hearing is typically held on matters which affect the general welfare of the entire City rather than a specific piece of property.

1. Mayor opens the public hearing and identifies the subject.
2. A staff member presents the staff report.
3. Public testimony is taken.
4. Council then asks questions of staff, the applicant, or any member of the public who testified.
5. When the Council has finished questions, the Mayor closes the public hearing.
6. When the public hearing is closed, Council will then deliberate to a decision and a motion will be made to either *approve*, *deny*, or *continue* the public hearing.

PROCESS FOR QUASI-JUDICIAL PUBLIC HEARINGS

A **quasi-judicial** public hearing is typically held for annexations, planning district changes, variances, conditional use permits, comprehensive plan changes, and appeals from subdivisions, partitions and architectural review.

1. Mayor opens the public hearing and identifies the case to be considered.
2. A staff member presents the staff report.
3. Public testimony is taken:
 - a) In support of the application
 - b) In opposition or neutral
4. Council then asks questions of staff, the applicant, or any member of the public who testified.
5. When Council has finished its questions, the Mayor closes the public hearing.
6. When the public hearing is closed, Council will then deliberate to a decision and a motion will be made to either *approve*, *approve with conditions*, or *deny the application*, or *continue* the public hearing.

TIME LIMITS FOR PUBLIC HEARINGS

The purpose of time limits on public hearing testimony is to provide all interested persons with an adequate opportunity to present and respond to testimony. All persons providing testimony **shall be limited to 3 minutes**, subject to the right of the Mayor to amend or waive the time limits.

EXECUTIVE SESSION INFORMATION

Executive session is a portion of the Council meeting that is closed to the public to allow the Council to discuss certain confidential matters. No decisions are made in Executive Session. The City Council must return to the public session before taking final action.

The City Council may go into Executive Session under the following statutory provisions to consider or discuss: *ORS 192.660(2)(a)* employment of personnel; *ORS 192.660(2)(b)* dismissal or discipline of personnel; *ORS 192.660(2)(d)* labor relations; *ORS 192.660(2)(e)* real property transactions; *ORS 192.660(2)(f)* non-public information or records; *ORS 192.660(2)(g)* matters of commerce in which the Council is in competition with other governing bodies; *ORS 192.660(2)(h)* current and pending litigation issues; *ORS 192.660(2)(i)* employee performance; *ORS 192.660(2)(j)* investments; or *ORS 192.660(2)(m)* security issues. **All discussions within this session are confidential.** Therefore, nothing from this meeting may be disclosed by those present. News media representatives are allowed to attend this session (unless it involves labor relations), but shall not disclose any information discussed during this session.



**OFFICIAL AGENDA OF THE TUALATIN CITY COUNCIL FOR
SEPTEMBER 12, 2011**

A. CALL TO ORDER
Pledge of Allegiance

B. ANNOUNCEMENTS

1. Swearing-in of Police Officer - *Jeremy Rankin*
2. Nomination and Selection of Police Captain Larry Braaksma to Attend the FBI National Academy
3. Tip-A-Cop Fundraiser Event Announcement
4. Tualatin Youth Advisory Council Monthly Report
5. Dog Park Event Announcement

C. CITIZEN COMMENTS

This section of the agenda allows citizens to address the Council regarding any issue not on the agenda. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.

D. CONSENT AGENDA

The Consent Agenda will be enacted with one vote. The Mayor will first ask staff, the public and Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, 1) Items Removed from the Consent Agenda. The entire Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.

1. Approval of the Minutes for the Work Session and Meeting of August 22, 2011.
2. Resolution No. **5064-11** to Approve an Intergovernmental Agreement with the City of Durham to Provide Municipal Court Services
3. Resolution No. **5065-11** Approving and Authorizing the Mayor and City Recorder to Sign an Intergovernmental Agreement with the Regional Water Providers Consortium relating to Data Sharing Among Water Providers
4. Resolution No. **5066-11** Amending the City of Tualatin Fee Schedule and Rescinding Resolution No. 4968-10
5. Approval of a Change of Ownership Liquor License Application for Bambuza Vietnam Grill

6. Community Involvement Committee Recommendations for Appointments to City Advisory Committees and Appointment of Municipal Judges Pro Tem

E. SPECIAL REPORTS

1. Summer GREAT (Gang Resistance Education And Training) Program Wrap-Up
2. Summer Library Reading Program Wrap-Up

F. PUBLIC HEARINGS – Legislative or Other

G. PUBLIC HEARINGS – Quasi-Judicial

H. GENERAL BUSINESS

1. Transportation System Plan: Resolution No. **5067-11** Authorizing a Task Order with CH2M Hill, Inc. for Technical Planning to Support the Project
2. Transportation System Plan: Resolution No. **5068-11** Authorizing a Personal Services Agreement with JLA Public Involvement to Support the Project
3. Ordinance No. **1332-11** Relating to the Tualatin Planning Advisory Committee (TPAC); Reducing the Number of Members; and Amending TDC 2.060 PTA-11-06
4. Ordinance No. **1333-11** Relating to Land Use Approval Periods; and Amending TDC 32.080, 32.090, 36.160, 36.240, and 73.056 (PTA 11-05)

I. ITEMS REMOVED FROM CONSENT AGENDA

Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.

J. COMMUNICATIONS FROM COUNCILORS

K. EXECUTIVE SESSION

L. ADJOURNMENT

City Council Meeting

B. 1.

Meeting 09/12/2011
Date:

Information

ANNOUNCEMENTS

Swearing-in of Police Officer - Jeremy Rankin

City Council Meeting

B. 2.

Meeting
Date: 09/12/2011

Information

ANNOUNCEMENTS

Nomination and Selection of Police Captain Larry Braaksma to Attend the FBI National Academy

City Council Meeting

B. 3.

Meeting
Date: 09/12/2011

Information

ANNOUNCEMENTS

Tip-A-Cop Fundraiser Event Announcement

Attachments

Tip-A-Cop Fundraiser Event



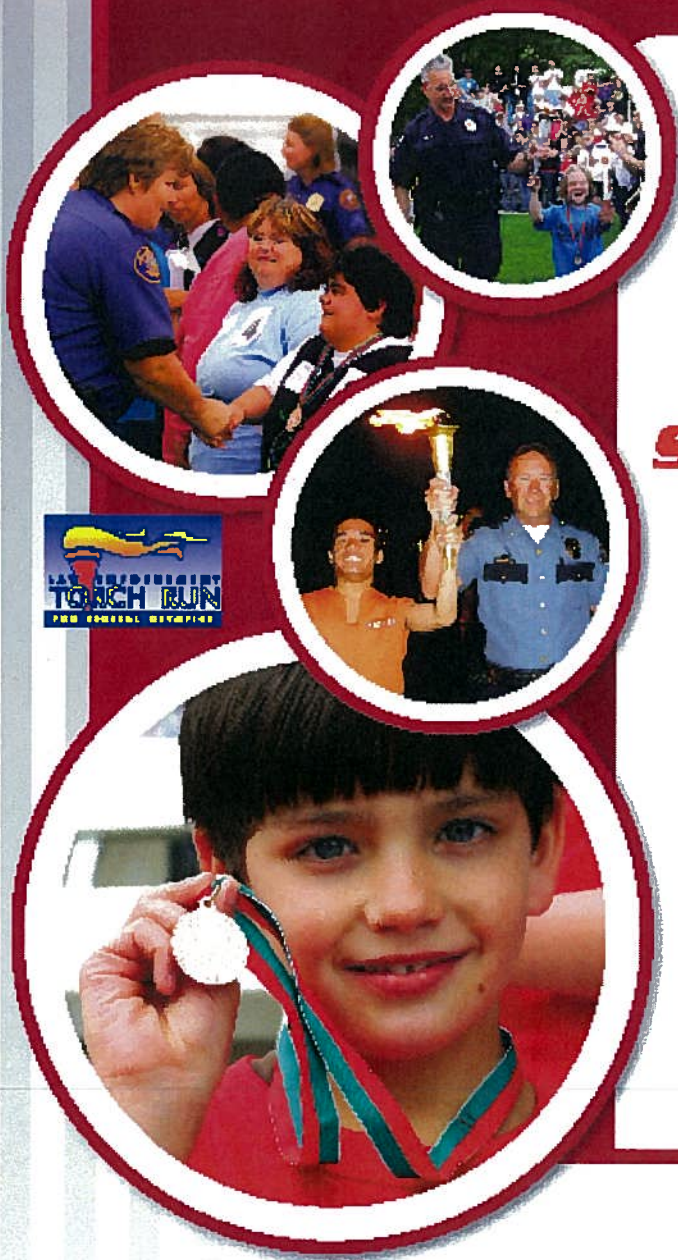


TIP-A-COP FUNDRAISER



Thursday, September 22, 2011

5:00pm - 9:00pm at all Applebee's® In Oregon



Donated Tips Will Benefit:



Special Olympics Oregon

Presented by Oregon Law Enforcement Torch Run

Meet us at Applebee's and support your neighborhood law enforcement personnel and the 8,000 Special Olympics athletes across the state of Oregon.



City Council Meeting

B. 4.

Meeting 09/12/2011
Date:

Information

ANNOUNCEMENTS

Tualatin Youth Advisory Council Monthly Report

Attachments

PowerPoint - Youth Advisory Council Report

TualaFest 2011



- 350 people attended
- 4 bands
- Winning band – *She's Not Dead*
- Great recreational experience and a way to build community for Tualatin's youth on a summer evening!

Tualatin Youth Advisory Council September 2011

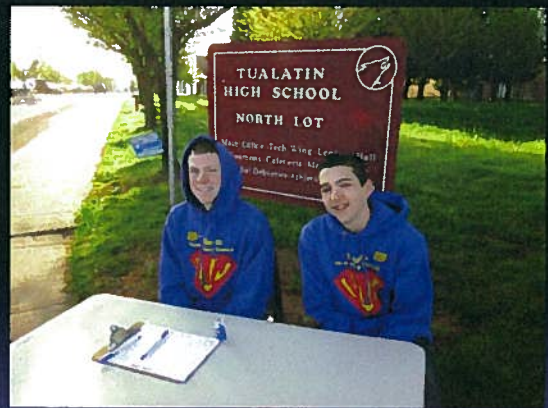
Movies on the Commons

- Approximately 2,000 people attended
- Movie in Ibach Park was very popular!
 - *Thank you to this year's sponsors: Community Newspapers, Tualatin Chamber of Commerce, US West Coast TaeKwonDo, Dutch Bros. Coffee, Pediatric Dental at Bridgeport, A Group Real Estate, and Azimuth Communications.*



Walk + Bike to School Day

- Wednesday, October 5, 2011
- YAC will be working to promote walking + biking at TuHS
- Promotes health and wellness for Tualatin's youth



Tualatin Youth Advisory Council September 2011

Haunted House

- October 26, 27, 28, 29
- 7:00-10:00pm
- This year's theme: virus outbreak/zombie apocalypse!
- New this year: "Boo Room" for younger kids



Transportation System Plan

- YAC members met with Project Engineer Dayna Webb to provide input regarding the Transportation System Plan
- Promoting youth involvement on YAC's Facebook page



Tualatin Youth Advisory Council

Hey everyone, tell us what you think about transportation in Tualatin for a chance to win a flip camera and movie gift certificates!

Moving Tualatin: A Transportation Focused Video Contest - Tualatin TSP

tualatintsp.org

Tualatin is creating a Transportation System plan that will shape the way people move around and through Tualatin. Help us to understand what you like about traveling in and through Tualatin and what you think could be better.

474 Impressions · 0% Feedback



Tualatin Youth Advisory Council September 2011

City Council Meeting

B. 5.

Meeting

09/12/2011

Date:

Information

ANNOUNCEMENTS

Dog Park Event Announcement

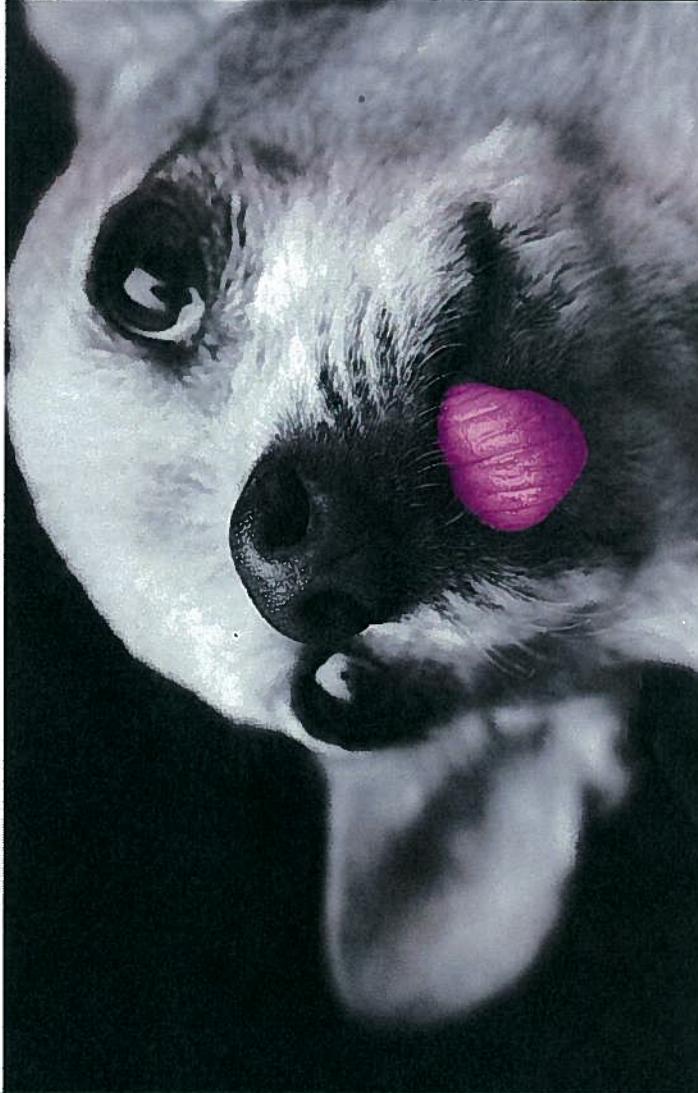
Attachments

A - PowerPoint - Dog Park Event

The Great Peanut Butter

Lick-off

September 21, 2011



**Come on out to the Tualatin Dog Park for a lip-smacking good time!
Prizes for the fastest and messiest eaters!**

Humans! Try your hands at the dog-treat stacking contest.

**Wednesday, September 21, 6:00pm
Tualatin Dog Park (north end of Tualatin Community Park)**

FREE FOR ALL POOCHES AND THEIR PEOPLE

For more information call 503.691.3061 WWW.TUALATINRECREATION.COM



Friends of the Tualatin Dog Park

First meeting September 28, 7:00pm at Tualatin Heritage Center

Who should come?

- 🐾 Those who would like to meet and get to know new people
- 🐾 Those who want to help develop amenities for the dog park
- 🐾 Those who want to put their creativity and energy to good use
- 🐾 Those looking for a fun volunteer experience

What might the friends group do?

- 🐾 Plan special dog park events
- 🐾 Fundraising for new amenities
- 🐾 Develop and manage communication and outreach
- 🐾 Host dog park socials
- 🐾 Lots more!

Forming Now!
Everyone welcome!



City of Tualatin

City Council SPEAKER REQUEST FORM

IMPORTANT: Any citizen attending Council meetings may speak on any item on the agenda. If you wish to speak, please complete this form and return to the **City Recorder**. *This document is a public record.*

NAME Kathy Newcomb DATE 9/12/11
STREET ADDRESS 17515 SW Cheyenne Way
STATE Tualatin ZIP 97062 E-MAIL overloaded

I wish to speak during **CITIZEN COMMENTS** on a subject that is not on the current Council agenda. (3-minute time limit per speaker)

Subject Task Force Members

I wish to speak on **AGENDA ITEM No.** H1 (TESTIMONY TIME MAY BE LIMITED)

_____ IN FAVOR

_____ OPPOSED

_____ NEUTRAL

NOTE: IF WRITTEN DOCUMENTATION IS PRESENTED PLEASE FURNISH AT LEAST ONE (1) COPY, ALONG WITH THIS FORM, TO THE CITY RECORDER FOR THE OFFICIAL RECORD.



City of Tualatin

City Council SPEAKER REQUEST FORM

IMPORTANT: Any citizen attending Council meetings may speak on any item on the agenda. If you wish to speak, please complete this form and return to the **City Recorder**. *This document is a public record.*

NAME Jan Grunke DATE 9/12

STREET ADDRESS 17655 SW Shawnee Trail

STATE _____ ZIP _____ E-MAIL jan.grunke@gmail

I wish to speak during **CITIZEN COMMENTS** on a subject that is not on the current Council agenda. *(3-minute time limit per speaker)*

Subject TSP Tax Force

I wish to speak on **AGENDA ITEM No.** H 12 (TESTIMONY TIME MAY BE LIMITED)

_____ IN FAVOR

_____ OPPOSED

_____ NEUTRAL

NOTE: IF WRITTEN DOCUMENTATION IS PRESENTED PLEASE FURNISH AT LEAST ONE (1) COPY, ALONG WITH THIS FORM, TO THE CITY RECORDER FOR THE OFFICIAL RECORD.



City of Tualatin

City Council SPEAKER REQUEST FORM

IMPORTANT: Any citizen attending Council meetings may speak on any item on the agenda. If you wish to speak, please complete this form and return to the **City Recorder**. *This document is a public record.*

NAME Toni Anderson DATE 9/12/11

STREET ADDRESS _____

STATE _____ ZIP _____ E-MAIL _____

I wish to speak during **CITIZEN COMMENTS** on a subject that is **not** on the current Council agenda. *(3-minute time limit per speaker)*

Subject _____

I wish to speak on **AGENDA ITEM No.** TSP H1 (TESTIMONY TIME MAY BE LIMITED)

_____ IN FAVOR _____ OPPOSED _____ NEUTRAL

NOTE: IF WRITTEN DOCUMENTATION IS PRESENTED PLEASE FURNISH AT LEAST ONE (1) COPY, ALONG WITH THIS FORM, TO THE CITY RECORDER FOR THE OFFICIAL RECORD.



STAFF REPORT

CITY OF TUALATIN

APPROVED BY TUALATIN CITY COUNCIL

Date 9-12-11

Recording Secretary M. Smith

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Maureen Smith, Executive Assistant

DATE: 09/12/2011

SUBJECT: Approval of the Minutes for the Work Session and Meeting of August 22, 2011.

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve the minutes of the Work Session and Meeting of August 22, 2011.

RECOMMENDATION:

Staff respectfully recommends that the Council adopt the attached minutes.

FINANCIAL IMPLICATIONS:

There are no financial impacts associated with this item.

Attachments: A - Work Session Minutes of August 22, 2011
B - Meeting Minutes of August 22, 2011



**OFFICIAL MINUTES OF TUALATIN CITY COUNCIL WORK SESSION FOR
AUGUST 22, 2011**

Present: Mayor Lou Ogden; Council President Monique Beikman; Councilor Wade Brooksby (arrived at 5:11 p.m.); Councilor Frank Bubenik; Councilor Joelle Davis; Councilor Nancy Grimes; Councilor Ed Truax

Staff Present: City Manager Sherilyn Lombos; City Attorney Brenda Braden; City Engineer Mike McKillip; Police Chief Kent Barker; Operations Director Dan Boss; Community Development Director Alice Rouyer; Community Services Director Paul Hennon; Finance Director Don Hudson; Planning Manager Aquilla Hurd-Ravich; Assistant to the City Manager Sara Singer; Program Coordinator Becky Savino; Executive Assistant Maureen Smith

1. CALL TO ORDER

Mayor Ogden called the work session to order at 5:02 p.m.

2. *Community Enhancement Award Recommendation from the Tualatin Arts Advisory Committee*

Tualatin Arts Advisory Committee member Richard Hager, Arts Advisory Committee Chair Buck Braden, member Gary Thompson, and staff liaison Becky Savino were present to review with Council the Arts Advisory Committee's recommendation for this year's community enhancement award.

Mr. Hager gave a brief background on the Arts Advisory Committee's Arts Enhancement Award program. He explained the Committee's latest recommendation, and said the renovation and enhancement that was done at Boones Ferry Road and Tualatin-Sherwood Road is over and above what needed to be done, and the Committee wants to acknowledge it. The award will be presented in the coming months. Committee Chair Braden added he was pleasantly surprised by the enhancements that were done by the business on their own and thinks it will fit in well with the City's new landscape gateway project. Committee Member Thompson also spoke on the superb enhancements that were done by the business and how it fits in well with other artwork.

It was suggested that this could be included in the City's "ArtWalk" and staff replied that the business is not currently on the loop walk route, but could be included in future expansion. It was asked and answered that there are two private pieces of art in the ArtWalk, and it was also suggested it would be good to have some type of criteria in place for adding private art projects in the City's ArtWalk. Council noted their agreement with the recommendation from the Arts Advisory Committee. Mr. Hager also wanted to thank the City on the use of the student and adult "visual chronicle" artwork on the divider pages of the FY 2011-12 Budget document.

3. *Transportation Task Force*

City Engineer Mike McKillip presented a PowerPoint on the City's Transportation System Plan Update and Task Force Discussion. He reviewed the timeline of the process. Staff has been to various events presenting information to the public, and has attended all City advisory committees. More information is available on the website at www.tualatintsp.org; comments can be added on the website as well.

Formation of a task force will be an important component of this process, and the proposed structure was reviewed by City Engineer McKillip. Also reviewed were the community partners/agencies that will be part of the task force. Staff plans to finish up and get information on the task force on the City's website this week, and to get information to citizens that signed up for notifications. The Community Involvement Committee will interview candidates and make recommendations.

City Engineer McKillip continued with an overview of the scope of work, and noted staff has been meeting with the technical and public involvement consultants. All information and comments are currently being gathered and staff plans to have the contracts on the September 12, 2011 Council meeting agenda.

It was asked about the role of the Tualatin Planning Advisory Committee (TPAC) in the Task Force; City Engineer McKillip explained that they would be one of the decision-makers before information is sent to Council. It was asked whether there should be more than one TPAC member as part of the "task force" as there are three councilors. It was explained that having three councilors is more of assuring there is representation as all councilors will not always be able to attend every meeting. Council discussed the importance of having councilors attend as many meetings as possible, and it was suggested to have more than one TPAC member attend. The importance of the work groups and reaching out was also discussed. It was suggested by Councilor Davis to have a more formal process (relationship) of connecting with the Community Involvement Organizations (CIOs) in the course of the Transportation System Plan, and she would like to see a more formal acknowledgement noted in the document process.

4. *Centennial Celebration Update*

Community Services Director Paul Hennon gave an update on the upcoming *Centennial* celebration of the City's incorporation in 1913. The suggested entities that could be involved in a planning "group" were reviewed, along with funding. It was suggested to include the School District as part of the group.

Brief discussion followed and suggestions were made about how to incorporate events and other activities that already happen in the City with the celebration, such as the annual Crawfish Festival.

Councilors Brooksby, Bubenik, and Grimes volunteered to be part of the Centennial celebration planning.

5. *Council Meeting Agenda Review, Communications & Roundtable*

The Consent Agenda was reviewed.

Resolution Regarding "Poo Free" Parks was requested to be removed from the Consent Agenda by Councilor Bubenik, as he had concerns about the "advertisement" element of the proposal.

Community Services Director Paul Hennon said there is no urgency in this item being approved at this point, and gave a brief background on the proposal and company. It was suggested by Parks and Recreation Manager Carl Switzer as a possible way to provide the service to the community at no cost to the City. What is currently used in the parks for dog waste are City-provided tubes at various locations, with people supplying their own bags. The company would provide the signage and bags, which are biodegradable.

This issue has been taken to the Tualatin Parks Advisory Committee for review and they were supportive, and felt that the small signs were not offensive. It has not been presented to the community as a whole, however. Concerns were expressed by Council on the risk if this fairly new company were to go out of business. Community Services Director Hennon explained it would be a three year contract, with one three year renewal, and remains to be seen if it ends up being a viable company.

Tualatin Parks Advisory Committee (TPARK) representative Connie Ledbetter was present and wanted to make sure that the advertisement is noted as "sponsorship" and that after careful review, TPARK unanimously recommended approval. She does understand the angst. Councilor Truax said he would be prepared to approve it. Councilor Bubenik said he doesn't agree and still has concerns, and suggested this be put out to the Community Involvement Organizations (CIOs) for their review. Councilor Grimes thought it is a good idea in this economic climate to find something and think "outside the box," and it could be an opportunity to do something for the community at no cost to them.

Councilor Davis said although she likes the biodegradable factor, she doesn't believe providing bags is going to make people want to pick up their dog waste. She remains concerned about the risk of the advertisement part of the process. Councilor Brooksby said he does like the idea of this, but has issues on both sides and went on to note if bags were to be supplied, will it remove the responsibility of the current responsible dog owner.

Community Services Director Hennon suggested that it could be possible to do a "pilot program." He also said it would be possible to put this off for a year to allow for the CIOs to be up and going; that would give more time to gather input from other cities that have gone with this. Community Services Director Hennon responded to the timeliness of the company and said staff can also figure out the cost of removal and the legal side of issues. Discussion continued on the outreach and timeframe. Staff will take a look at what other cities are doing for now and will provide follow-up. It was decided to removed this item from the agenda in its entirety at this point.

Item No. D-4 Resolution No. **5061-11** Approving an Amendment to the August 23, 2010 "Amended and Restated Non-Statutory Development Agreement" Between the City of Tualatin, Tigard-Tualatin School District 23J and Marquis Companies

Council President Beikman expressed her concerns about the developer's timeline of

the project and the general aesthetics of the site. Council President Beikman also said she wanted to be consistent with the architectural review approval period of six month extension and proposed a six month extension, instead of the suggested nine month. Discussion followed.

Scott Miller, Marquis Companies representative, was present and explained the difficulty in attaining the HUD funding and they are not opposed to make the site "look better" and could look at putting up a fence. He explained they will do whatever is requested to clean it up. It was explained by staff the reasoning of the suggested nine month extension was to allow for expected delays and to coincide with the HUD financing decision. Discussion followed. Council asked that the site be mowed and to put up a fence/barrier around the rock pile. Mr. Miller explained they want to continue with pursuing the HUD funding, but they are frustrated with the lengthy approval process as well. He added if there is not any progression with HUD by early January they will look at moving ahead with construction.

Council President Beikman said she was satisfied with the explanation of Mr. Miller and the item can remain on the Consent Agenda unless it is asked to be removed by a member of the public at the Council meeting.

City Manager Lombos said the "Budget in Brief" information can be distributed by Finance Director Hudson by e-mail for Council to see what will be going into the City newsletter.

City Attorney Braden gave a brief update on the recent urban reserves land use decision. West Linn and Tualatin presented the argument about the rural designation of the land and also argued there was a lack of uniformity in the criteria. It was taken to the State Land Conservation and Development Commission (LCDC) and while they did not necessarily agree with Metro, gave deference to Metro and upheld the decision. It is only an oral decision at this point however. Brief discussion followed on the appeal process. It was asked and explained how much has been spent and what has been budgeted for.

H. GENERAL BUSINESS

Ordinance No. **1329-11** Regarding Dog Control and Amending TMC 6-3

MOTION by Council President Beikman, **SECONDED** by Councilor Davis for a first reading by title only. MOTION by Council President Beikman, **SECONDED** by Councilor Davis for a second reading by title only. MOTION CARRIED. The poll was unanimous. MOTION by Council President Beikman, **SECONDED** by Councilor Davis to place adoption of the ordinance on the Consent Agenda. MOTION CARRIED.

Ordinance No. **1331-11** Relating to Storage on the Street; and Amending TMC 8-1-260 and TMC 8-1-280; and Repealing TMC 8-1-270 and 8-1-290

MOTION by Council President Beikman, **SECONDED** by Councilor Bubenik for a first reading by title only. MOTION by Council President Beikman, **SECONDED** by Councilor Bubenik for a second reading by title only. MOTION CARRIED. The poll was unanimous. MOTION by Council President Beikman, **SECONDED** by Councilor Bubenik to place adoption of the ordinance on the

Consent Agenda. MOTION CARRIED.

COMMUNICATIONS

Councilor Bubenik distributed information he received from the Washington County Commission on Children and Families on the massive changes/cuts that are proposed.

6. ADJOURNMENT

The work session adjourned at 7:02 p.m.

Sherilyn Lombos, City Manager



Maureen Smith Maureen Smith, Recording Secretary



**OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR
AUGUST 22, 2011**

Present: Mayor Lou Ogden; Council President Monique Beikman; Councilor Wade Brooksby; Councilor Frank Bubenik; Councilor Nancy Grimes; Councilor Ed Truax; Councilor Joelle Davis

Staff Present: City Manager Sherilyn Lombos; City Attorney Brenda Braden; City Engineer Mike McKillip; Police Chief Kent Barker; Community Development Director Alice Rouyer; Community Services Director Paul Hennon; Finance Director Don Hudson; Planning Manager Aquilla Hurd-Ravich; Development Manager Eric Underwood; Assistant to the City Manager Sara Singer; Senior Planner William Harper; Program Coordinator Kathy Kaatz; Executive Assistant Maureen Smith

A. CALL TO ORDER

Mayor Lou Ogden called the meeting to order at 7:06 p.m.

The Pledge of Allegiance was led by Councilor Frank Bubenik.

B. ANNOUNCEMENTS

1. Introduction of City Employee - *Jerianne Thompson, Community Services Department, Library Division*

Community Services Director Paul Hennon introduced Jerianne Thompson, who replaced retired Library Public Services Manager Tudy Rogers, and gave a brief background. Council welcomed Ms. Thompson to the City.

C. CITIZEN COMMENTS

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Kathy Newcomb, 17515 SW Cheyenne Way, Tualatin, OR , mentioned the State Librarian will be speaking at an upcoming Tualatin Historical Society event, and may be of interest.

D. CONSENT AGENDA

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Under the **Consent Agenda**, the Resolution regarding dog waste bag station services was removed from the agenda in its entirety at Work Session. Under **General Business**, Resolution No. 5063-11 was placed on the Consent Agenda at Work Session, and Ordinance Nos. 1329-11 and 1331-11 had first and second readings at Work Session and were placed on the Consent Agenda.

MOTION by Council President Monique Beikman, **SECONDED** by Councilor Frank Bubenik to adopt the Consent Agenda as amended and read.

Vote: 7 - 0 CARRIED.

1. Approval of the Minutes for the Work Session and Meeting of July 25, 2011 and the Minutes of the Special Work Session of the City Council and Tualatin Planning Advisory Committee of July 27, 2011
2. Resolution No. **5059-11** to Adopt an Intergovernmental Agreement Between the Tigard-Tualatin School District and the City of Tualatin for Safe Schools and Healthy Students
3. Resolution No. **5060-11** Accepting Public Improvements Constructed in Association with Powin - Phase 1
4. Resolution No. **5061-11** Approving an Amendment to the August 23, 2010 "Amended and Restated Non-Statutory Development Agreement" Between the City of Tualatin, Tigard-Tualatin School District 23J and Marquis Companies
5. Resolution No. **5062-11** Authorizing Continuance of the Intergovernmental Agreement Between Washington County and the City of Tualatin for Participation in the Regional Solid Waste and Recycling Cooperative
6. Community Involvement Committee Appointments
7. Resolution No. **5063-11** Allowing the Mayor to Sign an Amendment to the Intergovernmental Agreement with the City of Durham for Police Services
8. Ordinance No. **1329-11** Regarding Dog Control and Amending TMC 6-3
9. Ordinance No. **1331-11** Relating to Storage on the Street; and Amending TMC 8-1-260 and TMC 8-1-280; and Repealing TMC 8-1-270 and 8-1-290

E. SPECIAL REPORTS

1. ArtSplash Art Show and Sale Presentation

Tualatin Arts Advisory Committee Chair Buck Braden and Program Coordinator Becky Savino presented a brief PowerPoint on the 16th annual ArtSplash Art Show and Sale event. There was approximately 60 entries in the juried show, and it was noted there were a lot of new people to the show. More than 4,000 people attend the event, and sales totaled more in art work than has ever happened since the event began. Arts Advisory Committee Chair Braden continued with a review of the events that happened during the multi-day event.

Councilor Bubenik, as Council liaison on the Arts Advisory Committee, spoke on the event and said it was a great, well-organized event and also noted the good work that is done by staff and the Arts Advisory Committee. Mayor Ogden thanked everyone involved in producing this year's event.

2. Update on the Transportation System Plan

City Engineer Mike McKillip presented an update on the Transportation System Plan. An app is now available for iPhones for project interaction. The website is up and running at www.tualatintsp.org. The video contest has been extended to October to allow for more entries. Mapping is available on the website and there have been approximately 200 comments to date. City Engineer McKillip said there are themes emerging from the comments, such as increasing WES service, and bike/pedestrian services, or lack thereof on Grahams and Boones Ferry Roads. Staff continues to work with the consultants on the technical and public involvements aspects. Staff is also in the process of gathering the comments, expectations and involvement and combining into a scope of work.

Mayor Ogden encouraged everyone to get involved by checking out the website and watch for the opportunities to participate on the "task force" and "working groups" that are going to be happening soon. Councilors Beikman, Brooksby and Davis volunteered to be part of the task force.

City Manager Sherilyn Lombos added in response to the discussion that was held in Work Session, a concern raised by Councilor Davis, to assure that the Community Involvement Organizations (CIOs) are part of the process.

F. **PUBLIC HEARINGS – Legislative or Other**

1. Amending Architectural Review, Partition, and Subdivision Approval and Extension Periods and Conditional Use Approval Period; and Amending Tualatin Development Code (TDC) 32.080, 32.090, 36.160, 36.240, AND 73.056 Planned Text Amendment (PTA-11-05)

Mayor Lou Ogden opened the public hearing.

Assistant Planner Colin Cortes presented the staff report and entered the entire staff report and attachments into the record. This amendment addresses various issues associated with approval timelines giving various projects additional time, due to the economic recession. The proposal is to increase the architectural review and conditional use approval period from one to two years. There is also additional criteria as outlined in the staff report. Staff has received feedback from the Architectural Review Board and the Planning Advisory Committee, recommending approval and to forward to Council for approval. Staff is also working on setting the fee level for these extensions.

PROPOSERS/OPPONENTS - None.

COUNCIL DISCUSSION

Councilor Bubenik asked and staff explained the recommended fees will be incorporated into the next fee schedule update.

Mayor Ogden closed the public hearing.

COUNCIL DELIBERATION

MOTION by Councilor Joelle Davis, SECONDED by Council President Monique Beikman to direct staff to prepare an ordinance granting Plan Text Amendment 11-05 and establish extension fee(s).

Vote: 7 - 0 CARRIED.

2. Amending the Tualatin Planning Advisory Committee (TPAC); and Amending Tualatin Development Code (TDC) 2.060; Plan Text Amendment (PTA-11-06)

Mayor Ogden opened the public hearing.

Assistant Planner Colin Cortes explained the proposed changes to amend the Tualatin Development Code to change the Tualatin Planning Advisory Committee (TPAC) membership from nine to seven, remove term limits, and to establish a majority of appointed members as a quorum.

PROPOSERS

Paul Sivley, 5190 SW Wichita Street, Tualatin, OR , chair of the Planning Advisory Committee, said he is happy to see this come before Council and the committee will be a more effective, motivated group.

OPPONENTS - None.

PUBLIC COMMENTS

Kathy Newcomb, 17515 SW Cheyenne Way, Tualatin, OR , asked and City Attorney Brenda Braden explained about what constitutes a quorum.

COUNCIL DISCUSSION - None.

Mayor Ogden closed the testimony portion of the public hearing.

COUNCIL DELIBERATION

MOTION by Council President Monique Beikman, SECONDED by Councilor Joelle Davis to direct staff to prepare an ordinance granting Plan Text Amendment 11-06.

Vote: 7 - 0 CARRIED.

G. PUBLIC HEARINGS – *Quasi-Judicial*

H. GENERAL BUSINESS

1. Ordinance No. **1328-11** Relating to the Citizen Involvement Organization Program; and Adding a New Chapter 11-9 to the Tualatin Municipal Code
-

Mayor Ogden gave a brief background on the Citizen Involvement Organization (CIO) Program and how it arrived at this point. Council has been working with an independent with the ad hoc committee to develop Code language and a boundary map for the program. Public comment will be taken to consider adoption of the draft language and boundary map.

PUBLIC COMMENTS

Mike Riley, 8720 SW Tualatin Road, No. 223, Tualatin, OR, said he has been part of the ad hoc committee and thanked everyone for all the work that's been done.

Chamber of Commerce Board of Directors Kevin O'Malley and Paul Sivley were present and entered into the record a letter from the Chamber President and CEO regarding the CIO process. The Chamber Board is suggesting modifying the code language to be more prescriptive about all CIO meetings being open to the public and subject to public notice.

Kathy Newcomb, 17515 SW Cheyenne Way, Tualatin, OR, spoke about the issue raised about "seven-day notice" and suggested whatever meeting noticing is required should be somewhat like the City's meeting notices. Ms. Newcomb also mentioned her concern about having Council meetings on the same night as other City advisory committees.

Councilor Davis said she believes the noticing issue is already addressed in the proposed code language, and questioned why the Chamber was raising this issue. Mr. O'Malley explained that they are looking at being more *prescriptive* about noticing requirements. Mr. Sivley added there is a seven-day notice requirement, but no mention of when, where, how, etc. Councilor Davis explained this was discussed at the subcommittee level about noticing requirements and to not put an undo burden on the CIOs. Mr. Sivley said it is statute that matters, and he remains concerned about specificity of notice requirements. Mr. O'Malley also added in Chapter 11-9-040, Section 2.B. there had been discussion about being "open to the public" and it is not included in the language. It was noted by Council that it is already included in the beginning of the proposed language.

Mayor Ogden explained the ordinance language and Council's intent. The 24-hour emergency process was addressed by Council to allow for anything that could come up. Councilor Bubenik suggested it could perhaps be addressed in each individual CIO by-laws.

Councilor Truax said he hopes the CIOs will be viable, contributing members of the community. The ordinance is allowing for CIOs to form, and although it is not a prescriptive document, he is comfortable with it as presented. Adjustments can always be made as it moves forward.

Mayor Ogden commented it may not be the answer the Chamber is looking for, and Mr. O'Malley said if Council is okay with the process they are fine, and that if issues arise they can be addressed.

Mayor Ogden closed the public comment testimony.

COUNCIL DISCUSSION

Councilor Bubenik asked and it was explained about the CIO boundary map and businesses addressed as part of an "overlay" of the map. Mayor Ogden said the businesses are not *locationally* recognized, as is residential.

Council discussion followed. It was suggested to have CIO information and meetings centrally located, and utilizing the City's website.

Council President Beikman thanked the ad hoc committee for the work that's been put into this, but explained she will be voting *no* as she does not agree that the Citizen Involvement Coordinating Committee (CICC) language should be included as part of the code.

It was asked and explained about the vote process and taking first and second readings.

MOTION by Councilor Davis, SECONDED by Councilor Bubenik for a first reading by title only. MOTION by Councilor Davis, SECONDED by Councilor Bubenik for a second reading by title only. The poll was unanimous. MOTION by Councilor Davis, SECONDED by Councilor Bubenik to adopt the ordinance. MOTION CARRIED. [**Vote: 6-1** ; YES - Ogden, Brooksby, Bubenik, Davis, Grimes, Truax; NO - Beikman]

2. Ordinance No. **1330-11** Relating to Boards and Committees; Reducing the Size of the Planning Advisory Committee; Removing Term Limits; and Amending TMC 11-1-020, 11-1-040, 11-2-020, 11-3-030, 11-3-040, 11-4-030, 11-5-030, 11-5-040, AND 11-5-070

MOTION by Council President Beikman, SECONDED by Councilor Davis for a first reading by title only. MOTION by Council President Beikman, SECONDED by Councilor Davis for a second reading by title only. The poll was unanimous. MOTION by Council President Beikman, SECONDED by Councilor Davis to adopt the ordinance as read. MOTION CARRIED.

I. ITEMS REMOVED FROM CONSENT AGENDA

Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.

J. COMMUNICATIONS FROM COUNCILORS

Councilor Bubenik thanked Assistant to City Manager Sara Singer and staff for the work done for the City's booth at this year's Crawfish Festival. Mayor Ogden also thanked everyone who attended, the Chamber for spearheading the festival and the volunteers.

K. EXECUTIVE SESSION - None.

L. ADJOURNMENT

MOTION by Council President Monique Beikman, SECONDED by Councilor Joelle Davis to adjourn the meeting at 8:37 p.m.

Vote: 7 - 0 CARRIED.

Sherilyn Lombos, City Manager



Maureen Smith / Recording Secretary



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Linda Odermott, Paralegal
Brenda Braden, City Attorney

DATE: 09/12/2011

SUBJECT: Resolution to Approve an Intergovernmental Agreement with the City of Durham to Provide Municipal Court Services

ISSUE BEFORE THE COUNCIL:

Council will decide whether to approve a Resolution approving an Intergovernmental Agreement (IGA) with the City of Durham to provide municipal court services.

RECOMMENDATION:

Staff recommends that Council approve the Resolution.

EXECUTIVE SUMMARY:

In 2005, the Council entered into an Intergovernmental Agreement to provide the City of Durham with municipal court services. Since that time, Tualatin's municipal court has gone through changes affecting the structure of the court. The court no longer oversees criminal matters, but handles only traffic and code violations.

For this reason, the previous IGA with Durham needed to be reviewed and the issue of how the fines were distributed revised. Previously, 80% of the fines collected were retained by the City of Tualatin for providing services to the City of Durham, with a reimbursement of the other 20% to Durham. The new agreement provides for the following:

- Tualatin would retain 100% of the fines imposed for traffic violations with additional compensation for the use of our Judge.
- For violations of the Durham City Code, Durham will receive 90% of the fines imposed with Tualatin retaining 10% for court administrative costs.
- Tualatin in its discretion shall use all means that Tualatin deems reasonable and necessary to collect those fines.
- Durham shall compensate Tualatin at the rate charged by the judge for his or her services, which is currently at the rate of \$75 per hour, for time spent adjudicating violations of Durham municipal code.
- If the judge hears one or more Durham cases and one or more Tualatin cases within an

hour, each party shall pay for one-half hour's time.

OUTCOMES OF DECISION:

If Council approves the new Intergovernmental Agreement with Durham, Tualatin will receive 100% of the fine revenues from traffic violations that occur in Durham and 10% administrative costs plus compensation for the Judge for cases brought under the Durham City Code.

If the Council does not approve the new agreement, Tualatin will continue to split the fine revenue with Durham.

Attachments: A - Resolution to Approve IGA with City of Durham
 B - Durham Court Intergovernmental Agreement

RESOLUTION NO. 5064-11

RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT
WITH THE CITY OF DURHAM FOR THE CITY OF TUALATIN TO PROVIDE
MUNICIPAL COURT SERVICES

WHEREAS the Tualatin's Municipal Court no longer hears criminal citations; and

WHEREAS the distribution of fines to the City of Durham need to be updated;
and

WHEREAS the previous Intergovernmental Agreement was executed in 2005, prior
to the change in the court.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN,
OREGON, that:

Section 1. The Mayor and the City Recorder are authorized and directed to execute
the Intergovernmental Agreement on behalf of the City of Tualatin.

INTRODUCED AND ADOPTED this 12th day of September, 2011.

CITY OF TUALATIN, OREGON

BY



Mayor

ATTEST:

BY



City Recorder

APPROVED AS TO LEGAL FORM



CITY ATTORNEY

**INTERGOVERNMENTAL AGREEMENT
BETWEEN THE CITY OF TUALATIN
AND THE CITY OF DURHAM
FOR THE PROVISION OF COURT SERVICES**

This agreement is made and entered into by the City of Tualatin, an Oregon municipal corporation ("Tualatin") and the City of Durham, an Oregon municipal corporation ("Durham"). Tualatin and Durham are jointly referred to as "Parties."

RECITALS:

WHEREAS, Durham wishes to enter an intergovernmental agreement with Tualatin for the provision of court services as described in this agreement; and

WHEREAS, Tualatin is agreeable to provide such services on the terms and conditions set forth; and

WHEREAS, the Parties have authority to enter into this intergovernmental agreement pursuant to the powers contained in their respective charters and ORS 190.010;

NOW, THEREFORE, the parties agree as follows:

1. **SERVICES PROVIDED.** Tualatin agrees to provide court services in its municipal court for the City of Durham as follows:

The services shall encompass duties and enforcement functions of the type customarily undertaken by a Municipal Court as provided for in the Durham Ordinance creating a municipal court and in the statutes of the State of Oregon. Such services shall include those involved in the field of administration and municipal code enforcement, including city ordinances classifying certain infractions defined in state law as violations of municipal code, which are within the legal power of an Oregon Municipal Court to provide but excluding criminal prosecutions.

Specifically, the Tualatin Municipal Court shall adjudicate the enforcement of the Durham Municipal Code and traffic infractions within the corporate limits of the City of Durham.

Legal representation for Durham shall be the Durham City Attorney.

2. **EMPLOYEES.** All court staff employed in the performance of this agreement shall be employees of Tualatin, and Tualatin shall remain fully responsible for all taxes, assessments, fees, premiums, wage withholdings, and other direct and indirect compensation, benefits, and related obligations with respect to its own employees.

3. PROCEEDS OF FINES AND FEES. As full and final consideration for the work to be performed by Tualatin under this agreement other than the services of a municipal judge, 100% of the proceeds from fines collected by Tualatin for traffic violations shall be retained by Tualatin. Fines that are imposed after adjudication of violations of the Durham Municipal Code occurring within the corporate limits of the City of Durham shall be split with 90% of the fine going to Durham and 10% of the fine being retained by Tualatin to cover court costs.

Tualatin in its discretion shall use all means that Tualatin deems reasonable and necessary to collect those fines.

4. COMPENSATION.
 - a. For time spent adjudicating violations of Durham Municipal Code. Durham shall compensate Tualatin at the rate charged by the judge for his or her services, which is currently at the rate of \$75 per hour,
 - b. If the judge hears both one or more Durham cases and one or more Tualatin cases within an hour, each party shall pay for one-half hour's time.
5. EFFECTIVE DATE AND TERM OF AGREEMENT. This agreement shall become effective upon the date of execution and shall continue in perpetuity subject to termination under Section 6 of this agreement.
6. TERMINATION. Either party may terminate this agreement without cause upon giving 90 days written notice to terminate to the other party. A party's obligation to pay amounts due to either party for services rendered or for disposition of fines collected shall survive termination of this agreement.
7. APPLICABLE LAW. This agreement shall be governed by and construed in accordance with the laws of the State of Oregon.
8. COMPLIANCE WITH LAWS. In connection with their other activities under this agreement, both parties shall comply with all federal, state, and local laws and ordinances applicable to the work under this agreement.
9. ATTORNEY FEES. In the event any suit, action or other proceeding is brought with regard to this agreement, or to enforce any of the provisions hereof, the prevailing Party in any such suit, action or other proceeding, or any appeal therefrom, shall be entitled to reasonable attorney fees and court costs.

10. INDEMNIFICATION. To the maximum extent permitted by law, the Parties shall hold and save each other, their officers, agents, and employees, harmless and shall defend and indemnify each other from any claims for damages to property or injury to persons or for any penalties or fines, which may be occasioned in whole or in part by the performance of the Parties under this agreement.
11. AMENDMENTS. Any amendment to this agreement must be approved by the governing body of each Party and signed by an authorized representative of each Party.
12. ASSIGNMENT. Neither Party shall assign this agreement, in whole or in part, without prior written approval of the other Party, which shall not be unreasonably withheld.
13. SEVERABILITY. If any provision or portion of this agreement is held to be unenforceable or invalid by any court of competent jurisdiction, the remainder of this agreement shall remain in full force and effect.
14. COMPLETE AGREEMENT. This agreement constitutes the entire agreement between the Parties. No waiver, consent, modification, or change of terms of this agreement shall bind either Party unless in writing and signed by both Parties. Such waiver, consent, modification, or change if made, shall be effective only in specific instances and for the specific purpose given. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this agreement.

IN WITNESS WHEREOF, this instrument has been executed in duplicate pursuant to resolutions legally adopted by each of the Parties.

CITY OF DURHAM

Mayor

Date _____

City Recorder

CITY OF TUALATIN

Mayor

Date 9-12-2011



City Recorder

APPROVED AS TO LEGAL FORM



CITY ATTORNEY

05/10



STAFF REPORT

CITY OF TUALATIN

APPROVED BY TUALATIN CITY COUNCIL

Date 9-12-11

Recording Secretary W. Smith

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Michael McKillip, City Engineer

DATE: 09/12/2011

SUBJECT: Resolution Approving and Authorizing the Mayor and City Recorder to Sign an Intergovernmental Agreement with the Regional Water Providers Consortium relating to Data Sharing Among Water Providers

ISSUE BEFORE THE COUNCIL:

Council will consider entering into an Intergovernmental Agreement (IGA) with other water suppliers that will allow sharing of data about the Tualatin water system.

RECOMMENDATION:

Staff recommends that the Council adopt the attached resolution approving and authorizing the Mayor and City Recorder to sign the attached Data Sharing IGA.

EXECUTIVE SUMMARY:

The Regional Water Providers Consortium has worked for several years on emergency planning to allow all of our customers to receive water during an emergency. One issue that was identified was the need to be able to share information about our water system with adjacent water providers so we can all use the same information in modeling our system's emergency responses.

With the concerns and issues surrounding water security in the current cultural condition, nearly all of the water providers have concerns with sharing information about the capabilities and weaknesses of their water systems. This agreement is a result of the technical committee working for over a year to address these issues.

This data sharing is intended to assist Tualatin and our neighboring water providers in planning for regular and emergency provision of water to our customers.

OUTCOMES OF DECISION:

If the agreement is approved Tualatin can receive information from other water providers for planning uses and they can receive our information.

If the agreement is not approved Tualatin will not receive any information from adjacent water providers for planning purposes.

Attachments: A - Resolution
 B - IGA

RESOLUTION NO. 5065-11

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR AND CITY RECORDER TO SIGN AN INTERGOVERNMENTAL AGREEMENT WITH THE REGIONAL WATER PROVIDERS CONSORTIUM RELATING TO DATA SHARING AMONG WATER PROVIDERS

WHEREAS the attached agreement is being entered into by the members of the Regional Water Providers Consortium to enable them to share their Confidential Information in order to protect and enhance their water systems, which supports the Consortium's goals.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The attached Intergovernmental Agreement with the Regional Water Providers Consortium be approved.

Section 2. The Mayor and City Recorder are authorized to sign said Intergovernmental Agreement.

INTRODUCED AND ADOPTED this 12th day of September, 2011.

CITY OF TUALATIN, OREGON

BY 
Mayor

ATTEST:

BY 
City Recorder

APPROVED AS TO LEGAL FORM


CITY ATTORNEY



WATER SYSTEM DATA USE AND CONFIDENTIALITY AGREEMENT

This Water System Data Use and Confidentiality Agreement (“Agreement”) is made and entered into by and between the members of the Regional Water Providers Consortium (“Consortium”) who are signatories hereto who may also be referenced to as a Requesting Party or Disclosing Party as set forth below.

RECITALS

A. Each signatory hereto is a City, People’s Utility District, Domestic Water District or Water Authority all defined as units of local government under ORS 174.116. As units of local government in the State of Oregon and, pursuant to ORS Chapter 190, the Parties are authorized to enter into intergovernmental agreements, such as the Regional Water Providers Consortium.

B. The Consortium serves as a collaborative and coordinating organization to improve the planning and management of municipal water supplies in the Portland Metropolitan area region.

C. Each member of the Consortium presently provides water service to its customers and may have system interconnections which are authorized by other various intergovernmental and mutual aid agreements.

D. The Consortium has completed a Regional Water System Interconnections and Evaluation Project (“Project”), which contains water system information, vulnerabilities, records and mapping information (“Confidential Information”) for all of the Consortium Members.

E. The central location of this combined Confidential Information greatly enhances the ability and efficiency of the Consortium and its members to identify water resource availability in the event of an emergency, build a more resilient regional water system and identify priorities for infrastructure improvements.

F. This Confidential Information collected by the Consortium will be useful to each Party, and the objective of the Consortium as a whole, but reveals the vulnerabilities of individual Consortium member systems, and of interconnected system elements, that would permit unlawful disruption to or interference with the Parties’ water supply systems. Such Confidential Information is conditionally exempt from disclosure under ORS 192.501(22).

G. It is anticipated that the Confidential Information will be used by the Consortium members to better prepare for a water system emergency and plan for a more resilient water system.

H. By intergovernmental agreement with the Consortium, the City of Portland (“City”) is to provide a “wide range of staff support services to the Consortium” in order for the Consortium to achieve its objectives.

I. The data described above has been collected in the form of a geodatabase which the City has the technological capability to store and recall for distribution as the staffing agent for the Consortium. As a consequence, the Consortium has determined that the City, as part of its staffing duties, will store and, as provided in this Agreement, distribute some or all of the Consortium’s geodatabase information for use by the Consortium as a whole and by individual members. In doing so, the City shall act as the agent of the members of the Consortium.

J. By assigning this function to the City, there is no intention by the Consortium as a whole, or any individual member, to transfer ownership of any such information, except that regarding the City’s own water system, to the City for any purpose whatsoever. It is the intention of the Consortium that ownership of all such data shall remain with the Consortium member who supplied its system information for the geodatabase.

K. The Signatory Parties enter into this Agreement to enable them to share their Confidential Information in order to protect and enhance their water systems which supports the Consortium’s goals.

NOW THEREFORE, IN CONSIDERATION OF THE MUTUAL TERMS, COVENANTS AND CONDITIONS SET FORTH HEREIN, THE PARTIES AGREE AS FOLLOWS:

1. **Records to be Shared.**

a. The Parties. For purposes of this Agreement, the “Providing Party” is the entity that owns confidential records and provides them to the “Receiving Party.” The Receiving Party is the entity that receives records from the Providing Party. Confidential Information is that information that meets the exemptions specified under the Oregon Public Records Law, including but not limited to information which the Providing Party and Receiving Party reasonably believe should be considered confidential under that law and which they agree to keep confidential under this Agreement.

b. Agreements to Share. Confidential Information shall be shared, upon request, with any Party that has signed this Agreement. Each Party agrees to transmit to the other, either directly or through the City acting as agent for the Parties, the water system information or the Project information (“Records”) requested and to hold any Confidential Information received according to the terms of this Agreement. The Receiving Party may only use Confidential Information or intellectual property obtained under this Agreement for the Receiving Party's municipal planning or operations purposes, including emergency planning and response, and to assist in planning conducted by or on behalf of the Consortium. The Receiving Party shall not otherwise publish or disclose the Confidential Information or intellectual property without the Providing Party's prior written consent or as provided for under this Agreement.

2. Breach of Confidentiality.

a. Confidential Information. In addition to any other written or verbal agreements or understandings at the time of disclosure, this Agreement serves as an agreement by the Receiving Party to maintain confidentiality of that Providing Party's Confidential Information to the extent permitted and subject to the Oregon Public Records Law, and as provided in paragraph 2(c) below. Each Party shall:

(1) limit disclosure of the Confidential Information to those elected officials, directors, officers, employees and agents of the Receiving Party who need to know the Confidential Information;

(2) exercise reasonable care with respect to the Confidential Information at least to the same degree of care as that Receiving Party employs with respect to protecting its own proprietary and Confidential Information to perform their duties; and

(3) return immediately to the Providing Party, upon its request, all Records containing Confidential Information in whatever form that are in the Receiving Party's possession, custody or under its control.

b. Nondisclosure. The information provided under this Agreement includes information as to each Party's water supply that is protected from disclosure under ORS 192.501(22), relating to public records that if disclosed would allow a person to identify or disclose structural or operational vulnerability that would permit unlawful disruption to or interference with the water supply. Each Party agrees not to share or disclose the information and maps provided to it by the other under this Agreement and agrees for itself as an entity and

for its officers, employees and agents to protect as confidential such information and not release such information to any person except pursuant to the terms of this Agreement.

c. Maintaining Confidentiality. The Receiving Party will maintain the confidentiality of the Providing Party's Confidential Information and not disclose it, except pursuant to the terms of this Agreement, to any person not authorized to receive it unless (1) disclosure is required by the Oregon Public Records Law; or (2) disclosure is authorized by the Providing Party in writing; or (3) disclosure is ordered by a court of competent jurisdiction.

d. Requests to Disclose Confidential Information. If the Receiving Party receives a request for disclosure or a subpoena related to Confidential Information, the Receiving Party will provide notice to the Providing Party as expeditiously as practical, but in any case before a response to the request for disclosure or subpoena is due or within five (5) days, whichever period is the shorter. Notice shall be provided to a Party's designated representative in writing (which shall include e-mail). It shall be the Providing Party's responsibility to respond and establish that such information is exempt from disclosure. Upon receipt of the notice, the Providing Party, acting by and through the persons charged with responding to requests for public records, may request to act on behalf of the Receiving Party in responding to the Public Records request. Should the Receiving Party, acting by and through the persons charged with responding to requests for public records, agree to the request, then henceforth the Providing Party shall assume responsibility for all legal obligations of the Receiving Party in responding to the request or subpoena. In any case, both before a transfer of responsibility or if a transfer of responsibility is either not requested or not approved, the Receiving Party will make its best efforts to consult with the Providing Party in developing its response to the Public Records Request and shall undertake such reasonable and prudent steps as it deems necessary to protect the Confidential Information from disclosure to prevent prejudice of rights to the Disclosing Party or Receiving Party. In the event the Providing Party fails to respond after receiving notification from the Receiving Party as described above or fails to respond to a Receiving Party's request to act on behalf of the Receiving Party, the Providing Party shall defend, indemnify, and hold Receiving Party harmless from any claim or administrative appeal, including costs and expenses related to the request to disclose, subject to applicable legal limitations.

e. Receiving Party's Response. If the Receiving Party has been advised by the Providing Party that it will respond on the Receiving Party's behalf, the Receiving Party shall, within the time required by law, respond to any requestor for the Confidential Information, that: 1) the Confidential Information belongs to the Providing Party; 2) the request has been delivered to the Providing Party; and 3) the Providing Party shall formally respond to the request; and 4) the Providing Party should be contacted for all future inquiries regarding release of the Confidential Information. If the Providing Party does not assume responsibility to respond to a request, the Receiving Party shall provide a response as required by law, subject to its obligations under this Agreement.

3. Ownership of Confidential Information. The Providing Party shall at all times remain the owner of their Confidential Information.

4. Hold Harmless and Indemnification for Agent of the Parties. The parties acknowledge that the Regional Water Consortium has designated the City of Portland as its agent to store, maintain, and, at the request of the Parties, provide access to or distribute the Confidential Information. The parties to this Agreement shall hold harmless and shall defend the City from any and all actions arising out of any release or use of the Confidential Information provided by the City to the Requesting Party and shall bring no action against the City relating to the form or correctness of the data provided. No action shall be brought against the City by the Providing Party arising from the City's provision of information to the Requesting Party, relating to the Requesting Party's use of the information, or any other issue related to the collection, storage or provision of such information by the City.

5. Remedy.

Parties acknowledge that unauthorized disclosure of Confidential Information will result in irreparable harm to the Providing Party. In the event of breach or threatened breach of this Agreement, the Providing Party may obtain equitable relief prohibiting the breach in addition to any other appropriate legal or equitable relief.

6. Term.

The Term of this Agreement shall not be restricted as to time. Any party signatory to this Agreement may withdraw from the Agreement upon 30 days written notice to the others, provided that no party may withdraw from the Agreement if it still has within its possession Confidential Information of another party signatory to this Agreement. The Providing Party may require return of any Confidential Information from a Receiving Party by giving written notice to the Receiving Party. The Receiving Party shall return all copies of the Records in whatever form within seven (7) days of receipt of the written notice.

7. Applicable Law and Venue.

This Agreement shall be interpreted under and pursuant to the laws of the State of Oregon. The parties agree that any venue for any action or claim arising out of or connected with this Agreement shall be in the Circuit Court of the County where a public record request or subpoena is served or, if such has not occurred, in the County in which resides one of the litigating parties. If the City of Portland is a party, any action shall be prosecuted in the Circuit Court for Multnomah County.

8. Severability.

If any term or provision of this Agreement or the application thereof to any person or circumstance shall to any extent be invalid or unenforceable, the remainder of this Agreement shall not be affected thereby and each term or provision of this Agreement shall be valid and enforced as written to the full extent permitted by law.

9. Entire Agreement.

This Agreement contains the entire agreement of the parties hereto with respect to the matters covered hereby and no other agreement, statement or promise made by any Party hereto which is not contained herein shall be binding or valid.

10. Designated Representatives.

Each Party's representative shall be the person who is the signatory below and notices shall be sufficient if delivered to that person at the address set forth below. The designated

person or address for notice may be amended by written notice to the Consortium. The Consortium will notify all signatories to this Agreement.

11. Authority.

Persons whose signatures appear at the bottom of this Agreement represent that they are authorized to do so and represent and warrant that this Agreement is a legal, valid and binding obligation enforceable against each Party to this Agreement.

12. Counterparts. The parties agree this Agreement may be executed in counterparts. The Consortium shall keep all original signature pages and provide signatory Consortium members with copies of all executed pages as well as updated names and addresses of designated representatives.

SIGNATORY PARTY:

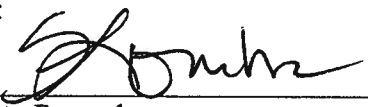
CONSORTIUM ACKNOWLEDGEMENT

CITY OF TUALATIN, Oregon

By: 
Mayor

By: _____

Title: _____

ATTEST:
By: 
City Recorder

Date: _____

Print Name: _____

Dated: 9-12-2011

Contact Person: Mike McKillip

Address: Engineering Department

18880 SW Martinazzi Ave.

Tualatin, OR 97062

APPROVED AS TO LEGAL FORM


CITY ATTORNEY



STAFF REPORT

CITY OF TUALATIN

APPROVED BY TUALATIN CITY COUNCIL
Date 9-12-11
Recording Secretary M. Grant

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos

FROM: Don Hudson, Finance Director

DATE: 09/12/2011

SUBJECT: Resolution Amending the City of Tualatin Fee Schedule and Rescinding Resolution No. 4968-10

ISSUE BEFORE THE COUNCIL:

Whether to update and amend the City of Tualatin Fee Schedule

RECOMMENDATION:

Staff recommends adoption of the attached resolution amending the City of Tualatin Fee Schedule and rescinding Resolution No. 4968-10

EXECUTIVE SUMMARY:

The City of Tualatin Fee Schedule is broken into three groups, which are updated every three years on a rotating cycle. Since the process began in 2004, fees have been updated according to the rise in the Consumer Price Index. In the past couple of years, the City Council has asked staff to consider full cost recovery when setting and reviewing fees.

Staff consulted with the Operations Department and Legal Department for the group of fees that were scheduled to be reviewed this year and the only changes proposed are an increase to the cost to provide a hard copy of the Tualatin Development Code from \$55.00 to \$60.00 and a new charge to provide a copy of the Tualatin Municipal Code and Tualatin Development Code on a thumb drive. The cost for this new fee is \$10.00 + postage. In Operations, the street tree related fees were reviewed and are still accurate to our costs.

In addition, at the August 22, 2011 City Council Meeting, as part of Planned Text Amendment 11-05, staff recommended new fees related to extension requests reviewed by staff and by the Architectural Review Board. The Community Development Department, in consultation with Engineering and Finance, estimated the staff time related to both requests and cost recovery fees are proposed for both processes. These new fees, \$1,150 for an extension request reviewed by the Architectural Review Board and \$200 for an extension request reviewed by staff, are included in the attached resolution and fee schedule.

Attachments: Resolution Amending City of Tualatin Fee Schedule

RESOLUTION NO. 5066-11

RESOLUTION AMENDING THE CITY OF TUALATIN FEE SCHEDULE AND
RESCINDING RESOLUTION NO. 4968-10

WHEREAS the City Council has the authority to set fees for materials and services provided by the City; and

WHEREAS the City's costs incurred in providing materials and services have increased since the fee schedule was last evaluated; and

WHEREAS Resolution No. 4968-10, adopted April 12, 2010, which last amended the City of Tualatin Fee Schedule, must now be rescinded.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. Fees listed under the Legal Department and Community Development Department are established as set forth in "Exhibit A", which is attached and incorporated by reference.

Section 2. All other fees provided in the City of Tualatin Fee Schedule remain unchanged, as set forth in "Exhibit A", which is attached and incorporated by reference.

Section 3. The fees shall be effective October 1, 2011.

Section 4. Resolution No. 4968-10 is rescinded effective October 1, 2011.

INTRODUCED AND ADOPTED this 12th day of September, 2011.

CITY OF TUALATIN, OREGON

BY



Mayor

ATTEST:

BY



City Recorder

APPROVED AS TO LEGAL FORM



CITY ATTORNEY

CITY OF TUALATIN FEE SCHEDULE

Administration Department:

Agenda Packet	5.00
Ordinances or Portions Thereof	same as photocopy rate
Photocopies:	
One-sided	0.25
Two-sided	0.25
Color	1.00
11x17	0.50
Audio Tape/ CD/ DVD	15.00

Community Development Department:

Amendment to Comprehensive Plan Map	2,000.00
Amendment to Comprehensive Plan Text/Landmark Designation/Removal of Landmark Designation	2,000.00
Annexation	1,365.00
Appeal Proceeding to Council	128.00
Appeal Expedited Process to Referee, Deposit per ORS 197.375	300.00
Architectural Review Application, Nonexpedited Process:	
Estimated Project Value:	
Under \$5,000	111.00
\$5,000 - \$24,999.99	524.00
\$25,000 - \$99,999.99	947.00
\$100,000 - 499,999.99	1,576.00
\$500,000 and greater	2,306.00
Architectural Review Application, Expedited Process:	
Estimated Project Value:	
Under \$5,000	111.00
\$5,000 - \$24,999.99	1,053.00
\$25,000 - \$99,999.99	2,094.00
\$100,000 - 499,999.99	3,153.00
\$500,000 and greater	4,829.00
Architectural Review, Minor	70.00
Architectural Review, Single-family Level I (Clear & Objective)	50.00
Architectural Review, Single-family Level II (Discretionary)	700.00
Conditional Use Permit	1,365.00
Conditional Use Permit Renewal	1,365.00
Core Area Parking District Tax Appeal	128.00
Extension Request Reviewed by Staff	200.00
Extension Request Reviewed by Architectural Review Board	1,150.00
Interpretation of Development Code	No Fee
Industrial Master Plans	1,743.00
Landmark Alteration/New Construction Review	56.00
Landmark Demolition Review	56.00
Landmark Relocation Review	56.00
Pre-Application Meeting	195.00
Reinstatement of Nonconforming Use	1,365.00
Request for Council Rehearing	156.00
Sign Code Interpretation	390.00

Sign Ordinance	7.00
Sign Code Variance	646.00
Sign Permit:	
New Sign or Structural Change to Existing Sign.....	128.00
Temporary Sign or Each Face Change to Existing Sign.....	67.00
Temporary Uses, 1 - 3 days	45.00
4 - 180 days.....	\$45.00 + 1.50/day
Over 3 days	not to exceed a total of \$189.00
Transitional Use Permit.....	1,465.00
Tree Removal Permit, 1 tree	276.00
each additional tree, \$10.00 not to exceed a total of	300.00
Variance:	
When primary use is a single family dwelling in RL or RML	273.00
When primary use is not a single family dwelling in RL or RML.....	1,365.00
Variance, Minor:	
When primary use is a single family dwelling in RL or RML	273.00
When primary use is not a single family dwelling in RL or RML	1,008.00
All Other Actions	312.00

Engineering & Building Department:

Engineering Copies:

1987 and earlier, aerial/contour maps	7.00
36" x 48"	4.00
24" x 36"	3.00
18" x 24" and 11" x 17"	2.00

Geographic Information System:

Citywide aerial photo, 36" x 42"	28.00
Subdivision street map, 34" x 36"	13.00
Street map, 22" x 22"	7.00
Planning Districts, 34" x 44"	13.00
Planning Districts, 18" x 24"	7.00
Custom Mapping	50.00/hr, plus materials

Partition, * Nonexpedited & Expedited Processes.....	390.00
Partition, * Nonexpedited & Expedited Exten. /Modif.	128.00
Partition, * Nonexpedited, Appeal Proceeding to Council.....	128.00
Partition, * Expedited, Appeal to Referee, Deposit per ORS 197.375	300.00
Partition, * Minor Variance included & primary use is a single family dwelling in RL or RML	Add 128.00
Partition, * Minor Variance included & primary use is not a single family dwelling & not in RL or RML.....	Add 195.00
Property Line Adjustm't., * primary use is a single family dwelling in RL or RML	67.00
Property Line Adjustm't., * Minor Variance included & primary use is a single family dwelling in RL or RML.....	Add 128.00
Property Line Adjustm't., * primary use is not a single family dwelling in RL or RML	284.00
Property Line Adjustm't., * Minor Variance included & primary use is not a single family dwelling in RL or RML	Add 128.00
Property Line Adjustm't.* Appeal Proceeding to Council.....	128.00
Public Works Construction Code.....	45.00

Subdivision,* Nonexpedited and Expedited Processes	2,585.00
Subdivision,* Variance included & primary use is a single family dwelling in RL or RML	Add 256.00
Subdivision,* Variance included & primary use is not a single family dwelling in RL or RML	Add 323.00
Subdivision,* Minor Variance included & primary use is a single family dwelling in RL or RML	Add 128.00
Subdivision,* Minor Variance included & primary use is not a single family dwelling in RL or RML	Add 195.00
Subdivision,* Nonexpedited, Extension/Modif. by Council	591.00
Subdivision,* Expedited, Extension/Modif. by City Engineer	145.00
Subdivision,* Nonexpedited, Appeal Proceeding to Council	128.00
Subdivision,* Expedited Appeal to Referee, Deposit per ORS 197.375	300.00
Street Name Change	128.00
Street Vacation Application Deposit	323.00
Zone of Benefit Application Fee	646.00

* Subdivision, Partition and Property Line Adjustment applicants shall contact the Finance Department for a determination of L.I.D. assessment apportionment for the property proposed to be divided or adjusted.

Finance Department:

*L.I.D. Assessment Apportionment Fee	102.00
Lien Search Fee (per tax lot).....	28.00
Recovery Charge Installment Payment Plan Application Fee	214.00
Returned Checks (per check for processing NSF check).....	34.00
Zone of Benefit Recovery Charge Administration Fee	113.00
Passport Photo.....	16.00

Legal Services Department:

Development Code.....	60.00
Updates	0.25/page + postage
Tualatin Municipal Code.....	55.00
Thumb Drive Containing Municipal Code & Development Code...	10.00 + postage

Municipal Court

Traffic School and Compliance Program Fees:

Class A.....	250.00
Class B	150.00
Class C.....	125.00
Class D.....	100.00
Seat Belt Class.....	55.00
Vehicle Compliance Program.....	25.00
Collection Fee	25% of ordered amount
License Restatement Fee	70.00
Overdue Payment Letter Fee	10.00
Failure to Appear – Arraignments	20.00
Failure to Appear – Trials.....	100.00

Operations Department:

Street Tree and Installation (Single Family Only)	175.00
Street Tree Removal (excluding Stump Grinding)	280.00
Street Tree Stump Grinding	110.00
Tree-for-a-Fee Program	45.00

Police Department:

Copies of Audio Tapes	12.00 per tape
Copies of Video Tapes	38.00 per tape
Copies of Photographs	14.00 plus 0.55 per photo
Copies of Police Reports (no charge to victims):	
1 - 10 pages	7.00
plus each page over 10	0.25
Alarm Permit, Initial Application	23.00
Alarm Permit, Annual Renewal	23.00
Alarm Permit, 1st False Alarm	No charge
Alarm Permit, 2nd False Alarm	No charge
Alarm Permit, 3rd False Alarm	85.00
Alarm Permit, 4th False Alarm	113.00
Alarm Permit, 5th False Alarm	169.00
Alarm Permit, 6 th and More False Alarms	225.00 per alarm
Release of Towed (impounded) Vehicles	100.00



STAFF REPORT

CITY OF TUALATIN

APPROVED BY TUALATIN CITY COUNCIL
Date 9-12-11
Recording Secretary M. Smith

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Maureen Smith, Executive Assistant

DATE: 09/12/2011

SUBJECT: Approval of a Change of Ownership Liquor License Application for Bambuza Vietnam Grill

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve a change of ownership liquor license application for Bambuza.

RECOMMENDATION:

Staff respectfully recommends that the Council approve endorsement of the change of ownership liquor license application for Bambuza.

EXECUTIVE SUMMARY:

Bambuza Vietnam Grill has submitted a change of ownership liquor license application for Limited On-Premises Sales (which allows the sale of malt beverages, wine & cider for consumption on the licensed premises and the sale of kegs of malt beverages for off premises consumption. Also allows licensees who are pre-approved to cater events off of the licensed premises). The business is located at 7268 SW Nyberg Street. The application is in accordance with provisions of Ordinance No. 680-85 which established a procedure for review of liquor licenses by the Council.

Ordinance No. 680-85 establishes procedures for liquor license applicants. Applicants are required to fill out a City application form, from which a review by the Police Department is conducted, according to standards and criteria established in Section 6 of the ordinance. The Police Department has reviewed the change of ownership liquor license application and recommended approval.

According to the provisions of Section 5 of Ordinance No. 680-85, a member of the Council or the public may request a public hearing on any of the liquor license requests. If such a public hearing request is made, a hearing will be scheduled and held on the license. It is important that any request for such a hearing include reasons for said hearing.

FINANCIAL IMPLICATIONS:

A fee has been paid by the applicant.

Attachments: A - Vicinity Map
 B - Application
 C - License Types

Bambuza Vietnam Grill - 7628 SW Nyberg St

TUALGIS



Bambuza Vietnam Grill

N
W E
S

This map is derived from various digital database sources. While an attempt has been made to provide an accurate map, the City of Tualatin, OR assumes no responsibility or liability for any errors or omissions in the information. The map is provided "as is". Engineering and Building Dept. Parcel 022811



CITY OF TUALATIN

LIQUOR LICENSE APPLICATION

Date 08/02/2011

IMPORTANT: This is a three-page form. **You are required to complete all sections of the form.** If a question does not apply, please indicate N/A. Please include full names (last, first middle) and full dates of birth (month/day/year). Incomplete forms shall receive an unfavorable recommendation.
Thank you for your assistance and cooperation.

SECTION 1: TYPE OF APPLICATION

- Original (New) Application - \$100.00 Application Fee.
- Change in Previous Application - \$75.00 Application Fee.
- Renewal of Previous License - \$35.00 Application Fee. Applicant must possess current business license. License # _____
- Temporary License - \$35.00 Application Fee.

SECTION 2: DESCRIPTION OF BUSINESS

Name of business (dba): BAMBUZA VIETNAM GRILL

Business address 7628 SW NYBERG ST City TUALATIN State OR Zip Code 97062

Mailing address SAME City — State — Zip Code —

Telephone # (503) 692-9800 Fax # (888) 674-5246

Name(s) of business manager(s) First TUAN Middle — Last LAM

Date of birth [REDACTED] Social Security # [REDACTED] ODL# [REDACTED] M X F —

Home address [REDACTED] City OREGON CITY State OR Zip Code 97045
(attach additional pages if necessary)

Type of business RESTAURANT

Type of food served VIETNAMESE FOODS - SOUP - SANDWICH - GRILL - WOKKED

Type of entertainment (dancing, live music, exotic dancers, etc.) NONE

Days and hours of operation MONDAY - SATURDAY 11 AM - 9 PM

Food service hours: Breakfast ABOVE HOURS Lunch ABOVE HOURS Dinner ABOVE HOURS

Restaurant seating capacity 42 Outside or patio seating capacity 8

How late will you have outside seating? 9 PM How late will you sell alcohol? 9 PM

How many full-time employees do you have? 5 Part-time employees? 1

SECTION 3: DESCRIPTION OF LIQUOR LICENSE

Name of Individual, Partnership, Corporation, LLC, or Other applicants TTNL GROUP, LLC.

Type of liquor license (refer to OLCC form) LIMITED ON-PREMISES SALES

Form of entity holding license (check one and answer all related applicable questions):

INDIVIDUAL: If this box is checked, provide full name, date of birth, and residence address.
Full name _____ Date of birth _____
Residence address _____

PARTNERSHIP: If this box is checked, provide full name, date of birth and residence address for each partner. If more than two partners exist, use additional pages. If partners are not individuals, also provide for each partner a description of the partner's legal form and the information required by the section corresponding to the partner's form.
Full name _____ Date of birth _____
Residence address _____
Full name _____ Date of birth _____
Residence address _____

CORPORATION: If this box is checked, complete (a) through (c).
(a) Name and business address of registered agent.
Full name _____
Business address _____

(b) Does any shareholder own more than 50% of the outstanding shares of the corporation? If yes, provide the shareholder's full name, date of birth, and residence address.
Full name _____ Date of birth _____
Residence address _____

(c) Are there more than 35 shareholders of this corporation? Yes No. If 35 or fewer shareholders, identify the corporation's president, treasurer, and secretary by full name, date of birth, and residence address.
Full name of president: _____ Date of birth: _____
Residence address: _____
Full name of treasurer: _____ Date of birth: _____
Residence address: _____
Full name of secretary: _____ Date of birth: _____
Residence address: _____

LIMITED LIABILITY COMPANY: If this box is checked, provide full name, date of birth, and residence address of each member. If there are more than two members, use additional pages to complete this question. If members are not individuals, also provide for each member a description of the member's legal form and the information required by the section corresponding to the member's form.
Full name: TUAN LAM Date of birth: [REDACTED]
Residence address: [REDACTED] OREGON CITY, OR 97045

Full name: _____ Date of birth: _____
Residence address: _____

OTHER: If this box is checked, use a separate page to describe the entity, and identify with reasonable particularity every entity with an interest in the liquor license.

SECTION 4: APPLICANT SIGNATURE

A false answer or omission of any requested information on any page of this form shall result in an unfavorable recommendation.


Signature of Applicant _____ Date 08/02/11

For City Use Only

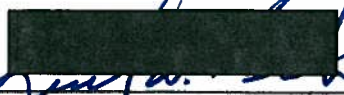
Sources Checked:

DMV by [Signature] LEDS by [Signature] TuPD Records by [Signature]
 Public Records by [Signature] PPD by [Signature]

Number of alcohol-related incidents during past year for location.
 Number of Tualatin arrest/suspect contacts for _____

It is recommended that this application be:

Granted
 Denied
Cause of unfavorable recommendation: _____


Signature _____ Date 8/23/11

Kent W. Barker
Chief of Police
Tualatin Police Department

OREGON LIQUOR CONTROL COMMISSION LICENSE TYPES & PRIVILEGES

Brewery – public house

Allows the manufacture & sale of malt beverages to wholesalers, & the sale of malt beverages, wine & cider for consumption on or off the premises. [ORS 471.200]

Brewery

Allows the manufacture, importation, storage, transportation & wholesale sale of malt beverages to OLCC licensees. Malt beverages brewed on the premises may be sold for consumption on the premises & sold in kegs to the public. [ORS 471.220] designates a licensee that does not allow tastings or other on premises consumption.

Certificate of Approval

This certificate allows an out-of-state manufacturer, or an importer of foreign wine or malt beverages, to import wine & malt beverages to Oregon licensees. [ORS 471.289]

Distillery

Allows the holder to import, manufacture, distill, rectify, blend, denature & store distilled spirits. A distillery that produces distilled liquor may permit tastings by visitors. [ORS 471.230]

Direct Shipper Permit

Allows manufacturers & retailers to ship wine & cider directly to Oregon residents for their personal use. [ORS 471.282]

Full On Premises Sales

Allows the sale & service of distilled spirits, malt beverages & wine for consumption on the licensed premises. Also allows licensees who are pre-approved to cater events off of the licensed premises [ORS 471.175] license sub-type designates the type of business licensed: F-CAT- caterer; F-CLU- private club; F-COM - commercial establishment; F-PC - passenger carrier; F-PL - other public location.

Growers Sales Privilege

Allows the importation, storage, transportation, export, & wholesale & retail sales of wines made from fruit or grapes grown in Oregon [ORS 471.227]. Designates a licensee that does not allow tastings or other on premises consumption.

Limited On Premises Sales

Allows the sale of malt beverages, wine & cider for consumption on the licensed premises & the sale of kegs of malt beverages for off premises consumption. Also allows licensees who are pre-approved to cater events off of the licensed premises. [ORS 471.178]

Off Premises Sales

Allows the sale of malt beverages, wine & cider in factory sealed containers for consumption off the licensed premises & allows approved licensees to offer sample tasting of malt beverages, wine & cider. [ORS 471.186]

Warehouse

Allows the storage, importing, exporting, bottling, producing, blending & transporting of wine & malt beverages. [ORS 471.242]

Wholesale Malt Beverage & Wine

Allows the importation, storage, transportation & wholesale sale of malt beverages & wine to OLCC licensees & limited retail sales to the public (dock sales). [ORS 471.235]

Wine Self Distribution Permit

Allows manufacturers to sell & ship wine & cider produced by the manufacturer directly to Oregon retailers for resale to consumers. May ship to businesses which have an OLCC endorsement to receive the shipments. [ORS 471.274]

Winery

Allows the licensee to import, bottle, produce, blend, store, transport & export wines, & allows wholesale sales to OLCC & licensees, & retail sales of malt beverages & wine for consumption on or off the licensed premises.[ORS 471.223]



STAFF REPORT

CITY OF TUALATIN

APPROVED BY TUALATIN CITY COUNCIL

Date 9-12-11

Recording Secretary M. Smith

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Maureen Smith, Executive Assistant

DATE: 09/12/2011

SUBJECT: Community Involvement Committee Recommendations for Appointments to City Advisory Committees and Appointment of Municipal Judges Pro Tem

ISSUE BEFORE THE COUNCIL:

Should the City Council approve appointments to various Advisory Committees and Boards, and the appointment of municipal judges pro tem?

RECOMMENDATION:

Staff recommends the City Council approve the Community Involvement Committee (CIC) recommendations and appoint the below listed individual(s).

EXECUTIVE SUMMARY:

The Community Involvement Committee met and interviewed citizens interested in participating on City advisory committees and boards. The Committee recommends appointing and/or reappointing the following individual(s):

<i>Individual(s)</i>	<i>Advisory Committee / Board</i>	<i>Term</i>
Roxanne Stathos	Arts Advisory Committee	Student term one year to 9/12/2012

The Community Involvement Committee also met and interviewed candidates interested in being appointed as a Judge Pro Tem. They would serve as Municipal Court Judge if the regular judge is unable to be in court for a particular session or sessions (e.g., "on call" basis). It is essential to have a qualified list of judges pro tem available to cover a court session, if needed. Section 10 of the City's Charter addresses the appointment of additional officers of the City by the Council. This includes appointment of a municipal judge (includes pro tem).

<i>Individual(s)</i>	
Courtney Dippel	Municipal Judge Pro Tem
Rodney Grafe	Municipal Judge Pro Tem

City Council Meeting

E. 1.

Meeting
Date: 09/12/2011

SPECIAL Summer GREAT (Gang Resistance Education and Training) Program Wrap-Up
REPORTS:

Information

Attachments

PowerPoint - Summer GREAT Program Wrap-Up



SUMMER **G.R.E.A.T.** PROGRAM 2011





SUMMER G.R.E.A.T. PROGRAM

- **Purpose of the program is to help develop positive life-skills and build positive relationships with law enforcement**
- **It is an extension of the National Gang Resistance Education and Training program taught by SRO's during the school year**





SUMMER **G.R.E.A.T.** PROGRAM

- **Program is offered to Tualatin Students entering into 6th-9th grade**
- **Operated at Hazelbrook Middle School in partnership with the Tigard-Tualatin School District**





SUMMER G.R.E.A.T. PROGRAM

- **Facilitated by Tualatin Police Department School Resource Officers**
- **Staff includes a School Counselor and Staff Liaison, Recreation Leaders, and numerous volunteers**





SUMMER **G.R.E.A.T.** PROGRAM

- **The City has offered the program since 1993**
- **Program is funded through the City of Tualatin, User Fees, and Community Donations**





SUMMER G.R.E.A.T. PROGRAM

- **2011 THEME: SPACE**
- **Summer program consisted of two-2 week sessions for students entering 7th, 8th and 9th grades and one-1 week session for students entering 6th grade.**





SUMMER **G.R.E.A.T.** PROGRAM

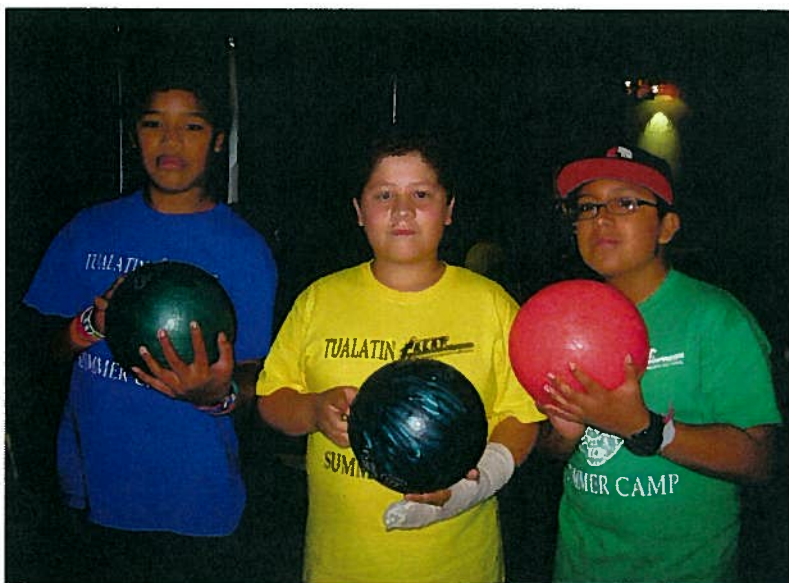
- **Program attended by 159 students**
- **User fees were set at a rate to maintain G.R.E.A.T. as an affordable option for families**
- **Financial Aid is made available for those unable to pay**
- **During one session Staff provided transportation for students whose families were unable to do so**





SUMMER **G.R.E.A.T.** PROGRAM

- **Field Trips consisted of:**
 - **Evergreen Space Museum and IMAX Theatre**
 - **Bowling at Players Family Entertainment**
 - **North Clackamas Aquatic Park**





SUMMER **G.R.E.A.T.** PROGRAM

- **LESSONS:**
 - **Friendship**
 - **Perfect Societies/Rules and Laws**
 - **Self-Discipline**





SUMMER **G.R.E.A.T.** PROGRAM

- **Activities:**
 - **Square games (Team-Based Relays)**
 - **Cooperative Problem Solving Activities**
 - **Competitive Team Activities**
 - **Activities which promote positive social interaction amongst peers and adults**





SUMMER G.R.E.A.T. PROGRAM

QUESTIONS?



City Council Meeting

E. 2.

Meeting
Date: 09/12/2011

SPECIAL Summer Library Reading Program Wrap-Up
REPORTS:

Information

Attachments

PowerPoint - Summer Library Reading Program Wrap-Up

Tualatin Public Library

Summer 2011



One World, Many Stories

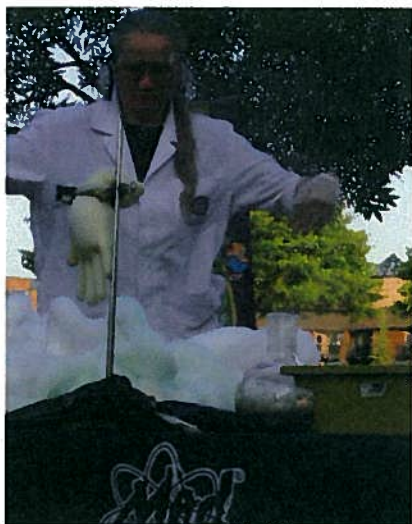


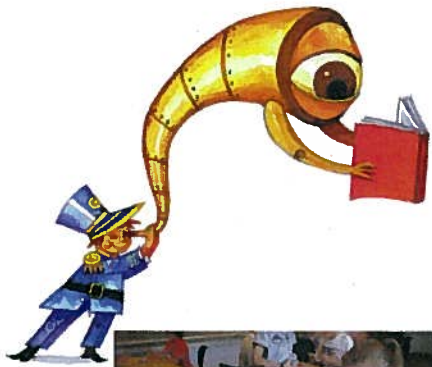
Keeping the community
reading all summer long.

Children



Families

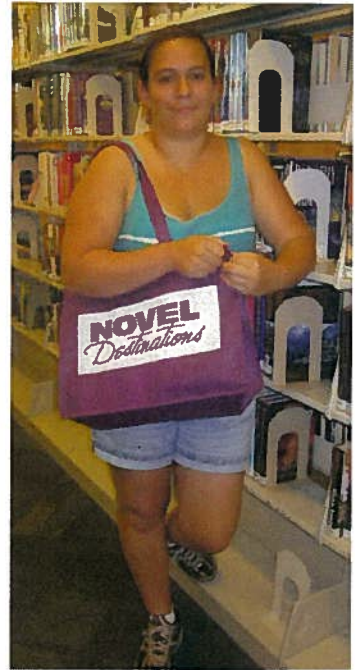




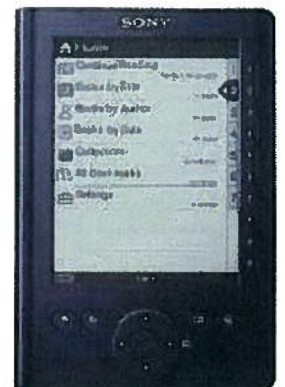
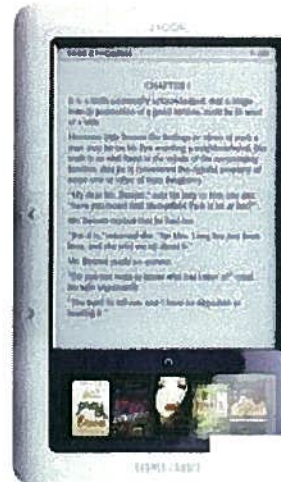
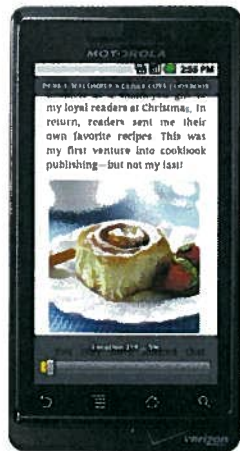
'Tweens & Teens



Adults



E-books at Tualatin Library



Providing access to books in all formats

www.wccls.org



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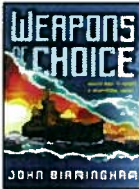
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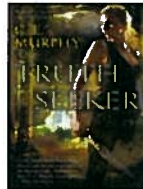
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Teen Advocates for Tualatin Library

Accepting Applications now through September 9, 2011

Teen Advocates for Tualatin Library begins in October. This new group will coordinate and run programs for teens and elementary age children at the library. Members...

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 September 9, 2011. Meetings will be held the first and...
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City of Tualatin



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STAFF REPORT

CITY OF TUALATIN

APPROVED BY TUALATIN CITY COUNCIL
Date 9-12-11
Recording Secretary *M. Smith*

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos

FROM: Dayna Webb, Project Engineer
Alice Rouyer, Community Development Director

DATE: 09/12/2011

SUBJECT: Transportation System Plan: Authorizing a Task Order with CH2M Hill, Inc. for Technical Planning to support the project

ISSUE BEFORE THE COUNCIL:

Should the Council accept the scope for the Transportation System Plan (TSP) Technical Planning and authorize the City Manager to enter into Task Order No. 50 of a Master Services Agreement with CH2M Hill, Inc.

RECOMMENDATION:

Staff recommends that the Council accept the scope and direct the City Manager to enter into a contract with CH2M Hill, Inc. for the Transportation System Plan Technical Planning.

EXECUTIVE SUMMARY:

The City of Tualatin has embarked on an extensive project to update the Transportation System Plan which has not been updated since 2001. Since that time, much has changed, including regional priorities (the 2035 Regional Transportation Plan has been adopted), Tualatin's transportation network (many of the projects listed on the 2001 TSP have been completed), and Tualatin's community priorities. The City Council and the community have said, in a number of ways and on many occasions that this update of the Transportation System Plan must be a process that engages the community in a meaningful way to identify the problems, weigh the options, and together produce a plan that reflects community priorities.

In May of this year, the City issued a Request for Qualifications for a technical team (see attached); at the July 25, 2011 Council meeting the technical consultant review committee recommended that the CH2M Hill, Inc. be selected to be the technical planning consultant for the Transportation System Plan Update. Since then staff has been working with CH2M Hill, Inc. to put together a scope for the technical planning work on the TSP.

The Transportation System Plan Update is anticipated to be divided into three main phases:

Part 1: Frame the Conversation

Part 1 is designed to reach out to members of the community, convene key stakeholders and community groups, and collect data.

Outcomes:

- Broad awareness among Tualatin's residents and business owners that Tualatin is updating its long-range transportation plan
Interest in participating in the plan update from diverse set of citizens representing different neighborhoods and interest areas
- Unique perspectives on the existing system have been shared by many citizens of the community
- Reliable data gathered and compiled from the technical team to understand Tualatin's transportation needs and opportunities

Part 2: Deliberation & Discussion

Part 2 efforts include an analysis of existing conditions, as well as forecasting the effectiveness of the existing system in the future (Year 2035). The team will also develop a framework for how various project ideas will be evaluated based on technical need and community values.

Outcomes:

- Common understanding of Tualatin's needs and opportunities, both now and in the future (Year 2035)
- Framework that lays out how different ideas will be evaluated, based on community goals and values
- Wide range of solutions crafted to meet the needs and opportunities
- Feasible options prepared and developed with the community

Part 3: Options & Recommendations

Part 3 is designed to evaluate the most feasible project ideas. In addition, recommendations will be made and refined based on community and other stakeholder feedback. Further, the plan itself will be prepared and entered into the adoption process. The end result of Part 3 will result in the final, adopted Transportation System Plan.

Outcomes:

- Evaluated options based on the agreed upon framework (prepared in Part 2), giving the community a sense of which options work best to meet the City's goals and objectives.
- Refined recommendations based on broad input from the community, decision-makers, and other stakeholders (such as Metro, TriMet, the Department of Land Conservation and Development)
- Prioritized phasing strategy that give the City a sense of which projects should be built first
- Realistic cost projections and potential funding options developed for each of the stakeholder agreed upon recommendations
- Well-developed plan that includes a capital improvement program and a series of "modal plans" – one for each mode of transportation (e.g., road, bicycle, pedestrian, transit) that has been reviewed and refined based on feedback from the community
- Elected and appointed official buy-in from Planning Advisory Committee and the City Council

CH2M Hill's full scope of work is included in this report as Attachment A; it is an extensive scope of work reflecting the requirements that we have heard from the Council and the community. Throughout the project the CH2M Hill team will be an integral part of the project

management team, coordinating with the City and the public involvement team on a regular basis. CH2M Hill will attend Task Force meetings, support and attend Work Group meetings, provide support for the website, support and attend public events and support and attend small group events. The CH2M Hill team will support the identification of project goals, objectives, evaluation criteria and performance standards and measures.

During Phase I of the project, CH2M Hill will document the assumptions and methodology involved in the traffic analysis for the existing conditions as well as the travel demand modeling and future forecasting analysis; they will compile relevant and available geographic information systems data; perform turning movement counts for the peak period at up to thirty intersections; and conduct 24-hour roadway classification counts at up to 10 locations. CH2M Hill will prepare an overview of existing local, regional and state policies, plans, standards, rules, regulations, as well as other applicable planning documents as they pertain to the Tualatin TSP. This review will identify where existing City documents or regulations are currently deficient or inconsistent with regional policies and standards and where amendments may be needed to create consistency.

Phase II will examine the existing and forecasted future needs of the transportation system. CH2M Hill will prepare the Existing Conditions Report which includes: zoning and comprehensive plan designations for the City; summarized roadway classification, ownership and maintenance responsibility for collectors and arterials; evaluation of level-of-service and volume-to-capacity ratios for peak hours at study intersections; analysis of the most current collision data for all study intersections; existing bicycle system conditions including location and condition of on-street bicycle lanes and off-street pathways; existing pedestrian system conditions including location and condition of sidewalks, pathways, crosswalks, and pedestrian signals; existing public transit service including locations of bus stops, bus lines, the WES station and park-and-ride lots and an overview of ridership; and existing rail, pipeline, waterway and airport locations and needs. CH2M Hill will prepare a future traffic conditions report based on baseline land uses, employment and housing projections; the regional travel demand model will be used to prepare intersection turn movement forecasts at all study intersections.

Options and recommendations will be developed during Phase III. A range of transportation system options will be developed that address future needs and system deficiencies; the purpose is to first create a "universe" of options and then screen those for feasibility, narrowing to a list of feasible options to evaluate. The feasible options will be evaluated using the criteria and performance measures that have been developed. CH2M Hill will prepare a set of preliminary recommendations and then refine those recommendations based on feedback from the Task Force and public. CH2M Hill will also prepare order of magnitude cost estimated for the recommended options and will prepare a list of funding options appropriate for the prioritized recommendations. Based on feedback from the public and the Task Force, CH2M Hill will prepare a prioritized Capital Improvements Program project list, organized into short, medium, and long-term with the estimated cost, lead agency and a project description. Through this phase, CH2M Hill will prepare recommendations for code amendments, appropriate findings to support the addition of the code amendments, and support the adoption of the TSP by attending Planning Advisory Committee meetings and Council meetings during adoption hearings.

The schedule for all three parts of the projects is to complete the work between now and December 2013 with a budget not to exceed \$327,000. We will continue to update the City Council subcommittee for this project throughout its duration. The subcommittee is composed of Council President Beikman and Councilors Brooksby and Davis. We will seek regular feedback from the subcommittee at key milestones to ensure that the scope, schedule and

budget are meeting the needs of the City Council and community.

FINANCIAL IMPLICATIONS:

Funds are available for the Transportation System Plan Update in the Road Operating/Gas Tax Fund.

Attachments: RFQ
 A. Task Order No. 50
 Resolution



City of Tualatin

REQUEST FOR QUALIFICATIONS

Transportation System Plan Technical Consultant

ELIGIBILITY: Open to Technical Consultants with experience in Transportation System Plans for local government agencies

PROPOSAL DEADLINE: Thursday, May 19, 2011, 5:00 pm

SEND MATERIALS TO: Dayna Webb, PE
Project Engineer
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, OR 97062

SUBMITTALS MUST BE CLEARLY MARKED:
Request for Qualifications – TSP Technical Consultant

FOR MORE INFORMATION: Dayna Webb, PE
Project Engineer
dwebb@ci.tualatin.or.us
503.691.3036

1. INTRODUCTION & BACKGROUND

This Request for Qualifications is for a Technical Consultant for the Transportation System Plan Update (TSP Update). This project is to update the 2001 *Tualatin Transportation System Plan* (2001 TSP) and prepare implementing ordinances to comply with recent updates to the *Regional Transportation Plan* (RTP) and its related functional plans. Since the 2001 TSP was prepared, the City of Tualatin (City) has completed several studies, strategies and plans that have been done to address land use and transportation challenges faced by the City. This TSP Update will incorporate these changes into the 2001 TSP and prepare implementing ordinances.

The TPR includes provisions for local TSP's to be updated within one year of adoption of the final RTP, but allows for the RTP to determine a schedule for local plan compliance. The Local plan updates are phased appropriately to support local desires for completing plan updates in a timely manner, in coordination with other planning efforts and to take advantage of state funding opportunities. The RTP states that the City of Tualatin is required to update its current TSP by December 31, 2012.

The included scope of work describes the anticipated responsibilities of the prospective Technical Consultant. The Technical Consultant will be part of a Project Management Team. The TSP Update will be led by the Public Involvement Strategy with support from the Technical Consultant.

Background

The City of Tualatin lies within the Portland metropolitan region and has a current population of 26,160.

The TSP is a blueprint for building and maintaining Tualatin's bike, pedestrian and transit facilities, roads, signals and bridges. Updating the plan will require us to study the system we have and envision the system we want to have in 2035. It will require us to balance the needs of those using cars, buses, trucks, trains, bikes and walking paths. We will also have to consider our place in the regional transportation system, while working diligently to protect what we love about Tualatin.

Tualatin is located near various major transportation links of the Portland metropolitan region, with Interstates 5, 205, and Highway 99W. The City is also impacted by two railroad lines. The City's central location to these transportation networks makes it an important crossroads in the metropolitan region, as well as the state transportation system, and ensures that transportation access and connectivity will continue to be crucial to the City's wellbeing and vitality. As the City of Tualatin and the Portland metropolitan region grow, the transportation network in Tualatin will continue to be of local and regional significance.

Project Area

Tualatin is located in the southern portion of the Portland metropolitan region within urban Washington County & Clackamas County. A map of the project planning areas is provided as Attachment 1.

Northwest Concept Plan

The Northwest Concept Plan is a guide for the industrial development of a 15-acre area at the northwestern corner of the City. The concept plan follows a December 2002 decision by Metro to bring the area inside the regional Urban Growth Boundary. Metro conditioned the land for industrial development as part of a strategy to balance the supply of land for job creation. The concept plan allows for flexibility in industrial development while promoting compatibility with adjacent land uses and natural resources. The concept plan process began in 2004 and was adopted by Council in June 2005.

Southwest Concept Plan

The Southwest Concept Plan is a guide to the industrial development of 614 acres of land currently outside the southwestern corner of the City. The vision of the concept plan is a mix of light industrial and high tech uses in a large lot corporate campus style setting. The land was brought into the Urban Growth Boundary in 2002 and 2004. The plan guides the conversion of rural lands to urban uses and it identifies land uses, infrastructure and natural resources. Approximately 2,800 jobs are expected to locate in the area by the year 2030 the plan's horizon year. The concept plan process began in 2004 and was adopted by Council in April 2011.

Basalt Creek

In 2004, Metro added an area located generally between the Cities of Tualatin and Wilsonville to the Urban Growth Boundary for residential and industrial uses through Metro Ordinance No. 04-1040B. The land encompasses 775 acres split into two noncontiguous areas known as the Basalt Creek and West Railroad Planning Areas. The Cities of Tualatin and Wilsonville have jointly entered into an agreement to work collaboratively to complete concept planning for the area that benefits the Cities, Washington County, and area residents. While the area is yet to be concept planned, it is anticipated to host industrial uses adjacent to the City of Wilsonville and residential uses adjacent to the City of Tualatin. Concept planning work is anticipated to begin in November 2011.

Urban Reserves

The City of Tualatin has two areas proposed as Urban Reserves in Washington County. One area is 117 acres located west of the Southwest Concept Plan area currently being used for aggregate extraction. When this area is eventually added to the Urban Growth Boundary it is expected to augment industrial uses in the Southwest Concept Plan. In fact this area was part of the concept plan infrastructure analysis and jobs allocation.

The second proposed Urban Reserve is a portion of the Stafford Basin in Washington County. The area is bounded by Tualatin's City Boundary to the north, 65th Avenue to the east, Frobase Road to the south and the City's westerly border to the west, it is 841 gross acres.

This area was last studied in 2009 as part of the City's Urban and Rural Reserves analysis. At that time the City Council articulated a vision for the Stafford Basin in Washington County. The City's aspirations for the Stafford Basin are to protect

open space, protect groves of trees, and provide parkland and school sites that will benefit residents in the City and surrounding area. Corridors of natural areas along I-205 and I-5 are envisioned to serve as buffers. The area could be primarily residential with a maximum population of 4,000 residents in the next 50 years.

Public Involvement

Over the last 18 months, a number of high profile development projects and quality of life concerns have motivated residents to advocate for much more involvement at the neighborhood level. A citizen group is in the beginning stages of discussing and developing a neighborhood based citizen involvement system for Tualatin, in an effort to enhance communication with the City and ensure that Tualatin neighborhoods continue to be livable, safe communities.

The City of Tualatin recognizes that a TSP is best served when developed with organic public input and involvement representing a diverse cross-section of the community. Residents have advocated the City needs to more aggressively engage citizens in planning processes and projects. JLA Public Involvement was selected as the Public Involvement Consultant in January 2011, and work on the Public Involvement Strategy has begun. The Public Involvement Strategy is being designed to elicit diverse participation and actively engage the Tualatin community, City Council members and other key stakeholders in planning processes. The Public Involvement Strategy and process is one of several new initiatives to better involve residents in development and planning projects. The City seeks to enhance its traditional public involvement process with much broader public participation. The Technical Consultant selected in this process will be expected to work as part of TSP Project Management Team, with JLA Public Involvement and City staff. The City is expecting the public involvement strategy to act as the most important part of the TSP update and lead the overall project.

2. PROJECT REQUIREMENTS

Public Involvement

The Technical Consultant will be an essential component to the Public Involvement Strategy. The Technical Consultant will need to participate in various aspects of the Public Involvement Strategy, including:

- Educational efforts to help citizens understand local, state and regional components of the TSP Update.
- Educational efforts to help the public understand the existing transportation system, including its deficiencies, and the complexity of instituting significant changes to the system.
- Educational efforts to help citizens understand the complex issues relating to our geographical location.
- Flexibility to provide community interaction with data and modeling results and utilize those results to develop innovative technical solutions for the transportation system plan.
- Ability to explain technical concepts & issues to the public without using technical jargon.
- Ability to provide technical strategy elements for community interactions.

Public Meeting Types

The TSP Update process will involve various types of meetings. The Technical Consultant shall attend, participate in discussions and answer questions at various types of meetings, which may include:

TSP Task Force: The City is creating a TSP Task Force for this project, which will include the typical Technical Advisory Committee as well as stakeholders, citizens & business representatives.

Working Groups: The City will be using working groups to look at specific topics identified. Each working group will meet approximately 2 to 3 times and will allow for a more detailed discussion about a topic, including education, identification of challenges/concerns, and possible solutions.

Public Meetings/Events: Public meetings/events would include open houses and workshops.

Neighborhood Meetings: The City has been utilizing a 'go to the neighbors' technique to engage more citizens, examples include 'tailgates' or 'coffee klatches' where the City goes to the local neighborhood for an informal meeting 'on their turf'.

Tualatin Planning Advisory Committee (TPAC): TPAC is the Tualatin Planning Advisory Committee and they review, advise and make recommendations to City Council on matters affecting land use planning and the City's Comprehensive Plan. TPAC also serves as the committee for citizen involvement in the Land Conservation and Development Commission planning process.

City Council Meetings: Attendance will be required at City Council Meetings for presentations to the City Council.

Project Management

The Project Management Team (PMT) will ensure the project is well managed, that there is consistency with city, regional, and state policies, public comments, and project objectives and ensure successful project completion. The PMT will steer the TSP Update and provide strategic and technical input. The PMT will consist of the City, JLA and the Technical Consultant. The City is the final decision body regarding scope, schedule and budget issues. The City will facilitate the PMT meetings. The Technical Consultant shall communicate and work closely with the PMT, notify the City of potential scope, schedule or budget issues and any potential delays in deliverables. The PMT shall meet as needed to address project management issues and to respond to public comments and outcomes from public meetings.

3. ANTICIPATED SCOPE OF WORK

The anticipated scope of work for the Technical Consultant will need to include all necessary technical work to comply with the RTP and its related functional plans. The anticipated scope of work will likely include the following:

Review Relevant Strategies, Studies and Plans

- Ensure that the TSP Update and Comprehensive Plan/Development Code comply with the RTP and its related functional plans.
- Incorporate recommendations from recent studies, strategies and plans into the TSP Update and Comprehensive Plan/Development Code.
- Consider recommendations from the PMT, City Council, TSP Task Force as well as the general public.

Develop TSP Goals & Objectives

- Work with the PMT, City Council, TSP Task Force as well as the general public to develop the Goals & Objectives for the TSP Update.

Inventory Existing Conditions

- Ensure the existing conditions and deficiencies of the Tualatin transportation system are accurately documented as identified by the PMT, City Council, TSP Task Force as well as the general public.

Develop Evaluation Criteria & Process

- Consider recommendations from the PMT, City Council, TSP Task Force as well as the general public to develop the Evaluation Criteria & Process used to evaluate projects to be included in the TSP Update.

Future Conditions & Needs Analysis

- Identify Tualatin's 2035 transportation system, including needs & deficiencies and to identify innovative transportation system solutions
- Make informed decisions about future needs and to assure analysis consistency and compatibility of the TSP Update with the RTP and its related functional plans.

Alternatives Analysis

- Analyze the Future Conditions & Needs Analysis Report using the developed evaluation criteria and process to find the 'best fit' transportation system to meet the Goals & Objectives of the TSP Update.
- Quantify the benefits and impacts of projects proposed to be added to or deleted from the current TSP, ensuring that the benefits outweigh potential impacts.
- Address the requirement for replacement solutions for the 'Tualatin Road Extension' being removed from the RTP.
- Consider alternatives from the PMT, City Council, TSP Task Force as well as the general public.

Transportation System Solutions & Financial Plan

- Identify innovative transportation system solutions and strategies for addressing future conditions and needs consistent with Final Future Conditions & Needs Analysis Report.
- Develop a financial plan that is consistent with the RTP and City revenue projections.

Final TSP Update and Ordinance Amendments

- Prepare a Draft TSP Update and implementing ordinances for final technical review and decision making.
- Participate in presentations of the TSP Update to the Task Force, Tualatin Planning Advisory Committee, City Council and the general public for a recommendation that can be forwarded to the City Council.

4. SELECTION PROCESS & CRITERIA

Selection Process

A selection committee will review written statements of qualifications and interview candidates as needed to make the final selection. The selection committee will choose the successful Technical Consultant.

Selection Timeline

RFQ applications available to the public	May 4, 2011
Written Statements of Qualifications Due	May 19, 2011, by 5pm
Interviews (if necessary)	June 15 – 17, 2011
Work begins	July 2011

The City reserves the right to make adjustments to the above noted schedule as necessary.

Selection Criteria

The City is seeking statements of qualifications that demonstrate exceptional experience in teamwork, strong technical skills, ability to work with a diverse group of individuals, innovative technical solutions and the ability to communicate with the community.

The Tualatin TSP Update will actively engage the community in envisioning, debating and identifying transportation priorities. Such a process should educate the community about technical issues and policy choices, and should foster new partnerships. The successful applicant shall demonstrate outstanding competence and experience relating to the following criterion:

A. Teamwork

Describe your experience working as a team on a TSP. Have you worked on a TSP where the public involvement process acted as the most important part? What did you learn from those experiences that would benefit the 'team' approach to the Tualatin TSP Update?

B. Ability to work with a diverse group of individuals with passionate perspectives

Describe your technical strategy for designing community interactions where a variety of opinions and viewpoints exist. Give examples of complex controversial projects that you have worked on and how they were resolved.

C. Innovative Technical Solutions

Describe your ability to provide 'real-time' community interaction with data and modeling results in a public meeting. Describe your experience with involving the community in creating innovative technical solutions.

D. Ability to Communicate with the Community

Give examples of how you have communicated technical concepts and issues to the general public without using 'Technical Jargon'. Give examples of your experience in 'Educational Efforts' as part of a Public Involvement Strategy.

E. Achievements

What do you consider your greatest achievements or proudest moments to be in the fields of Innovation, Partnerships, Collaboration, and Community Building? How would your experiences in these achievements and moments benefit the Tualatin TSP Update?

5. SUBMISSION REQUIREMENTS

Each statement of qualifications should provide the following information for consideration by the selection committee:

- A response to the selection criteria
- A brief description of your firm's, or your, professional experience
- Describe your firm's, or your, capability in providing consulting services and identify who would provide such services
- Identify the day to day project manager and principal in charge, including their ability to efficiently and effectively manage technical team members, maintain a schedule and identify cost savings during a project
- Identify the project team members and their representative skills
- Identify your firm's, or your, current municipal experience and indicate which agencies your firm has served within the last five years
- Provide references from recent relevant projects
- Rate Schedule, including the hourly rate by job title/classification

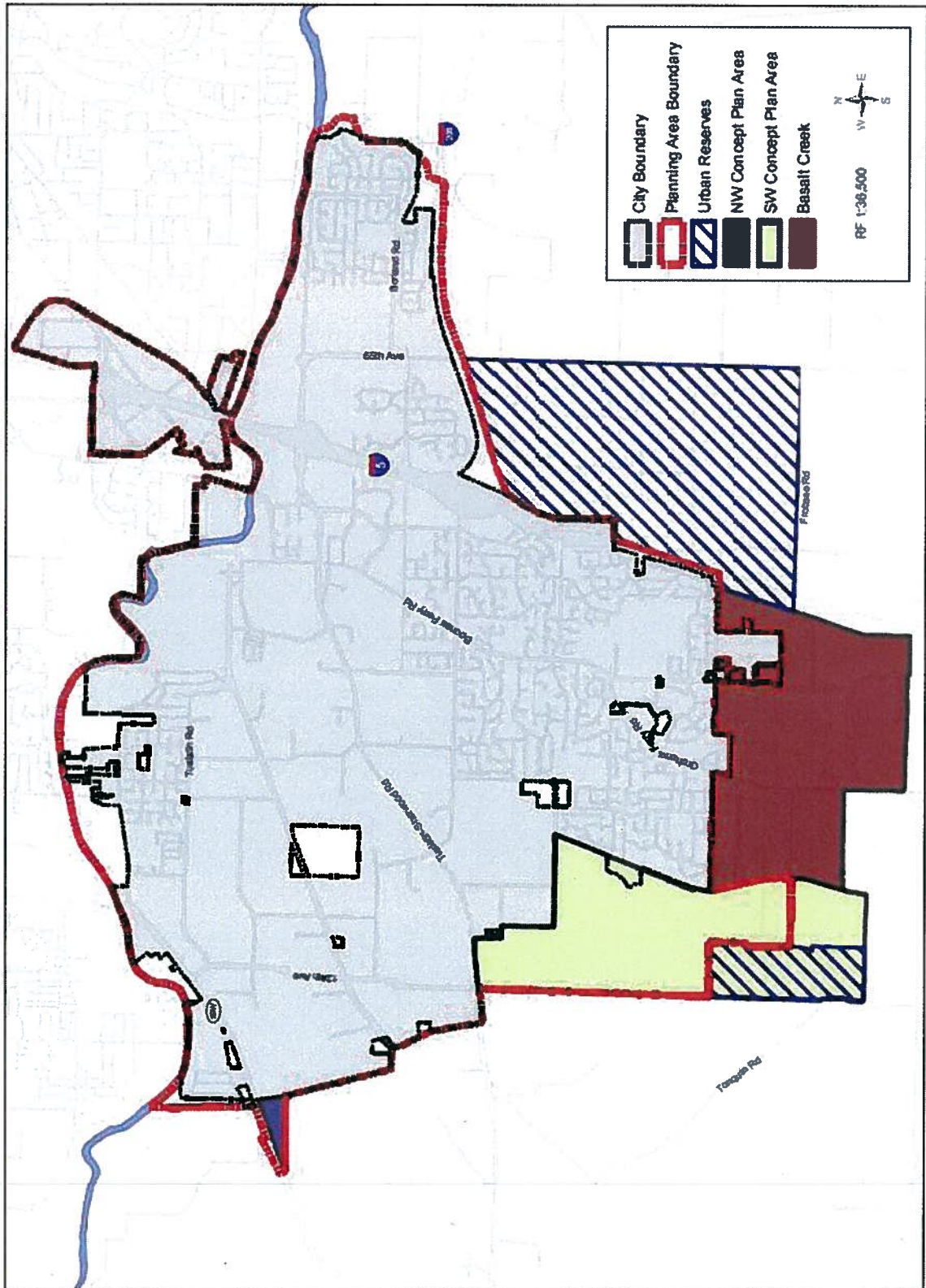
Submit 10 copies in response to this Request for Qualifications. Statements of Qualifications must be clearly marked "Request for Qualifications – TSP Technical Consultant". No proposal shall be longer than 10 pages in length. Statements of qualifications shall be submitted by 5:00pm, Thursday, May 19, 2011 to:

Dayna Webb, PE
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, OR 97062

Attachment 1 – Planning Areas



Planning Areas and Urban Reserves

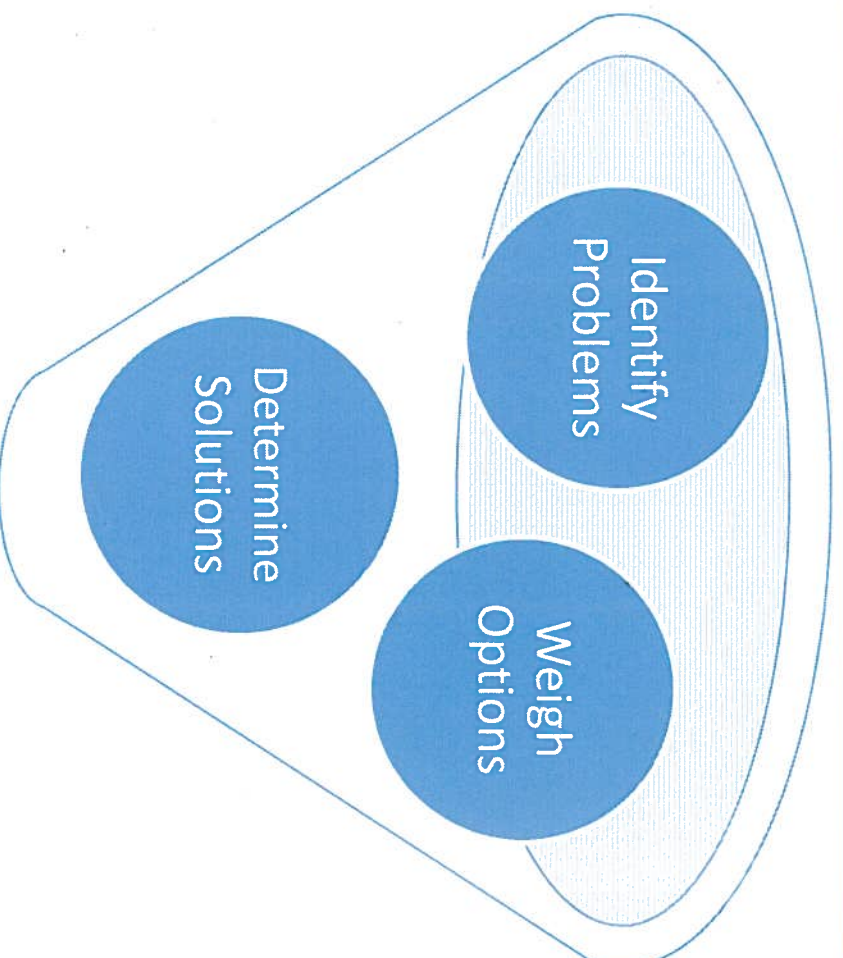


TSP Consultant Contracts



September 12, 2011

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Community Led TSP

Public Involvement Consultant



*Collaborative planning,
decisions & communication*





Technical Consultant

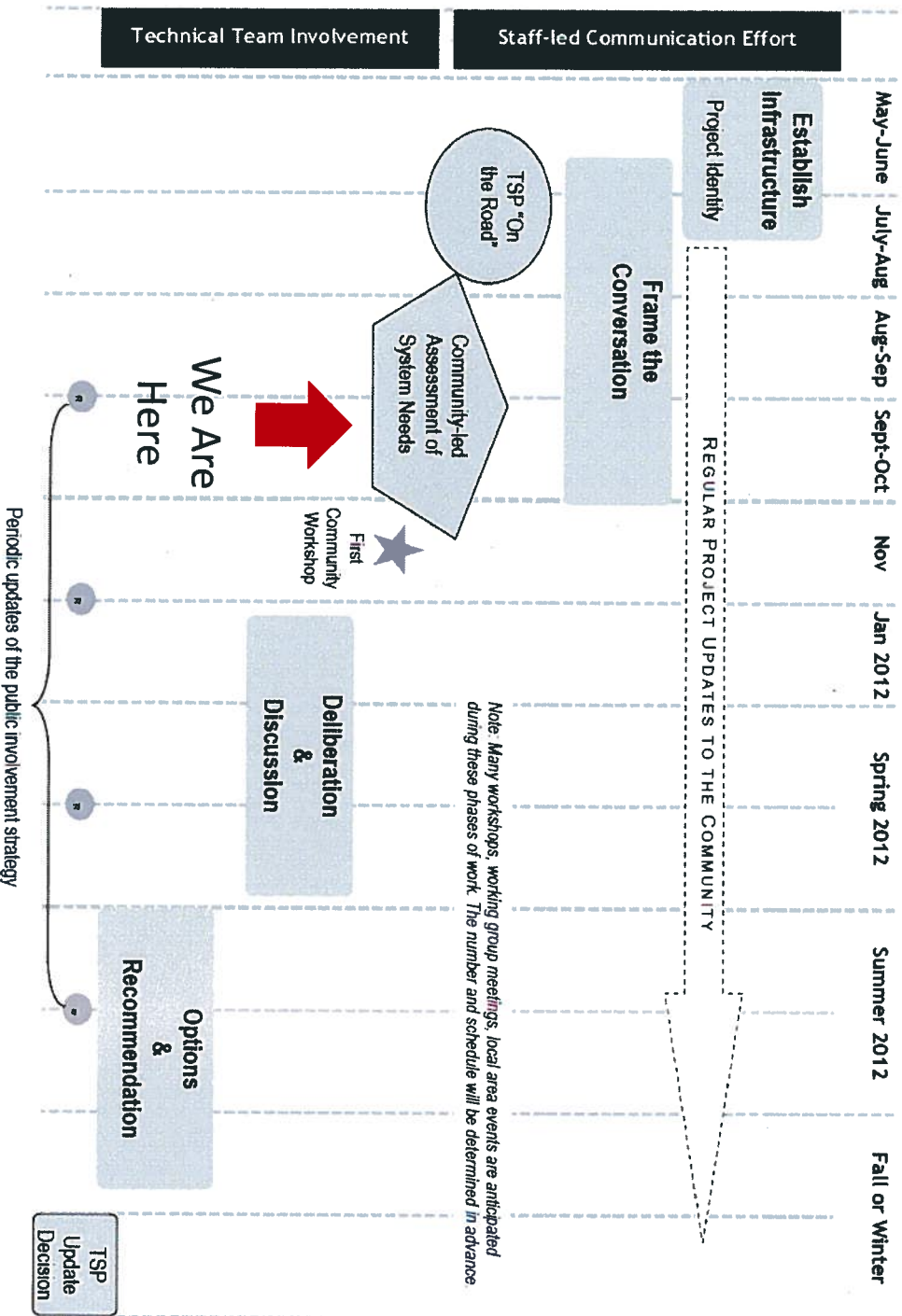
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City of Tualatin - Transportation System Plan

September 12, 2011

Schedule



Scope of Work

- **Work will be done in 3 phases:**
 - Frame the Conversation
 - Deliberation & Discussion
 - Options & Recommendations

Moving Forward

- **Next Steps**
 - Continue Public Outreach
 - Recruitment for Transportation Task Force
 - Technical Consultant Work
 - Existing Conditions
 - Assumptions & Methodology

2011
Task Order No. 50
Tualatin Transportation System Plan
City of Tualatin Master Services Agreement

Subject: Personal Services Agreement (ORIGINAL AGREEMENT) approved November 29, 1999, to furnish engineering services to the City of Tualatin, Oregon, for implementation of the master services agreement.

Upon execution of this Task Order by the City of Tualatin (CITY) and CH2M HILL, INC. (CONSULTANT) in the space provided below, this Task Order will serve as authorization for the CONSULTANT to carry out and complete the services as set forth below in accordance with the referenced ORIGINAL AGREEMENT between the CITY and the CONSULTANT.

1. Purpose

The purpose of Task Order No 50 is to provide technical planning support for the update of the Tualatin Transportation System Plan (TSP). The CITY will be leading the update of this plan, with technical support from CONSULTANT. This task order includes: project management; support for public and stakeholder involvement; methodology development and data collection; a plan and policy review; an analysis of existing and forecasted future conditions; developing and screening system options; preparation of TSP recommendations; an implementation plan; ordinance language; preparation of the TSP; and support for adoption of the TSP.

2. Scope of Engineering Services

The CONSULTANT will perform the services described in attached Scope of Work, Exhibit A.

3. Scope of City Services

The CITY will provide services as defined in the ORIGINAL AGREEMENT.

4. Time of Performance

The services outlined in the attachment will be performed by August 28, 2013. Work on the tasks is expected to commence immediately upon receipt of notice to proceed.

5. Compensation

The compensation for services as set forth in this Task Order No. 50 will be based on actual labor hours and expenses. A budget of \$327,000 is hereby established for this task order, which will not be exceeded without approval by the CITY.

6. Other Conditions/Requirements

Reference original agreement.

City of Tualatin, Oregon

By: _____

Title: Mayor, Lou Ogden

Date: 9-12-2011

CH2M HILL, Inc.

By: Paul Ginn

Title: VICE PRESIDENT

Date: 9/14/11

APPROVED AS TO LEGAL FORM

Brenda L. Brader
CITY ATTORNEY

Project Overview

The City of Tualatin (CITY) has requested a scope of work to provide technical planning support for the update of the Tualatin Transportation System Plan (TSP). The CITY will be leading the update of this plan, with support from CONSULTANT. This task order includes: project management; support for public and stakeholder involvement; methodology development and data collection; a plan and policy review; an analysis of existing and forecasted future conditions; developing and screening system options; preparation of TSP recommendations; an implementation plan; ordinance language; preparation of the TSP; and support for adoption of the TSP.

TASKS THROUGHOUT PROJECT DURATION

1 Project Management

This task includes the work necessary to manage consultant team efforts, to communicate process and design information to the CITY, to build and maintain the project team, and to administer the contract, monitor progress, and direct quality control activities.

CONSULTANT will coordinate and manage project development with the CITY. Work items included in this task include preparation of monthly progress reports and billings for the project; monitoring scope, schedule and budget against milestones; file maintenance; preparing correspondence; and providing guidance to the team.

1.1 Project Management Plan/Team Kick-Off Meeting

CONSULTANT will prepare a Project Management Plan in the form of project instructions. The project instructions must be used as a guide by the CONSULTANT team for the tasks, budgets, schedule, lines of communication and procedures to address changes that could arise during the Project. The project instructions must include a graphic project timeline that can be used with the public and posted on the City's website. A copy of the project instructions will be shared with the CITY for their review and use.

CONSULTANT PM will facilitate a one-hour internal kick-off meeting with key consultant project staff to provide an overview of the Project, review safety protocols, discuss roles and responsibilities, and establish communication guidelines. CONSULTANT will prepare an agenda, and revise the project instructions as needed following the kick-off meeting discussion.

Deliverables:

- Project Instructions (including Graphic Schedule).
- Internal Kick-off Meeting Agenda.

1.2 Contract Administration

CONSULTANT will prepare monthly invoices and submit them to the CITY Project Manager. Invoices must be in conformance with invoice requirements stated in Exhibit B of this task order. A copy of the monthly progress report must be submitted with the monthly invoice and include current project status, unresolved issues, projected significant milestones, and major accomplishments. An 18-month duration is assumed for this Project.

Deliverables:

- Monthly invoices and progress reports (18 assumed).

1.3 Project Management Team Meetings

CONSULTANT will prepare for and attend bi-monthly Project Management Team (PMT) meetings for the 18-month duration of the project. Up to two (2) members of the technical consultant team will attend each PMT meeting. Meetings will be held in Tualatin at a meeting location arranged by the CITY. CONSULTANT will prepare agendas for a total of 36 meetings. PMT meetings will include coordination, as needed with other planning processes underway that could affect the development of the TSP.

Deliverables:

- PMT meeting agendas (36 assumed).

1.4 Coordination with City PM and Public Involvement PM

CONSULTANT PM will coordinate with the CITY PM and Public Involvement PM on an ongoing basis to discuss project progress and coordinate project activities. Coordination will occur in-person, by email, or by phone, as appropriate. Up to three (3) hours of time per month is assumed for this ongoing coordination.

Deliverables:

- None.

Summary of Deliverables and Timeline for Task 1

Task	Description	Deliverables	Schedule
1.1	Project Management Plan/Team Kick-off Meeting	Project instructions	Within 2 weeks of NTP
		Internal kick-off meeting agenda	Meeting to be held within 2 weeks of NTP
1.2	Contract Administration	18 Monthly invoices and progress reports	By the 15 th day of each month that the contract is active
1.3	PMT meetings	36 PMT Meeting agendas	Draft distributed to PM one week before meeting
1.4	Coordination with CITY PM and Public Involvement PM	None	Ongoing

2 Public and Stakeholder Engagement

The purpose of this task is to provide technical CONSULTANT team support to public involvement activities, which are being led by a separate team under a separate contract.

2.1 Attendance at Task Force Meetings

Up to two (2) CONSULTANT staff will attend up to ten (10) Task Force meetings and present on ongoing technical work products. Task Force meetings are assumed to take place in Tualatin and be two (2) hours in duration. Up to two (2) hours of strategy development and meeting-specific preparation total are assumed per task force meeting. No technical work products are assumed to be prepared specific for Task Force meetings.

Assumptions:

- Meetings will take place in Tualatin and be up to two (2) hours in duration.
- Set-up, facilitation, and meeting summaries will be provided by the public involvement team.
- Technical team will use products developed under other tasks for Task Force meetings.

Deliverables:

- None.

2.2 Support for/Attendance at Working Group Meetings

One (1) representative from the CONSULTANT team will attend each of up to 21 Working Group meetings (7 topic areas, 3 meetings per topic area group). CONSULTANT will present technical materials to Working Groups, as appropriate, and may help to facilitate technical discussions. Working Group meetings are assumed to be held in Tualatin, and to be two (2) hours in duration. Up to two (2) hours of strategy development and meeting-specific preparation are assumed per Working Group meeting. No technical work products are assumed to be prepared specific for Working Group meetings.

Assumptions:

- Set-up, facilitation, and meeting summaries will be provided by the public involvement team.
- Project will include up to 7 Working Groups that will meet up to 3 times each.
- Technical team will use products developed under other tasks for Working Group meetings.

Deliverables:

- None.

2.3 Support for Website Maintenance

CONSULTANT will support maintenance of the project website through provision of technical materials to the Public Involvement team. Up to two (2) hours per month of coordination for one (1) member of the technical consultant team is assumed, with a web development resource available up to one (1) hour per month. The website will be hosted and maintained by the Public Involvement consultant.

Assumptions:

- Public involvement team will host, maintain, and post all materials to website.

Deliverables:

- None.

2.4 Support for/Attendance at Other Public Events

CONSULTANT will attend up to four (4) public events to discuss technical subjects relating to the project, as requested by CITY PM. Up to two (2) technical CONSULTANT staff will attend each event, assumed to be up to three (3) hours in duration and to be held in Tualatin. Preparation of display materials, meeting notification, handouts, and other supporting information will be prepared by the City or the Public Involvement consultant. CONSULTANT will provide existing technical products produced for other tasks as needed to the Public Involvement team for use in public events.

Assumptions:

- Public involvement team will coordinate, plan, develop presentation materials for, and host public events.
- Meetings will be held in Tualatin, and be up to three (3) hours in duration.

Deliverables:

- None.

2.5 Support for/Attendance at Decision-Maker and Leadership Briefings

One (1) representative from the technical CONSULTANT team will attend and provide support in preparing for up to 8 decision-maker and leadership briefings (up to a two (2) hour duration). Specific briefing audiences, timeframes, presentations, and logistics will be coordinated by the CITY. Up to two (2) hours of coordination are assumed per briefing.

Assumptions:

- CITY will schedule and coordinate decision-maker and leadership briefings.

Deliverables:

- None.

2.6 Support for/Attendance at Coffee Klatches/Tabling events

One (1) representative from the technical CONSULTANT team will attend and/or provide support for up to 8 coffee klatches/tabling events to discuss technical subjects relating to the project, as requested by CITY PM. Each coffee klatch/tabling effort is assumed to be two (2) hours in duration. Specific logistics will be coordinated by the Public Involvement consultant. Up to one (1) hours of coordination are assumed per briefing.

Assumptions:

- CITY will coordinate, plan, and schedule coffee klatches.

Deliverables:

- None.

2.7 Establishment of Planning Framework

CONSULTANT will work with the project Task Force, PMT, and Public Involvement team to develop goals and objectives, evaluation criteria, and performance measures for the TSP.

2.7.1 Project Goals and Objectives

CONSULTANT will support Public Involvement Team in identifying goals and objectives for the project. CONSULTANT will collaborate with the Public involvement team to translate the goals and objectives discussion into material for the evaluation framework.

Assumptions:

- Public involvement team will facilitate interaction with the public in identifying goals and objectives.
- Goals and objectives will be included in Technical Memorandum 1 Evaluation Criteria.

Deliverables:

- None for this task. Goals and objectives will be documented by Public involvement team.

2.7.2 Evaluation Criteria

CONSULTANT team will identify evaluation criteria for measuring the ability of proposed options to meet the goals and objectives identified in task 2.7.1. CONSULTANT team will develop draft evaluation criteria and will revise evaluation criteria based on feedback from members of the public and from PMT.

Assumptions:

CITY will review document within 2 weeks of receiving the draft; one round of review will be incorporated by the CONSULTANT within one week of receipt of comments.

Deliverables:

- Draft and final Technical Memorandum 1: Project Evaluation Criteria.

2.7.3 Performance Standards and Measures

CONSULTANT will create draft and final sets of performance standards and measures for monitoring the success of the project in meeting goals and objectives. Performance standards and measures will include traditional volume-to-capacity ratios and other similar measures of congestion, but will also include alternative performance standards for measuring user experiences of the roadway system, such as travel time reliability.

EXHIBIT A – SCOPE OF WORK

Assumptions:

- CITY will review document within two (2) weeks of receiving the draft; one (1) round of review comments will be incorporated by the CONSULTANT within five (5) business days of receipt of comments.

Deliverables:

- Draft and final Technical Memorandum 2: Performance Standards and Measures.

Summary of Deliverables and Timeline for Task 2

Task	Description	Deliverables	Schedule
2.1	Support for/attendance at Task Force meetings	Attendance at Task Force meetings	As needed
2.2	Support for/attendance at Working Group meetings	Attendance at Working Group meetings	As needed
2.3	Support for website maintenance	Technical materials to post to project website	Ongoing
2.4	Support for/attendance at other public events	Attendance at public events	As requested
2.5	Decision-maker and leadership briefings	Attendance at decision-maker and leadership briefings	As requested
2.6	Support for/attendance at coffee klatches/ tabling events	Attendance at coffee klatches/ tabling events	As requested
2.7	Establishment of planning framework	Draft and final Technical Memorandum 1: Evaluation Criteria	Draft provided within 8 weeks of NTP; CITY comments provided 2 weeks after draft memorandum provided, final memorandum provided within 5 business days of receipt of City comments
		Draft and final Technical Memorandum 2: Performance Standards and Measures	Draft provided within 12 weeks of NTP; PMT comments provided 2 weeks after draft memorandum provided, final memorandum provided within 5 business days of receipt of City comments

PHASE I: FRAME THE CONVERSATION

This phase of the project will focus on establishing the framework for discussing Tualatin's existing transportation system and future needs. This phase includes development of a methodology for assessing needs and a review of plans and policies with which the TSP must be compliant.

3 Methodology Development and Data Collection

3.1 Traffic Methods and Assumptions Memo

CONSULTANT will document the assumptions and methodology involved in the traffic analysis for the existing conditions, as well as the travel demand modeling and future forecasting/analysis. The methodology memorandum will be submitted to the CITY for review and comment. One set of comments will be compiled by the CITY and supplied to the CONSULTANT for inclusion into the final version of the memorandum.

Deliverables:

- Draft and final Technical Memorandum 3: Traffic Methods and Assumptions.

3.2 Data Review and Collection

3.2.1 GIS Data

CONSULTANT will compile relevant and available Geographic Information Systems (GIS) data for use in analyzing existing land use and transportation conditions. General categories or layers to be obtained are roadways/transportation, land uses, zoning, tax lots, water features, boundaries, floodplain, and places such as parks, schools, and historic properties. CONSULTANT shall compile all relevant GIS data for the TSP in one central location and will produce a draft study area map. The City will distribute the study area map to the PMT for review. The CONSULTANT will incorporate one round of comments from the PMT into the basemap.

Assumptions:

- CONSULTANT will rely on the Regional Land Information System, provided by Metro, with additional information from the City of Tualatin's GIS department.
- CONSULTANT will coordinate directly with Metro to obtain Regional Land Information System data.
- CITY will provide additional GIS data owned and maintained by the CITY as available and relevant.

Deliverables:

- Draft and final basemap.

3.2.2 Traffic and Crash Data

As part of the existing conditions data collection, the CONSULTANT will perform turning movement counts for the PM peak period (3 hours) at up to thirty intersections to be coordinated with the City. Where possible, existing turn movement data will be used if the data are within the past three years. Turn movement data beyond three years old would be considered outdated and would need to be updated. Intersection turn movement count data will also include pedestrian crossing activity, bicycle count activity, and a breakout of heavy vehicle movements.

In addition to the turn movement count data, 24 hour roadway classification counts will be conducted at up to 10 locations within the City.

Intersection collision data will be collected for all study area intersections for the most recent three year time period. Collision data will be requested and collected from the Oregon Department of Transportation (ODOT).

Deliverables:

- Turn movement counts and 24 hour roadway count sheets in electronic format.

3.2.3 Site Visit

CONSULTANT will conduct a site visit to verify data collected in Task 3 and to inform Tasks 5 and 6. Up to two (2) members of the technical CONSULTANT team will participate in a one (1) day site visit.

Deliverables:

- None.

Summary of Deliverables and Timeline for Task 3

Task	Description	Deliverables	Schedule
3.1	Traffic methods and assumptions memo	Draft and Final Technical Memorandum 3: Traffic methods and assumptions memo	Within 30 days of NTP.
3.2	Data review and collection	Raw traffic count and GIS data (shapefile format)	Count data will be provided as an appendix to the Existing Conditions report. GIS files will be provided upon completion of the project.

4 Plan and Policy Review

This task will determine relationships and constraints that the TSP must consider based on a review of the relevant state, regional, and local planning documents.

4.1 Prepare Plan and Policy Review

CONSULTANT will prepare Draft and Final Technical Memorandum 4, Policy Framework, to provide an overview of existing local, regional and state policies, plans, standards, rules, regulations, as well as other applicable planning documents, as they pertain to the Tualatin TSP. Technical Memorandum 4 will evaluate existing transportation goals and policies and will identify any updates or shifts in policy language that may be necessary based on local, regional and state requirements, focusing on consistency with the RTP. This memorandum will flag potential policy language that could be included in the TSP; this language will be refined in association with Task 11.

The review and summary will identify where existing City documents or regulations are currently deficient or inconsistent with regional policies and standards and where amendments may be needed to create consistency. Technical Memorandum 4 will guide later decisions regarding selection of preferred alternatives.

The following is a draft list of relevant plans and policies. This list will be refined upon discussion with the CITY. Up to thirty (30) planning documents in total will be reviewed.

State Plans and Regulations

- Oregon Transportation Plan
- Oregon Highway Plan
- Oregon Bicycle and Pedestrian Plan
- Statewide Transportation Improvement Program Department of Transportation Coordination Rules (OAR 731-015)
- Access Management Rules (OAR 734-051)
- Transportation Planning Rule (OAR 660-012), including an overview of subsections -0045 and -0060 and potential changes as a result of Joint Subcommittee on the Transportation Planning Rule (TPR) and Oregon Highway Plan (OHP)
- Statewide Planning Goals 1 (Citizen Involvement), 2 (Land Use Planning), 11 (Public Facilities and Services), 12 (Transportation) and 14 (Urbanization)

Regional Plans and Regulations

- Metro Regional Framework Plan
- Metro 2035 Regional Transportation Plan (RTP)
- Metro Regional Transportation Functional Plan (RTFP)
- Transportation and Land Use Implementation Guidance for the Portland Metropolitan Region (May 2011)
- High Capacity Transit System Expansion Policy: Implementation Guidance for the Portland Metropolitan Region (May 2011)
- SW Corridor Plan
- TriMet Bike Parking Guidelines

Local Plans and Regulations

- City of Tualatin Transportation System Plan (2001 TSP)
- City of Tualatin Comprehensive Plan and Development Code (TDC)
- Tualatin Tomorrow Community Vision and Strategic Action Plan

- Northwest Concept Plan (NWCP)
- Southwest Concept Plan (SWCP)
- Town Center Plan (Final Report, 2005) Not adopted by City Council
- Tualatin Downtown Plan (in progress)
- Urban Reserve Planning
- City of Tualatin Capital Improvement Plan (in progress)
- Basalt Creek Intergovernmental Agreement (in progress)
- Clackamas County Comprehensive Plan
- Clackamas County Zoning and Development Ordinance
- Clackamas County Transportation System Plan (2011) (in progress)
- Clackamas County Capital Improvement Plan
- Washington County Comprehensive Plan
- Washington County Capital Improvement Program
- Washington County 2020 Transportation Plan (2003)
- Washington County Transportation System Plan (in progress)
- Downtown Parking Plan (in progress)

CONSULTANT will work with CITY staff to finalize the list of plans and policies to be reviewed. The CITY will ensure that the CONSULTANT has access to the correct version of all local documents (electronic versions preferred).

Assumptions:

- CITY will review document within 2 weeks of receiving the draft; one round of review will be incorporated by the CONSULTANT within one week of receipt of comments.

Deliverables:

- Draft and Final Technical Memorandum 4: Plan and Policy Review.

Summary of Deliverables and Timeline for Task 4

Task	Description	Deliverables	Schedule
4.1	Policy framework	Draft and final Technical Memorandum 4: Plan and Policy Review	Within 4 months of NTP.

PHASE II: DELIBERATION AND DISCUSSION

This phase of the project will examine the existing and forecasted future needs of the transportation system with an overall objective of understanding Tualatin’s transportation needs and opportunities.

5 Existing Conditions Analysis

The following subtasks describe sections of the Existing Conditions Analysis. Each section will become a part of the final existing conditions document.

5.1 Land Use

CONSULTANT will describe zoning and comprehensive plan designations for the City, and identify major activity centers (such as schools, parks, senior facilities, government services, commercial districts). Using 2000 U.S. Census data and other state or City sources, CONSULTANT will describe general City demographics and commute characteristics, including potential environmental justice areas of concern. CONSULTANT will produce up to two (2) land use figures as part of the existing conditions memorandum (assumed to illustrate zoning and comprehensive plan land use designations).

Assumptions:

- CONSULTANT will produce up to two (2) land use figures.

Deliverables:

- Draft and final Existing Land Use Conditions Section of Technical Memorandum 5: Existing Conditions Report (see Task 5.9).

5.2 Roadway System, Geometry and Conditions

CONSULTANT will summarize roadway classification, ownership, and maintenance responsibility, based on data provided by CITY staff, for collectors and arterials on the City's roadway network. CONSULTANT will also summarize presence of truck or freight routes. CONSULTANT will at a high level compare existing roadway geometry along arterial and collector corridors to City design standards. City roads classified as arterials or collectors will be compared against City design standards for number of lanes and presence of bicycle/pedestrian facilities as applicable. CONSULTANT will produce one (1) figure illustrating current roadway functional classification, as part of the existing conditions memorandum.

Assumptions:

CITY will provide appropriate roadway data to the CONSULTANT.

Deliverables:

- Draft and final Existing Roadway system, geometry, and conditions sections of Technical Memorandum 5: Existing Conditions Report (see Task 5.9).

5.3 Traffic Operations

Data collected in Task 3.2.2 will be analyzed using a Synchro traffic analysis model, which implements the 2010 Highway Capacity Manual methodology. The analysis will evaluate the level-of-service (LOS) and volume-to-capacity (V/C) ratio for the PM peak hour at study area intersections.

Deliverables:

- Draft and final Existing Traffic Operations Section of Technical Memorandum 5: Existing Conditions Report (see Task 5.9).

5.4 Safety

CONSULTANT will analyze the most current three years of collision data for all study area intersections. Collision rates will be calculated for all study area intersections. In addition,

the top 10% ODOT Safety Priority Index System (SPIS) sites and Washington County’s safety priority sites will be identified. The collision analysis at the Top 10% SPIS and Washington County priority locations will identify any crash patterns, and suggest potential countermeasures.

- Draft and final Existing Safety Section of Technical Memorandum 5: Existing Conditions Report (see Task 5.9).

5.5 Bicycle

CONSULTANT will document at a high level existing bicycle system conditions, including location and condition of on-street bicycle lanes and off-street pathways. CITY will provide existing bicycle facility inventory data to the CONSULTANT. Existing count data collected in Task 3.2.2 will be summarized as part of this task identifying the high activity locations within the City. CONSULTANT will also utilize any information provided by the community under Task 3.2.4, and will use pedestrian count summary of high crash locations from data collected in Task 3.2.2. CONSULTANT will produce one (1) figure illustrating location of bicycle lanes and off-street paths as part of the existing conditions memorandum.

Deliverables:

- Draft and final Existing Bicycle System Conditions Section of Technical Memorandum 5: Existing Conditions Report (see Task 5.9).

5.6 Pedestrian System

CONSULTANT will document at a high level existing pedestrian system conditions, including location and condition of sidewalks, pathways, crosswalks, and pedestrian signals. CITY will provide existing sidewalk inventory data to the CONSULTANT. CONSULTANT will also utilize any information provided by the community under Task 3.2.4, and will use pedestrian count summary of high crash locations from data collected in Task 3.2.2. CONSULTANT will produce one (1) figure illustrating location of sidewalks, paths, and crosswalks, as part of the existing conditions memorandum.

Deliverables:

- Draft and final Existing Pedestrian System Conditions Section of Technical Memorandum 5: Existing Conditions Report (see Task 5.9).

5.7 Public Transit

CONSULTANT will document existing public transit service within the City of Tualatin. Documentation will include locations of Tri-Met bus stops and bus lines, Westside Express (WES) stations, and park-and-ride lots. Documentation will also include a high-level overview of ridership on existing public transit lines. CONSULTANT will produce one (1) figure illustrating the current transit system, as part of the existing conditions memorandum.

Deliverables:

- Draft and final Existing Public Transit Service section of Technical Memorandum 5: Existing Conditions Report (see Task 5.9).

5.8 Freight Rail, Pipeline, Waterway, Airport

CONSULTANT will summarize data provided by the CITY or obtained through the Regional Land Information System regarding rail, pipeline, waterway and airport locations and needs. CONSULTANT will be coordinated as needed through communications with railway owners and utility providers. Up to four (4) coordination calls of one (1) hour duration each are assumed to obtain information needed for this section. CONSULTANT will produce one (1) figure documenting major freight rail, waterway, and airport features as part of the memorandum. Some or all of these features may instead be shown on other figures being prepared for the existing conditions report.

Deliverables:

- Draft and final freight rail, pipeline, waterway, and airport sections of Technical Memorandum 5: Existing Conditions Report (see Task 5.9).

5.9 Prepare Existing Conditions Report

CONSULTANT will compile and summarize information documented in the sections produced in Tasks 5.1-5.8 into an Existing Conditions Report. The PMT and CITY will also provide comments on the Existing Conditions Report. CONSULTANT will incorporate one (1) round of comments into the final document.

Assumptions:

- CITY will review document within three (3) weeks of receiving the draft; one round of review will be incorporated by the CONSULTANT within two (2) weeks of receipt of comments.

Deliverables:

- Draft and final Technical Memorandum 5: Existing Conditions Report.

5.10 Review of Interactive Map Comments

CONSULTANT will review the interactive map comments summarized by the Public Involvement consultant on existing conditions, and analyze trends observed in the data related to near-misses, high speed areas, roadway geometry, and connectivity. CONSULTANT will use data from the map comments to inform Task 7 Develop and Screen System Options. **Assumptions:**

- Public Involvement consultant will summarize comments received through interactive map.

Deliverables:

- None.

Summary of Deliverables and Timeline for Task 5

Task	Description	Deliverables	Schedule
5.1- 5.9	Prepare existing conditions report	Draft and final Technical Memorandum 5:	Draft within three months of NTP; CITY comments within three

EXHIBIT A – SCOPE OF WORK

		Existing Conditions Report.	weeks of draft submittal. Final technical memorandum within two weeks of receipt of CITY comments.
5.10	Review of Interactive Map Comments	None	Within three months of NTP.

6 Future Conditions Analysis

6.1 Coordination on Land Use Assumptions

CONSULTANT will coordinate with the CITY on land use assumptions to be used for the TSP future conditions analysis. Baseline land uses must be consistent with the Regional Transportation Plan. Up to three (3) land use scenarios, a baseline and two alternatives that reflect subarea concept planning efforts, may be created. Up to two (2) members of the CONSULTANT team will organize and facilitate up to two (2) coordination meetings with the CITY and other agencies as applicable and as identified by the CITY to discuss details of these alternate land use scenarios. These meetings are assumed to be two (2) hours in duration and held in Tualatin or another location in the Portland metropolitan area.

Once alternate land use scenarios are identified, the CONSULTANT will prepare employment and housing projections by Transportation Analysis Zone (TAZ) consistent with subarea planning assumptions. The analysis will rely on the quantity of available buildable lands, known environmental constraints, and the amount and type of anticipated development. Consultant shall produce Technical Memorandum 6: Land Use Scenario Assumptions to describe land use growth assumptions and containing employment and housing projections by TAZ in a spreadsheet format.

Deliverables:

- Draft and final Technical Memorandum 6: Land Use Scenario Assumptions.

6.2 Establish Baseline Assumptions and Identify Scenarios

CONSULTANT will coordinate with the City and Metro to define the future baseline information to be used for future analysis. In addition, land uses identified in Task 6.1 will be input in the regional travel demand model to create the future land use alternatives for analysis. Future alternative land use scenarios assume up to fifteen intersections for analysis.

6.3 Run Travel Demand Model and Interpret Results

CONSULTANT will utilize the current 2035 Metro regional travel demand model to evaluate future roadway conditions at a high level including link V/C ratios on major roadways within the City for the baseline future conditions.

In addition to high level model results, the regional travel demand model will be used to prepare intersection turn movement forecasts at all study area intersections for the baseline

analysis, and intersection turn movement forecasts for up to fifteen intersections for alternative land use scenarios. Intersection forecasts will be for the PM peak hour.

6.4 Prepare Future Traffic Conditions Report

Data provided from Task 6.3 will be used to evaluate intersection operations for the PM peak hour for study area intersections. Future operations will include level-of-service (LOS) and volume-to-capacity (V/C) ratio. The future traffic conditions report will include both the baseline operational analysis and alternative land use analysis.

Summary of Deliverables and Timeline for Task 6

Task	Description	Deliverables	Schedule
6.1	Coordinate on land use assumptions	Draft and final Technical Memorandum 6: Land Use Scenario Assumptions	Within four months of NTP.
6.2	Establish baseline assumptions and identify scenarios	None	
6.3	Run travel demand model and interpret results	V/C plots and future intersection forecasts for use in Task 6.4	Within six months of NTP
6.4	Prepare future conditions report	Draft and final Technical Memorandum 7: Future Conditions Report	Within eight months of NTP

PHASE III: OPTIONS AND RECOMMENDATIONS

7 Develop and Screen System Options

This task will develop an appropriate range of transportation system options that address future needs and system deficiencies as identified in Tasks 5 and 6. The purpose of this task is to first create a “universe” of transportation system options with input from the Task Force, and then screen these options for feasibility, narrowing to a list of feasible options that will be evaluated in Task 8.

7.1 Create Long List of Potential Options

CONSULTANT will develop and compile a list of potential options, with input from the PMT, the Task Force, and the public. Potential options will address existing and future needs and conditions identified in Tasks 5 and 6 and address relevant roadway, bicycle, pedestrian, transit, rail, and other modal needs.

CONSULTANT will address the following items in developing transportation improvements and transportation system alternatives:

- Short- and long-range traffic deficiencies, connectivity (i.e., Tualatin Road extension), and safety hazards
- Geometric and other improvements to improve capacity and safety, including locations with higher than average crash rates
- Other roadway needs, including safety, bridge, reconstruction, and operations and maintenance
- How alternatives support land use goals and forecasts, including adding land to the City
- Consistency with the OHP Major Improvements Policy (Action 1.G)
- Desired adherence to mode share targets
- Changes to roadway classifications based on land uses, traffic circulation needs, and system deficiencies
- Impact of potential urban growth boundary/City limit expansion

Assumptions:

- PMT, CITY and task force, and public will provide input and submit ideas to be included in the long list of potential options.
- CITY will review document within 2 weeks of receiving the draft; one round of review will be incorporated by the CONSULTANT within one week of receipt of comments.

Deliverables:

- Draft and Final Technical Memorandum 8: Long List of Options.

7.2 Screen for Feasible Options

CONSULTANT will screen the full list of potential options and screen for feasibility based on criteria developed in Task 2.7 with the PMT and Task Force. Results of the screening and options set aside will be documented in the Technical Memorandum described in Task 7.3.

Deliverables:

- None for this task; work will be documented in deliverable prepared for Task 7.3.

7.3 Develop Feasible Options

Once the feasible options have been screened, the CONSULTANT will develop the options being identified as feasible. These feasible options will be presented to the public for feedback at Task Force and/or Working Group meetings, and other public outreach events as appropriate and identified in Task 2.

The feasible options to be carried forward into analysis are listed below:

- CONSULTANT will develop up to four (4) system alternatives with up to six (6) stand-alone design options as appropriate to specific corridors, intersections, or modes.

EXHIBIT A – SCOPE OF WORK

- The number of alternatives and design options to be developed may be revised by the PMT but will not exceed four (4) system alternatives or six design options. The baseline land use scenario will be used for traffic operational analysis for system alternatives.

CONSULTANT will document assumptions behind each of the system alternatives and describe potential changes due to uncertainties related to fuel prices, economic conditions, or other uncertainties. Feasible options must be illustrated in GIS or a graphics format. CONSULTANT will integrate one (1) round of comments from the Task Force and/or the Working Group.

CONSULTANT will write Technical Memorandum 9 – Feasible Options describing the feasible options and the process used to determine their feasibility.

Assumptions:

- CITY will review document within 2 weeks of receiving the draft; one round of review will be incorporated by the CONSULTANT within one week of receipt of comments.

Deliverables:

- Technical Memorandum 9 – Feasible Options.

Summary of Deliverables and Timeline for Task 7

Task	Description	Deliverables	Schedule
7.1	Create long list of potential options	Draft and final Technical Memorandum 8: Long List of Options.	Within 7 months of NTP
7.2	Screen for feasible options	None	
7.3	Develop feasible options	Draft and final Technical Memorandum 9: Feasible Options.	Within 8 months of NTP. CITY will provide comments within 2 weeks of receiving draft. CONSULTANT will respond to comments within 2 weeks.

8 Prepare TSP Recommendations

This task will determine recommendations for the Tualatin TSP using the evaluation criteria and framework developed in Task 2.7 to objectively evaluate the feasible options developed in Task 7.

8.1 Evaluate Options Developed in Task 7

The feasible options developed in Task 7.3 will be evaluated using the criteria and performance measures developed in Task 2.7. The evaluation framework must serve as an objective guide to aid selection of TSP recommendations. The CONSULTANT will host a ½ day workshop to evaluate feasible options to include up to four (4) key members of the technical team. This workshop will be hosted at the CONSULTANT offices. The PMT will be invited to participate. Initial scores resulting from this workshop will be presented to the PMT for feedback. One (1) round of revisions to the evaluation findings is assumed based on PMT feedback. Revised scores will be presented to the Task Force and made available for public review via the project website.

Assumptions:

- PMT will review and comment on the initial evaluation of alternatives.
- Public Involvement team will coordinate sharing information about scoring alternatives with the public.

Deliverables:

- Spreadsheet with preliminary evaluation scores.

8.2 Prepare Preliminary Recommendations

CONSULTANT will prepare a set of Preliminary Recommendations based on feedback from the PMT, Task Force, and public and the evaluation of options in Task 8.1. CONSULTANT will document the process and evaluation of alternatives against the evaluation framework in a series of preliminary recommendations graphics. Up to eight (8) graphics will be prepared to represent preliminary recommendations. The CONSULTANT will present the preliminary recommendations to the PMT and Task Force.

Deliverables:

- Graphics (up to eight (8)) illustrating Preliminary Recommendations.

8.3 Refine Recommendations

CONSULTANT will refine preliminary recommendations developed in Task 8.3 based on feedback from the Task Force and the PMT. These refined recommendations will be presented to the Task Force and PMT for comment, and to the community at large through outreach events identified in Task 2, and made available for review via the project website. Up to four (4) weeks will be allowed for review of the refined recommendations.

Deliverables:

- Refinements to graphics (up to eight (8)) illustrating TSP Recommendations.

8.4 Develop Functional Classification Plan and Update Design Standards

CONSULTANT will coordinate with the CITY to update the functional classification plan for roadways within the study area, drawing upon the existing functional classification system and updating based on expected growth, development and potential future connections.

EXHIBIT A – SCOPE OF WORK

CONSULTANT will coordinate with the City to update design standards for the range of roadway classifications found within the City. It is anticipated that only a minor update to current design standards will be needed for the TSP.

Assumptions:

- The City’s current design standards will only require a minor update for the TSP.

Deliverables:

- Draft and final Functional Classification Plan and Design Standards Section to be inserted into the TSP.

8.5 Prepare Modal Plans

CONSULTANT will describe recommendations and assemble as appropriate into modal plans for roadway, bicycle, pedestrian, transit, railroad, pipeline, and aviation. These will be written as sections of the TSP document. Graphics prepared in Sections 8.2 and 8.3 will be used in the modal plans.

Deliverables:

- Draft and final Roadway, Bicycle, Pedestrian, Transit, Railroad, Pipeline, and Aviation Modal Plan Sections to be inserted into the TSP.

Summary of Deliverables and Timeline for Task 8

Task	Description	Deliverables	Schedule
8.1	Evaluate options developed in task 7	Spreadsheet illustrating preliminary evaluation results	Within 9 months of NTP.
8.2	Prepare preliminary recommendations	Up to eight (8) graphics illustrating preliminary recommendations	Within 10 months of NTP.
8.3	Refine recommendations	Revised graphics prepared under 8.2	Within 11 months of NTP.
8.4	Develop functional classification plan and update design standards	Draft and final Functional Classification Plan and Design Standards sections of the TSP	Within 13 months of NTP.
8.5	Prepare modal plans	Draft and final Roadway, Bicycle, Pedestrian, Transit, Parking, and other applicable modal plans	Within 13 months of NTP.

9 Implementation Plan

This task organizes the preferred alternative recommended improvements so that they can be integrated into the Tualatin Capital Improvement Program. Order-of-magnitude cost estimates must be developed by CONSULTANT for each of the projects comprising the project recommendations. Potential funding sources will be matched to the identified public projects.

9.1 Prepare Cost Estimates

CONSULTANT will also prepare planning-level (order of magnitude) cost estimates, rounded to the nearest \$1,000 or other logical unit, and reported as a range, incorporating design assumptions available from previous tasks. For assumption purposes, it is assumed that 50 projects (various modes and multimodal) will be estimated for order-of-magnitude costs). Cost must be developed using latest CITY or ODOT unit costs. CONSULTANT will apply a unit cost method, and used for planning level analysis only. Cost estimates will be provided in worksheet (excel) format, with the provision of summary tables to be inserted into Technical Memorandum (described in Task 9.2) and the TSP. The CITY will identify appropriate engineering staff to review draft cost estimate information.

Assumptions:

- CITY will provide the most recent unit costs.

Deliverables:

- Draft and final cost estimates spreadsheets and summary tables.

9.2 Prepare Funding Options Plan

CONSULTANT will prepare a list of funding options appropriate for the prioritized recommendations identified in Task 9.1. Funding options will include state, county, regional, and city sources, including multimodal and mode-specific funding sources. Opportunities to use multiple funding sources for projects should be noted, where appropriate. The funding plan will be documented in Technical Memorandum 10, Cost Estimates and Funding Options.

Assumptions:

- CITY will provide input on city funding sources to be added to the feasible funding options plan.
- CITY will review document within 2 weeks of receiving the draft; one round of review will be incorporated by the CONSULTANT within one week of receipt of comments.

Deliverables:

- Draft and final Technical Memorandum 10: Cost Estimates and Funding Options Plan.

9.3 Prioritize Recommendations from Task 8

CONSULTANT will facilitate a conversation with the Task Force on the prioritization of recommended projects identified in Task 8.3, with the benefit of cost and funding information prepared in Tasks 9.1 and 9.2. Based on feedback from these groups and from the PMT, the CONSULTANT will prepare a Capital Improvements Program project list, a prioritized list of project recommendations organized into short- (0-5 year), medium- (5-10 year), and long- (10-20 year) term. The list must include the prioritization of the Project, the recommended timeframe, the estimated cost, lead agency for the improvement and a brief Project description. The list must be in the format of the existing CITY CIP list.

Assumptions:

- CITY will provide feedback and input on prioritization of projects.
- CITY will review document within 2 weeks of receiving the draft; one round of review will be incorporated by the CONSULTANT within one week of receipt of comments.

Deliverables:

- Draft and final Capital Improvements Program Project List.

Summary of Deliverables and Timeline for Task 9

Task	Description	Deliverables	Schedule
9.1	Prepare cost estimates	Draft and final cost estimates	Within 13 months of NTP.
9.2	Prepare funding options plan	Draft and final Technical Memorandum 10: Cost Estimates and Funding Options Plan	Within 13 months of NTP.
9.3	Develop capital improvement project list	Draft and final Capital Improvement Program project list	Within 14 months of NTP.

10 Ordinance Language

10.1 Code Amendments

CONSULTANT will prepare Draft Technical Memorandum 11: Recommendations for Regulatory Amendments, including amendments and additions to the Tualatin

Development Code. Technical Memorandum 11 must address the code deficiencies identified in Technical Memorandum 4: Plan and Policy Framework, to ensure compliance with the Metro RTP and TPR section -0045. Revised Tualatin Development Code language will be recommended to address deficiencies, in a format suitable for adoption hearings. Regulatory solutions may include the following:

- A. Updated roadway design standards for roads, bicycle and pedestrian facilities, trails, and transit facilities, allowing implementation of complete street designs as set forth in Metro’s *Creating Livable Streets: Street Design Guidelines*, and green street designs set forth in Metro’s *Green Streets: Innovative Solutions for Stormwater and Street Crossings*, and *Trees for Green Streets: an Illustrated Guide*.
- B. Development standards supporting transit, bicycling, and walking and preserving planned transportation facilities and services for their planned functions and capacities, as required by the TPR section -0045 and by the Metro RTP.

Assumptions:

- CITY will review document within 2 weeks of receiving the draft; one round of review will be incorporated by the CONSULTANT within one week of receipt of comments.

Deliverables:

- Draft and final Technical Memorandum 11: Recommendations for Regulatory Amendments.

10.2 Staff Report

CONSULTANT will prepare Draft and Final Technical Memorandum 12: Adoption Findings Staff Report supporting the adoption of the Transportation System Plan and associated development code amendments addressing City, regional and state standards for adoption.

Assumptions:

- CITY will review document within 2 weeks of receiving the draft; one round of review will be incorporated by the CONSULTANT within one week of receipt of comments.

Deliverables:

- Draft and final Technical Memorandum 12: Adoption Findings Staff Report.

Summary of Deliverables and Timeline for Task 10

Task	Description	Deliverables	Schedule
10.1	Code amendments	Draft and final Technical Memorandum 11:	Within 14 months of NTP.

EXHIBIT A – SCOPE OF WORK

		Code Amendment Language	
10.2	Staff report	Draft and final Technical Memorandum 12: Adoption Findings Staff Report	Within 14 months of NTP.

11 Prepare TSP

CONSULTANT will prepare a TSP to reflect public, City, Working Group, and Task Force input, in accordance with professional standards and practices consistent with the TPR.

11.1 Outline TSP

CONSULTANT will create an annotated outline of the TSP which includes chapter headings and a short description of the content, including appendixes and necessary graphics to illustrate the TSP. The outline will be reviewed by the PMT, and 1 round of comments will be incorporated into the outline.

Assumptions:

- CITY will review the TSP outline and provide comments.
- CITY will review document within 2 weeks of receiving the draft; one round of review will be incorporated by the CONSULTANT within one week of receipt of comments.

Deliverables:

- Draft and final annotated TSP outline.

11.2 Preliminary Draft TSP

The Preliminary Draft TSP for PMT review will include:

- Introduction that addresses purpose of TSP, TSP goals and objectives, process for developing TSP, summary of public involvement efforts that demonstrates consistency with Statewide Planning Goal 1 and the Washington County and Clackamas County TSPs.
- Road plan as specified in OAR 660-012-0020(2)(b).
- Public transportation plan as specified in OAR 660-012-0020(2)(c).
- Bicycle and pedestrian plans as specified in OAR 660-012-0020(2)(d) and OAR 660-012-0045(3)(b), and consistent with ORS 366.514.
- Air, rail, water and pipeline plan as specified in OAR 660-012-0040(2)(e).
- Transportation financing program as provided in OAR 660-012-0040.
- Proposed amendments to local codes and ordinances to provide for implementation of the TSP as necessary to carry out OAR 660-012-0045 (provisions related to coordination with AGENCY and ordinance requirements

to consider that new development provides for convenient bike and pedestrian circulation and, where appropriate, convenient access to transit).

- An appendix listing the TPR requirements and how the TSP meets those requirements.

This draft will be reviewed by the PMT, and the CONSULTANT will incorporate 1 round of comments. The TSP will be organized into two volumes. Volume 1 will be the TSP modal plans themselves, and is assumed to be approximately 60 pages in length (figures and text). Volume 2 will be the TSP Appendixes and will be largely comprised of the technical memoranda described in Tasks 3-10. Copies will be made available in PDF format for viewing on the website. The CONSULTANT will not produce any hard copies of the Preliminary Draft TSP.

Assumptions:

- CITY will review document within 3 weeks of receiving the draft; one round of review will be incorporated by the CONSULTANT within 2 weeks of receipt of comments.

Deliverables:

- Preliminary Draft TSP for PMT review.

11.3 Public Review Draft TSP

The CONSULTANT will incorporate PMT comments and create a draft TSP that includes all of the elements outlined in Task 11.2 and incorporating comments from the PMT. The Draft TSP elements will be presented to the Task Force at a regularly scheduled meeting and will be made available to the community for review at relevant outreach activities as described in Task 2. Copies will be made available in PDF format for viewing on the website. The CONSULTANT will prepare up to five (5) hard copies of the Public Review Draft TSP.

Deliverables:

- Public Review Draft TSP, responding to PMT comments.

11.4 Revised Draft TSP

Comments received from the public, PMT, and Task Force will be incorporated into a revised draft TSP to begin the adoption process (described in Task 12) with the Tualatin TPAC and City Council. Copies will be made available in PDF format for viewing on the website. The CONSULTANT will prepare up to five (5) hard copies of the Revised Draft TSP.

Deliverables:

- Revised Draft TSP, responding to PMT, public, and Task Force comments.

11.5 Final Draft TSP

The CONSULTANT will incorporate changes made through the council adoption process into the Final Draft TSP for City Council adoption. This will serve as the final product of this contract. CONSULTANT will provide the Final Draft TSP in electronic format to include

PDF, native file format, and supplemental products produced for the TSP. The CONSULTANT will provide up to ten (10) hard copies of the Final Draft TSP to CITY for distribution to PMT members.

Assumptions:

- CONSULTANT will provide up to ten (10) hard copies of the TSP.
- CONSULTANT will provide the final document electronically in both PDF and native file formats.

Deliverables:

- Final Draft TSP.

Summary of Deliverables and Timeline for Task 11

Task	Description	Deliverables	Schedule
11.1	Outline TSP	Draft and final annotated TSP outline	Within 14 months of NTP.
11.2	Preliminary draft TSP (PMT review only)	Preliminary Draft TSP for PMT review	Within 15 months of NTP.
11.3	Public Review Draft TSP	Public Review Draft TSP, responding to PMT comments	Within 16 months of NTP.
11.4	Revised draft TSP (for initiating adoption process)	Revised Draft TSP, responding to PMT, public, and Task Force comments.	Within 18 months of NTP.
11.5	Final Draft TSP (reflecting changes made through council adoption process)	Final Draft TSP	Within 20 months of NTP.

12 Support for TSP Adoption

This task provides CONSULTANT support for the TSP adoption process. It is assumed that CITY staff will lead the adoption process, including scheduling time with the TPAC and City Council, and DLCD notice.

12.1 Develop Adoption Strategy

CONSULTANT will coordinate with the CITY to develop an adoption strategy. This strategy will include an approximate timeline for adoption, a review of briefing, workshop, and public hearing formats, identification of Task Force and Working Group members that could present to the TPAC and Council, and DLCD involvement and review.

Deliverables:

- Draft and final adoption strategy.

12.2 TPAC Meetings

CONSULTANT shall prepare one (1) presentation that describes the TSP recommended improvements, network concepts, facility standards, Development Code amendments, and plan amendments in the Tualatin TSP. CONSULTANT will provide Presentation Material for TPAC Meeting to CITY at least fifteen (15) working days prior to the scheduled meeting for review and distribution. Two members of the CONSULTANT team will attend one TPAC meeting to support CITY staff in presenting the Refined Draft TSP. This meeting is assumed to include the presentation of the TSP. City staff are assumed to attend a second meeting with TPAC (without CONSULTANT attendance) where they will request that TPAC endorse the Tualatin TSP for adoption by City Council.

Deliverables:

- Draft and final TPAC presentation.
- Attendance by 2 CONSULTANT team staff members at 1 TPAC meeting.

12.3 City Council Meetings

CONSULTANT shall refine the presentation prepared in Task 12.2 above for presentation to Tualatin City Council. CONSULTANT will provide Presentation Material for City Council Meeting to CITY at least fifteen (15) working days prior to the scheduled meetings for review and distribution. Two members of the CONSULTANT team will attend one City Council meeting to support CITY staff in presenting the Refined Draft TSP. This meeting is assumed to include the presentation of the TSP. City staff are assumed to attend a second City Council meeting (without CONSULTANT attendance) that would include a public hearing and adoption of the TSP by City Council.

Assumptions:

- CONSULTANT shall provide draft presentations for CITY for review 3 weeks in advance of the City Council Meeting.
- CITY will coordinate providing materials to City Council 10 business days before the meeting.

Deliverables:

- Draft and final City Council presentation.
- Attendance by 2 CONSULTANT team staff members at 1 City Council meeting.

Summary of Deliverables and Timeline for Task 12

Task	Description	Deliverables	Schedule
12.1	Develop adoption strategy	Draft and final adoption strategy	Within 17 months of NTP.
12.2	TPAC meetings	Presentation for and attendance at TPAC	Within 18 months of NTP.

EXHIBIT A – SCOPE OF WORK

		meeting	
12.3	City Council meetings	Presentation for and attendance at City Council meeting	Within 19 months of NTP.

EXHIBIT B – COMPENSATION

Updated Budget goes here.

RESOLUTION NO. 5067-11

RESOLUTION AUTHORIZING TASK ORDER NO. 50 TO THE
MASTER SERVICES AGREEMENT WITH CH2M HILL, INC.
FOR TECHNICAL PLANNING SUPPORT FOR THE
TRANSPORTATION SYSTEM PLAN UPDATE

WHEREAS the Review Committee recommended that the City Council accept their recommendation of CH2M Hill, Inc for the technical planning consultant; and

WHEREAS there are funds available for the Transportation System Plan Update in the Road Operating and Gas Tax Fund.

BE IT RESOLVED BY THE CITY COUNCIL, CITY OF TUALATIN, OREGON, that:

Section 1. The Technical Planning contract for the Transportation System Plan is awarded to CH2M Hill, Inc.

Section 2. The City Recorder is authorized to execute a contract with CH2M Hill, Inc. in an amount not to exceed \$327,000.

INTRODUCED AND ADOPTED this 12th day of September, 2011.

CITY OF TUALATIN, OREGON

By 

Mayor

ATTEST:

By 

City Recorder

APPROVED AS TO LEGAL FORM


CITY ATTORNEY



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos

FROM: Dayna Webb, Project Engineer
Alice Rouyer, Community Development Director

DATE: 09/12/2011

SUBJECT: Transportation System Plan: Authorizing a Personal Services Agreement with JLA Public Involvement to support the project

ISSUE BEFORE THE COUNCIL:

Should the Council accept the scope for the Transportation System Plan (TSP) Public Involvement and authorize the City Manager to enter into a Personal Services Agreement.

RECOMMENDATION:

Staff recommends that the Council accept the scope and direct the City Manager to enter into a contract with JLA Public Involvement for the Transportation System Plan Public Involvement.

EXECUTIVE SUMMARY:

At the January 24, 2011 meeting the Council authorized the City Manager to enter into a Personal Services Agreement to begin formation of the Transportation System Plan Public Involvement Strategy. The outcome was the Public Involvement Strategy, which was presented to Council on May 9, 2011 and is attached. This included the following components:

Background Research & Assessment

- Understanding Tualatin's recent public involvement history, demographics and role within the region
- Review of the existing Transportation System Plan and recent public surveys

Public Involvement (PI) Plan Development

- Stakeholder Interviews
- Public Involvement Goal Setting
- Community Survey
- Assist with Request for Proposals/Qualifications for the technical consultant
- Create the PI plan

Staff Training

- Identify staff training needs for future work

Build Scope of Work for future work

- Draft future scope of work, schedule and budget estimate

The results of this work guided a series of important initial outreach activities to kick off this project throughout the summer. This project is off to a good start; to date we have collected hundreds of comments from booths at the Farmer's Market, Crawfish Festival, the interactive map on the website and the i-Phone application that will guide the formation of the new TSP.

The Transportation System Plan is a blueprint for building and maintaining Tualatin's transportation network. To update the TSP, we will study what we have and envision what we want in 2035. We must balance the needs of those using cars, buses, trucks, trains, bikes and walking paths and consider our place in the region, while working diligently to protect what we love about Tualatin. In the months ahead, we will implement a very comprehensive public involvement model for this project. We will seek to involve a wide range of residents, businesses and new participants. We expect that the result will build a strong foundation for public involvement on two other important transportation projects that will be underway in 2011/2012. These are High Capacity Transit Study and joint planning with Washington County to support a new transportation system in the SW Concept Plan and Basalt Creek Concept Plan areas.

As we move forward with the next phase of the Transportation System Plan Update, we will split the work into three main parts, which are outlined below. Public involvement, utilizing the strategies outlined in the attached Public Involvement Strategy document will be the most critical piece to ensure the outcomes the Council and community require.

Part 1: Frame the Conversation

Part 1 is designed to reach out to members of the community, convene key stakeholders and community groups, and collect data.

Outcomes:

- Broad awareness among Tualatin's residents and business owners that Tualatin is updating its long-range transportation plan
- Interest in participating in the plan update from diverse set of citizens representing different neighborhoods and interest areas
- Unique perspectives on the existing system have been shared by many citizens of the community
- Reliable data gathered and compiled from the technical team to understand Tualatin's transportation needs and opportunities

Part 2: Deliberation & Discussion

Part 2 efforts include an analysis of existing conditions, as well as forecasting the effectiveness of the existing system in the future (Year 2035). The team will also develop a framework for how various project ideas will be evaluated based on technical need and community values.

Outcomes:

- Common understanding of Tualatin's needs and opportunities, both now and in the future (Year 2035)
- Framework that lays out how different ideas will be evaluated, based on community goals and values

- Wide range of solutions crafted to meet the needs and opportunities
- Feasible options prepared and developed with the community

Part 3: Options & Recommendations

Part 3 is designed to evaluate the most feasible project ideas. In addition, recommendations will be made and refined based on community and other stakeholder feedback. Further, the plan itself will be prepared and entered into the adoption process. The end result of Part 3 will result in the final, adopted Transportation System Plan.

Outcomes:

- Evaluated options based on the agreed upon framework (prepared in Part 2), giving the community a sense of which options work best to meet the City's goals and objectives.
- Refined recommendations based on broad input from the community, decision-makers, and other stakeholders (such as Metro, TriMet, the Department of Land Conservation and Development)
- Prioritized phasing strategy that give the City a sense of which projects should be built first
- Realistic cost projections and potential funding options developed for each of the stakeholder agreed upon recommendations
- Well-developed plan that includes a capital improvement program and a series of "modal plans" – one for each mode of transportation (e.g., road, bicycle, pedestrian, transit) that has been reviewed and refined based on feedback from the community
- Elected and appointed official buy-in from the Planning Advisory Committee and the City Council

JLA-Public Involvement Scope of Work

Throughout the entire project, JLA will be an integral part of the project management team, coordinating with the City and the technical team on a regular basis. JLA will assist with the establishment of the Task Force, planning meeting activities and creating agendas, meeting materials, presentations and displays; they will facilitate and document task force meetings and organize member communications between meetings. JLA will work with the Task Force, City Staff and the Technical Team to develop and refine the project goals and objectives; development of evaluation criteria and performance standards. For the Work Groups, JLA will assist with the design and development of materials, presentations and displays, establish agendas and set meeting schedules, and be available to facilitate work group meetings as needed.

The website will serve as a primary resource for providing the public with information; JLA will assist the City staff with the website throughout the project. JLA will script and produce up to two videos to raise awareness of the project that will be available on the project website and other media outlets. It is anticipated that there will be at least three public workshops / open houses throughout the project; JLA will strategize, plan, organize and prepare materials for these events; they will facilitate the events, prepare meeting notes and a summary report as well as prepare materials for the project website that mimics information presented at the public meetings.

Throughout the project there will be opportunities and a need to meet with smaller groups of individuals to talk about specific recommendations in their area or recommendations that impact them. These meetings could be at a local business or in someone's home. JLA will develop meeting materials and meetings plans for these meetings.

One of the goals of the project is to involve hard to reach populations; preliminary research

suggests that this will require providing materials in Spanish, establishing relationships with leaders in the community and holding events that target this population. JLA will provide translations services for project materials, help identify opportunities for involving hard to reach populations and help organize, produce materials for and facilitate events targeted to a Spanish-speaking population.

Throughout the project, JLA will help with the project messaging and create informational pieces including project newsletters, fact sheets, media releases, Q&A handouts, display materials, and presentations. JLA will work with the project team to anticipate public issues or concerns, assist the team to ensure that public comments and feedback from the public has been included in the recommendations, and develop a survey tool (on-line and paper) to solicit community feedback on the preliminary recommendations. JLA will engage the task force in activities to solicit their ideas for the prioritization of the plan; they will produce the Public Involvement Chapter for the TSP and will support the adoption process with production of materials. Finally, JLA will conduct an evaluation of the public involvement process and provide a report summarizing the results that can be used for future public involvement processes in Tualatin.

The schedule for all three parts of the projects is to complete the work between now and December 2012 with a budget not to exceed \$167,000. We will continue to work with the City Council subcommittee for this project throughout its duration. The subcommittee is composed of Council President Beikman and Councilors Brooksby and Davis. We will seek regular feedback from the subcommittee at key milestones to ensure that the scope, schedule and budget are meeting the needs of the City Council and community.

FINANCIAL IMPLICATIONS:

Funds are available for the Transportation System Plan Update in the Road Operating/Gas Tax Fund.

-
- Attachments:** A. Public Involvement Strategy
 B. JLA Personal Services Agmt
 C. Resolution

MEMO

JLA Public Involvement

To: Mike McKillip
From: Eryn Kehe
CC: Dayna Webb
Date: May 12, 2011
Re: Recommended Public Involvement Strategy for the Tualatin Transportation System Plan Update



Comments: Please accept this report as the final product of our work together to define an approach to public involvement in your upcoming Transportation System Plan (TSP) update process. It is marked "DRAFT" to allow opportunity for any necessary revisions.

We look forward to the opportunity to work with you and members of the Tualatin community when the TSP process begins in the next few months.

Background

Over three months of research went into the development of this public involvement strategy. We'd like to thank everyone in and around Tualatin who participated in its development. Twenty-nine individuals and groups shared their experiences with local decision-making and offered suggestions for the Transportation System Plan update process. Over 240 people participated in a survey, and twenty citizens and City staff worked together during two workshops to collect ideas and identify needs for this plan.

The following is a summary of ideas and reoccurring themes heard throughout the research process that have impacted the public involvement strategy.

- The community has more young families than empty nesters.
- Many people travel to work outside the community during the day and return at night. There is some evidence that this trend is different in the Latino community who tend to live and work within Tualatin.
- There is a significant business presence in Tualatin. Most business owners and employees who work in Tualatin, live elsewhere. Their transportation needs and experiences may be different from those who live in the community.
- The transportation network is complicated (example: ownership of roads by different government agencies). In order to participate effectively, people will need to understand the complex dynamics of the transportation system.
- People in Tualatin are busy—it will be a challenge to capture their attention and keep them engaged.
- Many people don't get involved unless their home or quality of life is threatened.
- In the past, folks have arrived to the conversation too late in the process. This has not lead to positive outcomes for important local decisions.
- This process will need to provide timely, accurate, honest, clear and easy to understand information.
- To really get people involved, we will need to go where the people are, instead of expecting them to come to us.

The Transportation System Plan

The Transportation System Plan (TSP) is a blueprint for building and maintaining Tualatin's transportation network. To update the TSP, we will study the existing network and envision what we want in 2035. The right plan will balance the needs of those using cars, buses, trucks, trains, bikes and walking paths, and consider our place in the region, while working diligently to protect what we love about Tualatin.

Goal and Objective for Public Involvement

The Goal and Objective for the Public Involvement Strategy was developed by a group of citizens and business leaders working in collaboration with City staff.

Project Goal

The public involvement process for the Tualatin Transportation System Plan (TSP) update will be an opportunity for all citizens, businesses, and transportation system users to learn about and participate in all phases of the TSP development. We will keep citizens engaged through transparent and continuous two-way communication, sharing information, questions, problems, and recommendations leading to widely supported solutions.

Project Objective

The objective of public involvement in the TSP will be to have informed public participation in planning decisions by providing understandable, clear, timely, and complete information about current issues and proposed policies, and by encouraging interactive exploration of a wide variety of potential solutions between policy-makers and citizens.

To achieve this objective, the City aims to use a broad-range of tools for engaging a wide range of citizens in the process, resulting in a better, more relevant plan.

1. User-friendly, widely-available transportation information and education increases public understanding and opens the door for more informed and effective community input.
2. Newly-formed relationships in the community lead to important interactions between community leaders and organizations, and there is a growing sense of trust.
3. More citizens will feel pride in the TSP and advocate for its implementation by participating in its development.

Audience

Identifying a full range of participants is an extremely important step in building a comprehensive public involvement strategy. To identify participants, we use an I³ methodology. This helps to stimulate more complete thinking about who the public is for this project. I³ involves sectioning the participants into three categories and digging into those categories to ensure inclusion of everyone connected to the Tualatin TSP effort.

- **Impacted** – those potentially affected by TSP decisions, starting with the neighbors and neighborhoods most directly impacted by being near a future roadway improvement, and then those who might be more peripherally impacted, such as those who commute to Tualatin, but do not live there.
- **Interested** –those who are curious about or attracted to the TSP effort because of a particular interest (environmental, transit, bicycle, or pedestrian concerns).
- **Influential** – those charged with collecting information and input that leads to solutions to Tualatin’s transportation system needs (from advisory and working groups to TPAC and the City Council).

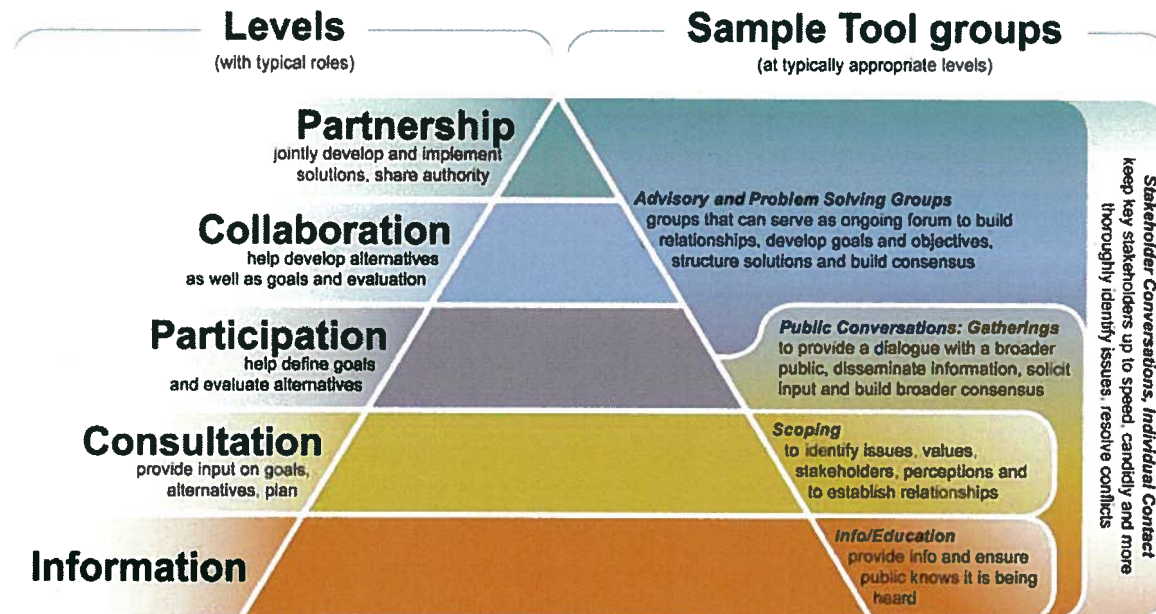
In the course of our stakeholder identification effort, we also identified a 4th I – **Invisible**. Those members of the community who may not typically be included in public outreach such as English as second language, youth, renter or senior audiences.

The interviews and workshops conducted generated an inclusive initial list of community members to engage in the TSP development effort. Many of the people we talked to have existing grassroots communication networks that can be used to increase our ability to communicate efficiently and effectively with the community at large. This list will be compiled into a project contact database. This database will be updated as other stakeholders are identified during the TSP process and used to track stakeholder contact throughout the project.

This broad-based group of potential participants represents many different levels of involvement. Some will be satisfied with knowing about the project, others will want to track progress, and some will want to have hands-on involvement in identifying and resolving the issues. The outreach and involvement techniques and tools outlined in this public involvement plan will maximize involvement opportunities and be designed to allow participants to select their preferred level of engagement. The following describes the levels of public involvement. Through the strategy, these levels will be noted for each recommended activity.

Levels of Public Involvement

There is not just one kind of public involvement. The public expects and needs to be involved at different levels depending on their interest level and the type of decision involved. Each step builds on the previous level.



Information

In terms of stakeholder engagement, this is appropriate for the stakeholders that you anticipate will have only a peripheral interest in your project. Typically, you inform them of the purpose, process, alternatives and outcomes of the project, and provide avenues for them to heighten their level of involvement if they choose. If you do *no more* than this with any of your stakeholders, you have an *information* effort, not a stakeholder *engagement* program. Examples of an information effort are media releases, newsletters or other informational mailings.

Consultation

This is the lowest level of actual involvement. At this level, you provide stakeholders with opportunities to *provide input* on goals, alternatives, and/or the direction of the plan, but you do not work with them to *shape* the goals or the plan of action. This is particularly appropriate for decisions that are building on known and established plans, policies and values that are not controversial. In essence, you are “checking in” with stakeholders to say, “Did we get it right?” An example of this is a survey or a open house where you accept comments from participants.

Participation

At this level, stakeholders help define goals, evaluate options and alternatives, and may help develop recommendations on a plan of action. It is the level we most commonly think of as stakeholder engagement. It focuses involvement at the points in a process when most non-expert stakeholders can be most effective – articulating their issues and values, reconciling different priorities, and judging how well different options respond to those issues and values. A series of public meetings or workshops can provide this type of opportunity.

Collaboration

With this, stakeholders roll up their sleeves and help craft the alternatives as well as the recommended plan of action. This only works if either the stakeholders can devote the time to enmesh themselves in the technical issues, or if the potential solutions and issues are not complex and do not require a high level of technical expertise. An example of this would be

Partnership

This is the highest level of participation. Participants at this level jointly develop and implement solutions, and they share authority. It is not the right level for all projects – and when it is appropriate, it's not right for all stakeholders. It is very effective in building cooperation and commitment between responsible agencies and institutions. And it can be an effective means of developing joint public/private solutions. An example of this is when multiple agencies or cities take on an issue together. The Oregon Department of Transportation works in partnership with cities and counties when planning for interchange areas, for instance. The public involvement strategy for Tualatin's TSP aims to engage stakeholders at multiple levels. There will be opportunities for collaboration and participation as well as effort to provide information to a wide audience. The strategy tracks the level of participation for planned activities to encourage the use of the appropriate tool.

A variety of communication and participation tools will be needed in Tualatin ranging from information vehicles to public conversation techniques to advisory and/or working groups. One of the most strongly recommended Tualatin-specific outreach practices was to coordinate with the fledgling citizen involvement organization effort to supplement with city-wide outreach.

Other ideas suggested in the interviews and workshops include:

- Use youth and schools and make events family-centric
- Take advantage of Tualatin community events such as farmers' market, etc.
- Go to retail sites where people gather (i.e Starbucks or Bridgeport)
- Leverage the Library's Spanish language programs
- Offer prizes for participation
- Use social media and web-based tools (surveys, Facebook, Twitter, email) to allow participants flexibility in when and where they access the information.

Initial List of Participants Identified

COMMUNITY

- CIO program (land use chairs)
- Non-profits
- Seniors
- Hispanic/Latino population
- Land developers
- Freight and rail
- Distribution centers
- Business owners
- Condominium associations
- Manufacturing/Distributors
- Commercial property owners
- Emergency service providers
- Neighboring cities
- Bike riders
- Pedestrians
- Transit users
- Park users
- Commercial drivers
- Property owners on street improvements
- Stay at home parents
- Freight (internal and through)
- Neighborhoods
- Parents
- Runners
- Sports leagues
- School-aged kids and their families
- Teachers
- Renters/multi-family housing residents
- Commuters (internal and through)

ORGANIZATIONS

- Tualatin Tomorrow
- Legacy Meridian Park Hospital
- Willamette Pedestrian Coalition
- Bicycle Transportation Alliance
- Chamber of Commerce
- Juanita Pohl Center (Senior Center)
- Rotary
- VFW
- Lions
- Elks
- Kiwanis
- Tualatin Shuttle
- Tualatin Historical Society
- Oregon Trucking Association
- Westside Economic Alliance
- Food pantry
- UPS/FedEx/USPS
- North Tualatin Friends
- Protect Tualatin Parks Committee
- Tualatin Riverkeepers
- 1000 Friends of Oregon
- Wetland Conservancy
- Coalition for a Livable Future
- Democratic and Republican Party precinct people
- Franchise Utilities
- Churches/Religious Organizations
- PSO/PTA
- Tigard-Tualatin School District Administrators and Boards

GOVERNMENT

- City Committees (TPAC, TPARK, Architectural Review Board, Tualatin Economic Development Division)
- City Council
- Washington County
- Clackamas County
- ODOT
- DLCD
- Metro
- Clean Water Services
- DEQ
- Metro HSR
- Metro HCT
- TriMet
- Port of Portland
- Tigard
- Durham
- Lake Oswego
- West Linn
- Wilsonville
- Sherwood
- King City

The lists above were developed during the workshop process to identify groups likely to have interest in Tualatin's Transportation System Plan update. This list may not include everyone, so it will need updating through the process.

Public Involvement Strategy

The Public Involvement Strategy suggests tasks in four, distinct phases:

1. Establish infrastructure for a transparent planning process
2. Frame the Conversation
3. Deliberation and Discussion
4. Options and Recommendations

See the illustrated schedule on the following page.

Establish the infrastructure for a transparent planning process

To have informed public participation, there needs to be clear ways for anyone in Tualatin to learn about the project and what is going on at any given time. The TSP will need a consistent look (be branded?) so people can recognize information produced about the process. They will also need to know where they can go to find timely and accurate project updates. This phase of work is about establishing the basic infrastructure for sharing information. There are two tasks in this phase:

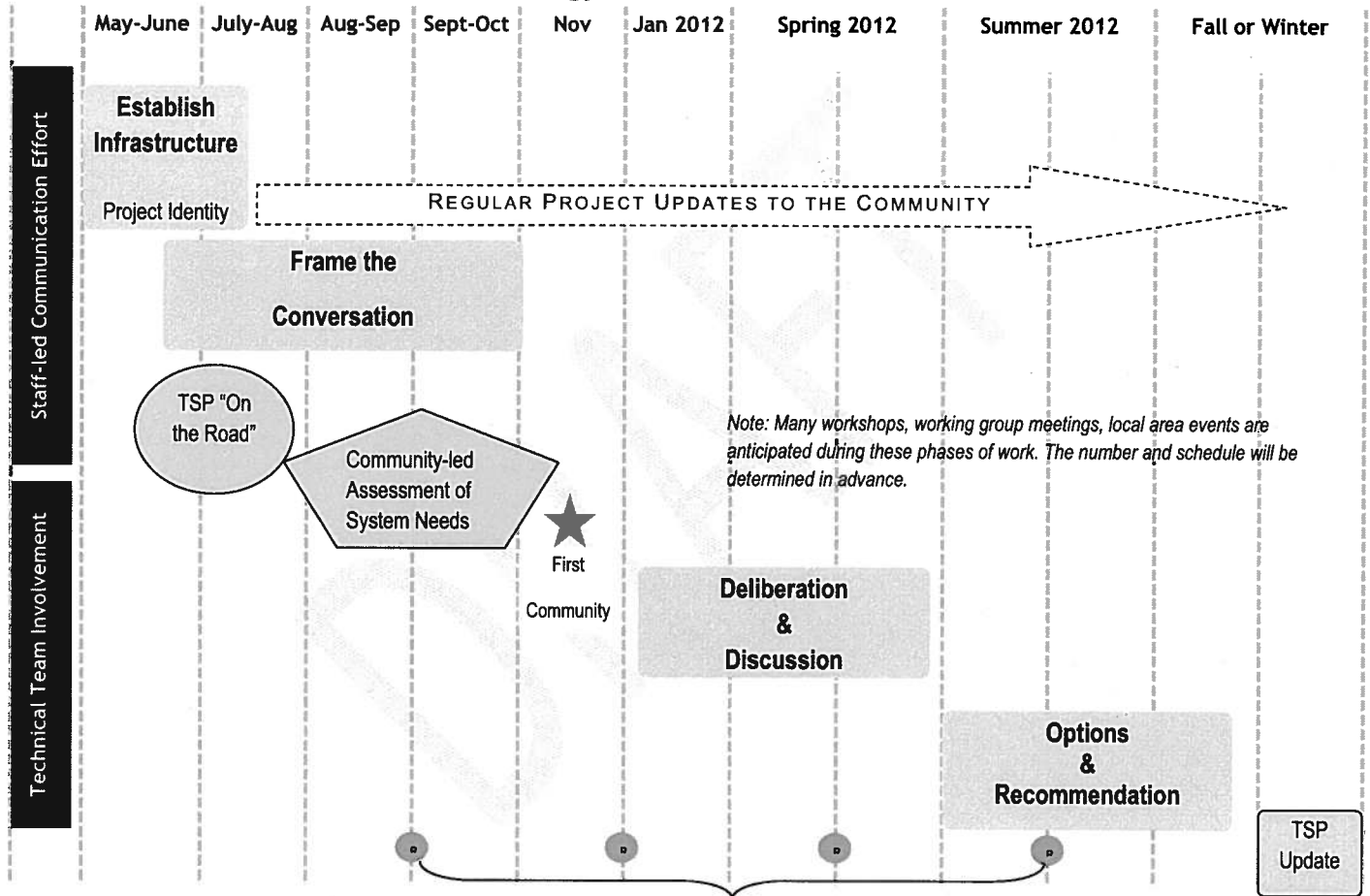
1. Establish Project Identity and Basic Messaging
2. Build Infrastructure for sharing Project Updates

Task 1: Establish Project Identity and Basic Messaging (INFORMATION)

It can be challenging to get people's attention in today's world. Over 60% of respondents in a recent survey said that they are often too busy to participate in City decision-making. By creating an identifiable "look" for the project (consistent colors, font and logo), stakeholders will learn to quickly recognize information coming out of the project and invitations for their participation. Also important at this early stage is the creation of basic messaging about the project that is easy to understand.

We will create a recognizable identity for the project, designing a logo and choosing consistent colors and fonts that will be printed on all project materials and announcements.

Tualatin Public Involvement Strategy



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About 16% of people in the recent survey said they did not get involved in decision-making because they didn't see the point, or did not feel like their opinion matters. Project messaging will address this concern. We will create basic messages about the project to help people understand:

1. What a TSP update is,
2. Why their participation is important,
3. How their input will be used, and
4. When they can expect to see results.

This basic messaging needs to be planned carefully so that it can remain largely unchanged for the life of the project.

Task 2: Build Infrastructure for sharing Project Updates (INFORMATION, CONSULTATION, PARTICIPATION)

People want to be able to track the process. They need user-friendly, widely-available information. Survey respondents reported overwhelmingly that the best way to communicate with citizens is by email (83%). Many people also like communication through the *Tualatin Today* newsletter (64%) or city-wide events (53%). Over half of people reported that they like to receive information from the City on a monthly basis.

Staff will develop updates regularly (at least every 4 weeks) that describe what is happening with the project. Updates will be easy to understand and produced in English and in Spanish.

There are six main ways to share these project updates:

1. Newspapers/Newsletters
2. Project Web Site
3. Project Emails
4. Social Media
5. City Council Updates
6. Informal Networks

Newspapers/Newsletters (INFORMATION)

Project updates will be published in the City Website (News and Notes), Twitter, Facebook, the monthly City newsletter (*Tualatin Today*), and provided to the Tualatin Historical Society (for their monthly newsletter), *The Times* and *Tualatin Life*.

Project Web Site (INFORMATION, CONSULTATION)

A project web site will serve as the main location for all project information; including

regular project updates. A website is available to anyone, it is easy to access and can store large amounts of information. A thoughtfully designed and well-maintained website is a great way to make all project information available to the public. Eventually, the site will grow into a clearinghouse for all TSP related information and documents. Part of this early project phase will be to design a site that can meet the needs of the various user groups, so that the information they need is easy to find. The web site will primarily serve as a way to inform people and provide searchable information, but it can also include a place where people can provide feedback directly to the project through an online comment form. City staff contacts and phone numbers will also be made available. The web site will provide an easy way to sign-up for the project's email list.

Project Emails (INFORMATION, CONSULTATION)

Email is a great way to share information quickly and at low cost. Staff will need to begin compiling a list of email addresses early in the process. Services like MyEmma, Constant Contact or MailChip produce good-quality bulk emails. They also allow recipients to opt in or out of the list easily and invite friends to join.

Social Media (INFORMATION, CONSULTATION)

The City of Tualatin has Facebook and Twitter pages. New updates from the TSP process should be announced using Facebook and Twitter. It's also a good place for people to share stories, pictures and video related to the TSP process. . Twitter is a quick and easy way for people in Tualatin to talk with each other about transportation issues. Although the survey didn't indicate a significant use of social media, it is a popular communication outlet for youth. According to a 2010 Pew Research Center study, 18% of Hispanics are Twitter users versus 8% for the general population. Both of these social media outlets provide a way to share project information and collect ideas, but these tools rely entirely on the public's participation. They are not built to serve as one-way communication. The project's presence on Facebook and Twitter will be have to be made known on the project web site and on project materials. Participation should be integrated and encouraged at project events.

City Council Updates (PARTNERSHIP)

As decision-makers, the City Council will need regular project updates and opportunities to share important perspectives (with each other or the public?) along the way. Ideally, these updates would be made by project staff and community members to Council every two or three months.

Informal Networks (INFORMATION)

Through conversations with people in Tualatin we learned about what social networks

(personal email lists, Facebook networks, neighbors, friends, etc.) were used to share information. In the recent survey, a majority of respondents said that they talked with their neighbors often or participated in neighborhood events. The TSP project should endeavor to use these social networks by providing project updates to community leaders who can share project information within their personal networks. Some examples include:

- City Council members
- Advisory Committee members
- Neighborhood leaders (CIO leaders, homeowner's association chairs, local interest groups, etc.)
- Parent-Teacher Organization Presidents
- Major employers and land owners in town (make personal phone calls)
- Local organizations (fraternal or civic organizations, Chamber of Commerce, churches)

Email is a good tool for sharing information with the people in Tualatin, allowing them to forward it widely through their network of friends and family.

Frame the Conversation

In the first portion of work, the basic infrastructure was put in place for sharing information broadly through the process. The purpose of this next phase is to capture the public's attention, teach them what the TSP is, and elicit their participation in identifying the transportation system's needs. There are three major tasks in this phase:

1. "TSP on the road"
2. Community assessment
3. Process kick-off.

Task 1: "TSP on the road" aka community education (INFORMATION)

One of the first conversations with the community will be, "What is a Transportation System Plan?" and "Why your participation is important and how your feedback will be used." As noted earlier, people won't participate if they don't feel it is relevant to them. They need to know why the TSP is important and they will want to know that their feedback is being used—otherwise it is seen as a waste of time.

The TSP process will "go on the road" to talk about what a TSP is and what the process will be to inform the community about updates. These visits will start with established

groups and organizations, but will expand to include more people in the next phase, community assessment.

About half of survey respondents said they had visited a city office or attended a City event, so having information at City events and meetings will be an important way to reach people in Tualatin.

The following is a list of groups to visit:

- City Advisory Committee Meetings
- Tualatin Tomorrow
- Tualatin Chamber of Commerce
- Citizen Involvement Organizations
- Saturday or Thursday night at the Library
 - Materials and staff available with English and Spanish;
 - Coordinate with popular events like story times
- PTA meetings

Other ideas for sharing project information include:

- Advertise the project website; invite people to come visit the site and learn what the TSP is.
 - Use the update infrastructure discussed above to invite people to visit the website (emails, Facebook, social networks, etc).
 - Consider lawn signs with the site address.
- Make a video that explains the TSP and the update process.
 - Post on the project website
 - Provide a link on Facebook
 - Provide to TVCTV
 - Play before Movies on the Commons
 - Talk with Tualatin Valley Community Television and Portland Univision about opportunities to talk about the TSP on one of their programs.

Task 2: Community-led assessment of system needs (CONSULTATION, PARTICIPATION)

Soon after the initial “TSP on the road” effort has begun, we will want to start collecting information from the public. We want the public to define the transportation system needs. We will do that through a community assessment of the transportation system’s needs. In this way, the public will establish the scope of the technical work to follow. We

will ask people to define the issues, problem areas, and needs that the TSP update will study using prepared questions and mapping activities.

1. Maps and surveys (CONSULTATION, PARTICIPATION)

Used at local events and community gathering places, maps and surveys will aid in collecting ideas about the transportation system needs. Many of these locations were recommended during the project interviews.

- Crawfish Festival (August)
- Pumpkin Regatta (October)
- Farmers Market (Friday Nights June to September)
- ArtSplash (July)
- Concerts on the Commons (Friday Nights July & August)
- Movies on the Commons (Saturday Nights July & August)
- Starry Nights & Holiday Lights (December)
- National/Community Night Out events (August)
- Back-to-School Nights
- Library
- Coffee Shops/Grocery Stores
- Local Food Pantry
- Sports clubs/children's sport leagues
- Tualatin High School (table at lunchtime or before/after school)
- PTA groups
- Citizen Involvement Organizations (CIOs)
- Juanita Pohl Center (Senior Center)

2. Web-based mapping and survey tool (PARTICIPATION)

The web provides an easy way for people to submit their feedback at any time of day, from home or from their mobile phone. The TSP update process can take advantage of this by providing ways for people to share ideas about system needs online. We can create an easy-to-use form where people can make comments, post pictures and identify system needs on an online map.

3. Participatory Video contest (PARTICIPATION)

Aimed primarily at engaging youth, a participatory video contest encourages people to create their own video about the transportation system in Tualatin. Prizes can be offered for the most creative video project to encourage participation and selected videos can be posted on the project's website. This is a fun way to bring attention to

the TSP update and encourage involvement amongst the youngest members of the community.

4. Public Relations (INFORMATION)

A significant effort will be required to bring attention to these tools and activities and encourage their use. The established information infrastructure should be utilized to invite participation in these activities. A few other tools will target hard-to-reach populations:

- Signs at bus stops/on buses, at apartment complexes.
- Email to apartment managers.
- Door-to-door outreach in Spanish-speaking neighborhoods.
- Provide materials at local Latino businesses (markets and restaurants).
- Consider raffle prizes to local Latino businesses.

Task 3: Kick-off Community process for identifying transportation system solutions (PARTICIPATION, COLLABORATION)

The kick-off to the next phase of work, Deliberation and Discussion, will be a public meeting to share the results of the community assessment and establish the process for identifying potential solutions. One purpose of this meeting will be to engage people in a higher-level of discussion about the transportation system and encourage their involvement as part of a topic area working groups (discussed in more detail below).

The meeting should be:

- Fun and positive
- Well-publicized
- Scheduled at a time that works best for the most people
- Be at a familiar and neutral venue that is convenient for people traveling in cars or by bus
- Include children's activities

Deliberation and Discussion

This is the stage where the community will be engaged in discussions to determine the best way to address transportation system needs. Conversations need to be accessible and open to anyone who wishes to participate. It is recognized that these may be difficult discussions because people may have different ideas about how to solve common problems. The aim is to include many voices in these discussions and find the best solutions for the community as a

whole. These discussions will be supported by transportation engineers hired by the City under the technical contract for the TSP update. There are three additional tasks in this phase:

1. Working Groups
2. Task Force
3. Local Area/Focus Meetings/Coffee Klatches (Optional)

Task 1: Working Groups (PARTICIPATION, COLLABORATION)

Working groups will be created around the topics identified in the community assessment. They may be organized around a particular location (road or intersection), or a city-wide topic like cycling or public transportation.

Each working group will determine their own meeting schedule and meeting locations to maximize participation by those who are impacted, interested and influential.

Anyone in the community can participate in a working group. Neighboring Cities and regulatory agencies will participate in the working groups as well. Membership is not static, every meeting will be open to anyone who wishes to participate. Because of the open nature of these meetings, operating rules will be established that everyone in attendance will agree to at each meeting. Working group meetings will be announced at least a week in advance on the project website or through other project announcements. Recruitment for the working groups will begin at the project kick-off event (Task 3 in the previous phase). Meetings and materials will be accessible to all participants (for instance, those who don't speak English or need special accommodation for physical needs).

Information will be summarized after each meeting and posted on the project website.

Task 2: Task Force (PARTICIPATION, COLLABORATION)

A Task Force can serve as a place for stakeholders to participate and collaborate in development of the TSP. The purpose of the Task Force is to bring Tualatin City staff, interested citizens, businesses, neighboring communities and partner agencies together so they can jointly craft Tualatin's TSP. Task Force members will be appointed by the Tualatin City Council to represent one of the previously mentioned groups. An open application process can provide the opportunity for interested citizens and business people to join the process. Careful attention will be paid to make sure that important groups are represented at the table, including all the geographic areas of the City (for instance, the six CIO areas). Invitations will be

made to neighboring cities and agencies that need to be part of the planning. The City Council may appoint one or two Council and TPAC representatives to the Task Force.

Task 3: Focus Area Meetings/Coffee Klatches –Optional—(PARTICIPATION)

Depending on the topics that become relevant in this phase, there may be need for meetings with small groups of impacted individuals to discuss possible solutions. There will be more local area meetings like this in the next phase, Options and Recommendations.

Options and Recommendations

The result of the previous phase will be a list of potential options or alternatives. This last phase of work is focused on considering those different options and deciding, with the support of the community, which should move forward and be part of the updated Transportation System Plan.

It is difficult to determine the activities that will occur during this phase. Much will be determined by the results of the previous two phases and the potential solutions that emerge from the process. Very likely, the Working Groups will continue to solicit feedback and make recommendations to the Task Force for further consideration. Local Area/Focus Meetings & Coffee Klatches may be organized if more people need to participate. If a Citizen Involvement Organization (CIO) is active in the community, the process may work through them to solicit feedback from impacted residents, property owners or businesses. We recommend a review of the I³ in the area of new projects and a review of the Public Involvement Strategy at this time to make sure the process is flexible. Since the Working Groups and the Task Force will continue to meet, there are only two new tasks in this phase:

1. Review I³ (Interested, Impacted and Influential)
2. Review and Update Public Involvement Strategy
3. Working Groups
4. Task Force
5. Public Workshops

Task 1: Review the I³ (Interested, Impacted and Influential) for transportation options (PARTICIPATION)

Make sure that interested, impacted and influential individuals and groups are aware of the options under consideration. Make sure they have the opportunity to participate in the development of recommendations.

Task 2: Review and update the Public Involvement Strategy

The Public Involvement Strategy needs to be flexible and able to meet the changing needs of the process. A review and update of the strategy is suggested at this stage.

Task 3: Working Groups (PARTICIPATION, COLLABORATION)

Continue to meet as needed.

Task 4: Task Force (PARTICIPATION, COLLABORATION)

Continue to meet and formulate recommendations for consideration by TPAC and the City Council.

Task 5: Public Workshop(s) to review alternatives and recommendations

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Hard to Reach Audiences

Renters

Through our interviews and the demographic study we learned that Tualatin has a significant population of renters. Tualatin has a higher percentage of renters than the Metro region (44% compared to 36% in the region). Renters are traditionally underrepresented in processes like this one. People who rent can be difficult to involve in local decision-making because they don't feel invested in the community. Also, with incomes typically lower than homeowners, they can be too busy working to participate, and they might not hear about the opportunities to be involved.

The City of Tualatin has a comprehensive list of apartment complexes and managers. This list could be used to share information with this portion of the community. Signs posted near mailboxes or common areas could encourage participation in meetings or bring people to the project website.

Latino and Spanish-speaking Members of the Community

There is a high percentage of people who speak Spanish at home in Tualatin (17% compared to 7.8% in the Metro region). Spanish-speakers are traditionally underrepresented in processes like this and will require a different form of targeted outreach.

A primary way to effectively involve the Spanish-speaking community is to provide information consistently in Spanish. It may make a significant difference if project updates are printed in the City Newsletter in both Spanish and English. Tualatin Life may be willing to publish updates or stories in both languages as well. This should be pursued.

Another consideration is the message. We were told in interviews that the Latino community is generally distrustful of government. Many Latinos in Tualatin are not United States citizens. These residents will be reluctant to attend an event at a government office or share personal information with City employees. Also, many Latinos in the community think of themselves as temporary residents, somewhat separated from the rest of the community because of the language barrier, but also because they consider themselves outsiders who may be leaving soon. We will need to be deliberate about inviting the Latino population to participate, letting them know that whether they are a citizen or a long term resident or a temporary resident of Tualatin, they are important members of the community and their ideas are needed to make the TSP a better plan.

Several members of the Latino community suggested going to the places Latino residents frequent, like local businesses and restaurants, the library's Spanish programs and local sports

clubs. Our outreach may be most effective if the person representing the City is also Latino. We may consider working with teenagers from the Latino organization at Tualatin High School or the teens who participate in library programs. They may be better able to effectively collect more information from their parents, neighbors and friends.

Another suggestion was to provide childcare and food at meetings in environments (like schools) where it would be more comfortable for families to attend. When planning activities, we might consider school programs to engage young children at Bridgeport Elementary School or Tualatin Elementary School. An art project or a writing assignment could invite children to think about their own commute to school. Resulting projects could be shared at an exhibit or event where parents can come and learn about the TSP.

Overall, we learned that Spanish-speakers aren't going to attend events unless they feel welcome and comfortable being involved in the process. That can be achieved by providing information and dialogue in Spanish, being at places that are familiar, and respecting a reluctance to share personal information.

Decision-Making

The following is a basic explanation of the decision-making structure for the TSP process. The exact charge of the Task Force and Working Groups including their role, responsibility and meeting protocols will be developed later.

The Tualatin City Council is the final decision-maker for the TSP. They will be asked to adopt the ordinance that accepts any changes into the City's Code. **The Tualatin Planning Advisory Committee (TPAC)** will make a recommendation to the Council in advance of that action. As is typical, there will likely be study sessions with both groups in advance of any action on an ordinance so that both groups can understand the ordinance before them. These typically occur a few weeks before the public hearing on the ordinance. This public involvement strategy, however, encourages regular updates to both bodies.

The Task Force will develop transportation goals, identify new or revised policies, review and consolidate recommendations from the Working Groups and guide project prioritization. The Task Force will represent the many varied interests in the TSP process. Deliberation will be collaborative and constructive, bringing diverse ideas together to form sustainable solutions.

Evaluation

In any public involvement effort, new developments can arise at any time that will require reassessment of the initial plan. Many of the outreach tools outlined above can be used in a constant feedback loop to gauge effectiveness, appraise completeness and evaluate community satisfaction with the process. A project management team will meet periodically to assess program success and adjust approaches as necessary.

Community members will have the opportunity to evaluate the program through public events like workshops and open houses, and online at the project web site. Exit surveys will be available at all events and online immediately following the event to get feedback relating to both the event and overall effectiveness of the program. The exit surveys will ask respondents to rate their groups based on the following statements:

For Task Force/Working Groups/Workshops

- The meeting facilitators encouraged and allowed all participants to share their ideas.
- My input was used to shape recommendations.
- I was given enough information to be prepared for each meeting.
- The information presented in meetings was clear and understandable.
- I now have a better understanding of transportation issues in Tualatin.
- Meetings were efficient and made good use of my time.
- The Working Group/Workshop was worthwhile and out of it came good recommendations.
- I am glad I participated in this Working Group/Workshop.

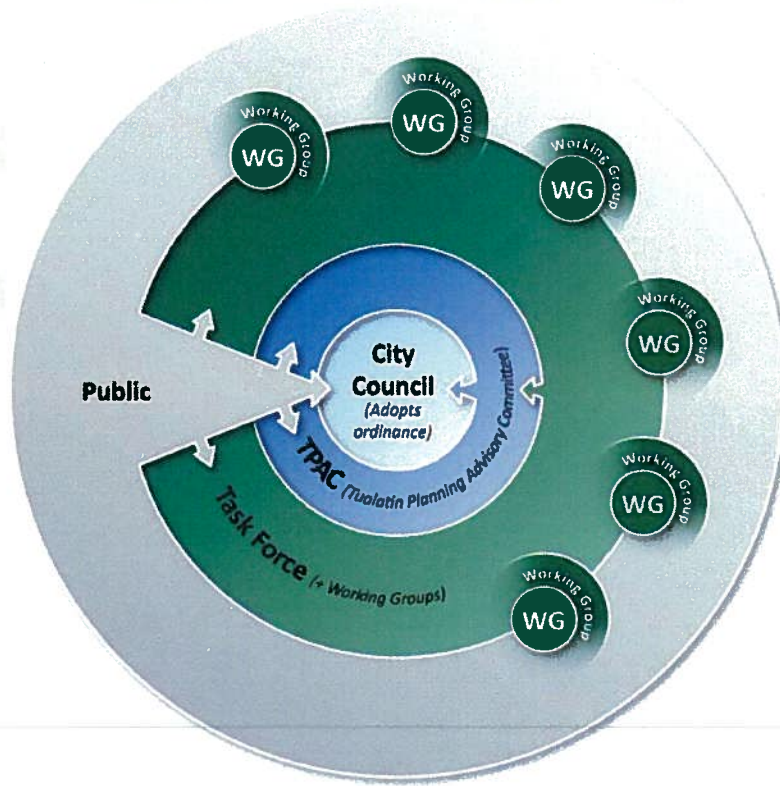
For the Program generally

- I can easily access project information.
- I have enough project information to provide input.
- I feel my input is being understood and used.
- The overall TSP process was worthwhile and out of it came good recommendations.

The Working Groups will discuss specific topic areas and bring research and ideas back to the Task Force for consideration. Working Groups will get to explore issues more deeply and will make recommendations, based on that effort, to the Task Force for consideration.

The Public will have opportunities to hear deliberations and share ideas at every level of the decision-making process. At the City Council level, public testimony occurs as part of the public hearings process for adoption of the ordinance. City Council meetings and study sessions are noticed per Oregon public meeting law and televised on local, public television. TPAC meetings are also noticed the same way and public testimony is also accepted. The Task Force can establish specific noticing requirements in their charter and operating protocols, however, at minimum, meetings will be open to the public and noticed at least one week in advance. Time will be provided for public testimony at every meeting. As described earlier, the Working Groups have open membership so anyone who attends can be part of discussion and deliberation. Working Group meetings will also require, at minimum, one-week advance notice.

Meetings of all groups can be announced on the project website, through the City's Facebook and Twitter pages and send via email to the interested parties email list.



**CITY OF TUALATIN
PERSONAL SERVICES AGREEMENT**

THIS AGREEMENT is entered into as of the date first indicated on the signature page by and between the City of Tualatin, a municipal corporation of the State of Oregon ("City"), and JLA Public Involvement ("Consultant").

A. Term

The term of this Agreement shall be from the date of execution by both parties until tasks required are complete and accepted, unless earlier terminated as provided in this Agreement.

B. Consultant's Services

- B.1 The scope of Consultant's services and time of performance under this Agreement are set forth in Attachment A, which is incorporated into this Agreement as if fully set forth.
- B.2 All written documents, drawings, and plans submitted by Consultant and intended to be relied on for the project shall bear the signature, stamp, or initials of Consultant or Consultant's authorized Project Manager or City will not rely upon them. Consultant's or Consultant's Project Manager's interpretation of plans and answers to questions covering plans need not be in writing and may be relied upon by City and others, unless the subject matter arises prior to the deadline for submission of contractors' bids and requires issuance of an addendum.
- B.3 Consultant shall not be responsible for damages, be in default, or be deemed to be in default because of delays in performance due to strikes, lockouts, accidents, acts of God, and other delays unavoidable beyond Consultant's reasonable control, or due to shortages or unavailability of labor at established area wage rates or delays caused by failure of City or City's agents to furnish information or to approve or disapprove Consultant's work promptly, or due to late or slow, or faulty performance by City, other contractors, other persons not under Consultant's control or governmental agencies, the performance of whose work is precedent to or concurrent with the performance of Consultant's work. If such delay occurs, the time of completion shall be extended accordingly.
- B.4 Consultant acknowledges that City will rely upon plans or drawings submitted for the construction of a public project. This Agreement does not assure that Consultant will be retained for future services on other public projects.
-

C. City's Responsibilities

- C.1 The scope of City's responsibilities, including those of its Project Manager, is incorporated into this Agreement.
- C.2 City certifies that sufficient funds are available and authorized for expenditure to finance costs of this Agreement.

D. Compensation

- D.1 City agrees to pay Consultant on an hourly basis shown on Attachment A for actual hours worked on this project, but not to exceed \$167,000. Consultant shall furnish with each invoice for services an itemized statement showing the number of hours devoted to the project by Consultant and its agents.
- D.2 If City or its Project Manager specifically requests Consultant to provide additional services that are beyond the scope of the services described on Attachment A, Consultant shall proceed with the additional services and bill at Consultant's or Subconsultant's hourly rates outlined on the attached Table 1, provided the parties comply with the requirements of Section R. No compensation for additional services shall be paid or owing unless both parties specifically agree in writing to such additional compensation and services.
- D.3 Consultant is entitled only to the compensation amount specified in subsections D.1, D.2, and D.3. Payment for reimbursable expenses shall be limited to those reimbursable expenses set forth on Attachment A which are actually incurred by Consultant and itemized on Consultant's bill for services.
- D.4 Except for amounts withheld by City pursuant to this Agreement as specifically identified in D.2, City will pay Consultant for services within 30 days of receiving an itemized bill that has been approved by the Project Manager.
- D.5 City shall be responsible for payment of required fees payable to governmental agencies including, but not limited to, plan checking, land use, zoning, and all other similar fees resulting from this project and not specifically covered by Attachment A.

E. City's Project Manager

City's Project Manager is Dayna Webb. City shall give Consultant prompt written notice of any redesignation of its Project Manager. If City's Project Manager is changed, City shall promptly notify Consultant in writing. If Consultant receives a communication from City that is not executed by City's Project Manager, Consultant may request clarification by City's Project Manager, which shall be promptly furnished.

F. Consultant's Project Manager

Consultant's Project Manager is Eryn Kehe. If Consultant's Project Manager is changed, Consultant shall promptly notify City in writing. If City receives a communication from Consultant that is not executed by Consultant's Project Manager, City may request clarification by Consultant's Project Manager, which shall be promptly furnished.

G. Project Information

City shall provide full information regarding its requirements for the project. Consultant agrees to share all project information and to fully cooperate with all corporations, firms, contractors, public utilities, governmental entities, and persons involved in or associated with the project. No information, news or press releases related to the project shall be made without the authorization of City's Project Manager.

H. Duty to Inform

If during the performance of this Agreement or in the future, Consultant becomes aware of actual or potential problems, faults, or defects in the project, any nonconformance with the federal, state or local law, rule, or regulation, or has any objection to a decision or order made by City with respect to such laws, rules, or regulations, Consultant shall give prompt written notice to City's Project Manager. Delay or failure by City to provide a written response to Consultant shall not constitute agreement with, nor acquiescence to, Consultant's statement or claim, nor constitute a waiver of City's rights.

I. Consultant is Independent Contractor

- I.1 Consultant is an independent contractor for all purposes and is entitled to no compensation other than that provided under paragraph D of this Agreement. Consultant binds itself, its partners, officers, successors, assigns and legal representatives to City.
- I.2 Subcontracting: City and Consultant agree that only those special consulting services identified on Attachment A to be performed by subcontractors may be performed by their respective subcontracts, as identified on Attachment A, and not by Consultant. Consultant acknowledges such services are provided to City pursuant to a subcontract(s) between Consultant and those who provide such services. Consultant may not utilize any subcontractors or in any way assign its responsibility under the Agreement without first obtaining the express written consent of City.
- I.3 Consultant shall be responsible for and indemnify and defend City against any liability, cost, or damage to the extent and proportionate to that arising out of subcontractor's negligent acts. Such responsibility and indemnification shall be limited to the maximum extent of \$2,000,000. Subcontractors will meet the same insurance requirements of Consultant under this Agreement, unless

otherwise specifically agreed to by City, and shall be subject to the provisions of this §I.

- I.4 Consultant shall promptly pay any claim for labor, materials, or services furnished to Consultant by any person in connection with this Agreement as it becomes due and not permit any lien or claim to be filed or prosecuted against City for labor or material furnished to or on behalf of Consultant. If Consultant fails, neglects, or refuses to make prompt payment of such a claim, City may pay the person furnishing the labor, materials, or services and charge that amount against funds due Consultant under this Agreement.
- I.5 No person shall be employed for more than ten (10) hours in any one day, or forty (40) hours in any one week, except in cases of absolute necessity, emergency, or where the public policy absolutely requires it. Laborers shall be paid at least time and one-half: (a) for all overtime in excess of eight (8) hours a day or forty (40) hours in any one week when the work week is five consecutive days, Monday through Friday; or (b) for all overtime in excess of ten (10) hours a day or forty (40) hours in any one week when the work week is four consecutive days, Monday through Friday; and (c) for all work performed on Saturday and any legal holiday specified in ORS 279.334. Persons who perform work under a personal services agreement shall be paid at least time and one-half of all overtime worked in excess of 40 hours in any one week, except for individuals who are excluded under ORS 653.010 to 653.261 or under 29 U.S.C. §§201 to 209 from receiving overtime.
- I.6 Consultant shall make prompt payment as due to any person, co-partnership, association, or corporation furnishing medical, surgical, and hospital care or other needed care and attention incident to sickness or injury to the employees of such Consultant, of all sums which Consultant agrees to pay for such services and all monies and sums which Consultant collected or deducted from the wages of employees pursuant to any law, contract, or agreement for the purpose of providing or paying for such service.
- I.7 Should Consultant elect to utilize employees on any aspect of this Agreement, Consultant shall be fully responsible for payment of all withholding required by law including, but not limited to, taxes, including payroll, income, Social Security (FICA), and Medicaid. Consultant shall also be fully responsible for payment of salaries, benefits, taxes, Industrial Accident Fund contributions, and all other charges on account of any employees. Consultant shall pay to the Department of Revenue all sums withheld from employees pursuant to ORS 316.167. All costs incident to the hiring of assistants or employees shall be Consultant's responsibility. Consultant shall indemnify, defend, and hold City harmless from claims for payment of all such expenses. Unless otherwise expressly set forth on Attachment A as a reimbursable expense item, specific costs associated with items set forth in this paragraph shall be borne by Consultant.
- I.8 No person shall be denied or subjected to discrimination in receipt of benefits

of any services or activities made possible or resulting from this Agreement on grounds of sex, national origin, race, color, creed, marital status, age, or disability. Any violation of this provision shall be grounds for cancellation, termination, or suspension of the Agreement in whole or in part by City.

J. Indemnity and Insurance

J.1.1 Consultant agrees to indemnify and defend City from any loss, cost, and expenses claimed by third parties for property damage and bodily injury, including death, caused solely by the negligence or willful misconduct of Consultant, its employees, agents, or Consultant's affiliates in connection with the project.

J.1.2 City agrees to indemnify and defend Consultant from any loss, cost, and expenses claimed by third parties for property damage and bodily injury, including death, caused solely by the negligence or willful misconduct of City, its employees, or agents, in connection with the project.

J.1.3 If the negligence or willful misconduct of both Consultant and City (or person identified above for whom each is liable) is a cause of such damage or injury, the loss, cost, or expense shall be shared between Consultant and City in proportion to their relative degrees of negligence or willful misconduct and the right of indemnity shall apply for such proportion.

J.2 Insurance Requirements and Consultant's Standard of Care

J.2.1 City and Consultant agree that in accordance with generally accepted construction practices, the construction contractor will be required to assume sole and complete responsibility for job site conditions during the course of construction of the project, including safety of all persons and property.

J.2.2 In the performance of its professional services, Consultant shall use that degree of care and skill ordinarily exercised under similar circumstances by reputable members of its profession practicing in the Portland Metropolitan Area. The Consultant will reperform any services not meeting this standard without additional compensation. Consultant's reperformance of any services, even if done at City's request, shall not be considered as a limitation or waiver by City of any other remedies or claims it may have arising out of Consultant's failure to perform in accordance with the applicable standard of care or this Agreement.

J.2.3 Consultant shall provide City with evidence of the following insurance coverages prior to commencement of work. A copy of each insurance policy, issued by a company currently licensed in the State of Oregon and certified as a true copy by an authorized representative of the issuing company or a certificate in a form satisfactory to City certifying to the issuance of such insurance, shall be furnished to City. Unless specifically set forth on Attachment A, insurance and related costs shall be borne by Consultant.

J.2.4 Consultant shall furnish City a certificate evidencing the date, amount, and type of insurance procured in accordance with this Agreement. All policies shall be written on an "occurrence basis," except for Consultant's Professional Liability Insurance which may be written on a "claims made" basis, and maintained in full force for not less than four (4) years following Consultant's performance under this Agreement. All policies shall provide for not less than 30 days' written notice to City before they may be revised, non-renewed, canceled, or coverage reduced. Excepting professional liability and worker's compensation coverage, all policies shall provide an endorsement naming the City, its officers, employees, and agents as additional insureds. If the policy lapses during performance, City may: treat said lapse as a breach; terminate this Agreement and seek damages; withhold progress payments without impairing obligations of Consultant to proceed with work; pay an insurance carrier (either Consultant's or a substitute) the premium amount and withhold that amount from payment to Consultant; and use any other remedy provided by this Agreement or by law.

J.2.5 Insurance Requirements. Consultant, its subcontractors, if any, and all employers working under this Agreement are subject employers under the Oregon Worker's Compensation Law and shall comply with ORS 656.017. Consultant will maintain the following insurance throughout this Agreement:

J.2.5.1 Workers' compensation and employers liability insurance as required by the state where the work is performed.

J.2.5.2 Comprehensive automobile and vehicle liability insurance covering claims for injuries to members of the public and/or damages to property of others arising from the use of motor vehicles, including on-site and off-site operations, and owned, non-owned, or hired vehicles, with \$1,000,000 combined single limits.

J.2.5.3 Commercial general liability insurance covering claims for injuries to members of the public or damage to property of others arising out of any covered negligent act or omission of Consultant or of any of its employers, agents, or subcontractors, with \$1,000,000 per occurrence and \$2,000,000 in the aggregate.

J.2.6 Coverage provided by this policy(ies) shall be primary and any other insurance carried by City is excess. Consultant shall be responsible for any deductible amounts payable under all policies of insurance. If a dispute arises between City and Consultant for which Consultant has obtained insurance, the maximum amount which may be withheld for all such claims shall be no more than the amount of the applicable insurance deductible.

K. Termination

K.1 This Agreement may be terminated prior to expiration of agreed upon terms:

- K.1.1 By mutual written consent of the parties;
- K.1.2 By City, effective upon seven days prior written notice, in the event of substantial failure by Consultant to perform in accordance with the terms through no fault of City.
- K.1.3 By Consultant, effective upon seven days prior written notice, in the event of substantial failure by City to perform in accordance with the terms through no fault of Consultant.
- K.2 After having given reasonable notice to correct default or performance failure, if City terminates the Agreement in whole or in part due to default or failure of Consultant to perform services in accordance with this Agreement, City may procure, upon reasonable terms and in a reasonable manner, services similar to those so terminated. In addition to any other remedies City may have, Consultant shall be liable for all costs and damages incurred by City in procuring such similar service, and Contract shall be in full force to the extent not terminated.
- K.3 If City terminates the Agreement for its own convenience, payment of Consultant shall be prorated to and include day of termination and shall be in full satisfaction of all claims by Consultant against City under this Agreement.
- K.4 Termination under any provision of this paragraph shall not affect any right, obligation, or liability of Consultant or City which accrued prior to such termination. Consultant shall surrender to City items of work referred to in Paragraph O for which Consultant has received payment or City has made payment. City retains the right to elect whether to proceed with actual construction of the project.

L. Suspension of Work

City may suspend, delay, or interrupt all or any part of work for such time as City deems appropriate for its own convenience by giving written notice to Consultant. An adjustment in time of performance or method of compensation shall be allowed as a result of such delay or suspension unless the reason for delay is substantially within Consultant's control. City shall not be responsible for work performed by subcontractors after notice of suspension is given by City to Consultant. Should City suspend, delay, or interrupt work and suspension is not substantially within Consultant's control, City shall extend time of completion by length of delay plus reasonable time to re-institute the project team, and method of compensation shall be adjusted to reflect Consultant's increase/decrease in its standard hourly rates.

M. Subcontractors and Assignments

M.1 Unless expressly authorized in Attachment A or Paragraph I of this Agreement, Consultant shall not subcontract with others for work nor assign any of Consultant's rights under this agreement without obtaining prior written approval from City. Work may be performed by persons other than Consultant if Consultant advises City of the names of such subcontractors and work which they intend to perform and City specifically agrees thereto. Consultant acknowledges such services are provided to City pursuant to a subcontract(s) between Consultant and subcontractor(s). Except as otherwise provided by this Agreement, City incurs no liability to third persons for payment of any compensation provided to Consultant. Any attempted assignment of this Contract without written consent of City shall be void. Except as otherwise specifically agreed, all costs for services performed by others on behalf of Consultant shall not be subject to additional reimbursement by City.

M.2 City may let other agreements be coordinated with this Agreement. Consultant shall cooperate with other firms, engineers, or subcontractors on the project and the City so that all portions of the project may be completed in the least possible time within normal working hours. In order to avoid conflicts, Consultant shall furnish detail drawings giving full information to other engineers and subconsultants and affected public utilities.

N. Access to Records

City shall have access, upon request, to such books, documents, receipts, papers, and records of Consultant as are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcripts for a period of three years, unless within that time City specifically requests an extension. This clause shall survive the expiration, completion, or termination of this Agreement.

O. Work is Property of City

All work in its original form, including, but not limited to, documents, drawings, tracings, surveying records, mylars, papers, computer programs, diaries, and photographs, performed or produced by Consultant under this Agreement shall be the exclusive property of City and shall be delivered to City prior to final payment. Statutory or common law rights to such property held by Consultant as creator of such work shall be conveyed to City upon request without additional compensation. With City's approval and so long as City is identified in connection with the work, Consultant may include Consultant's work in its promotional materials. Drawings may bear a disclaimer releasing Consultant from any liability for changes made on the original drawings and for reuse of the drawings subsequent to the date they are turned over to City.

P. Law of Oregon

The Agreement shall be governed by the laws of the State of Oregon. The provisions required by ORS Chapter 279 to be included in public agreements are hereby incorporated by reference and shall become a part of this Agreement as if fully set forth.

Q. Adherence to Law

Consultant shall adhere to all applicable federal and state laws. Consultant shall maintain any certificates, licenses, or permits required by statute, administrative rule, or local ordinance throughout the term of this Agreement.

R. Modification

No modification of this Agreement is enforceable unless it is in writing and signed by both parties. If Consultant receives a communication from City that Consultant believes is a modification of this Agreement, Consultant shall, within ten (10) days after receipt, make a written request for modification to City's Project Manager. Consultant's failure to submit such written request for modification in a timely manner may be the basis for refusal by City to treat said communication as a basis for modification. For a modification affecting any change in price, Consultant shall submit a complete breakdown of labor, material, equipment, and other costs. If Consultant incurs additional costs or devotes additional time on project tasks which were reasonably expected as part of the original Agreement or any mutually approved modifications, then City shall be responsible for payment of only those costs for which it has agreed to pay.

S. Consultant's Warranty; No Waiver of Legal Rights

S.1 Consultant warrants that the contract specifications and plans, if any, prepared by Consultant will be adequate and sufficient to accomplish the purposes of the project and that review or approval by the owner of the plans and specifications shall not diminish the warranty of adequacy.

S.1.1 In providing opinions of cost, financial analyses, economic feasibility

projections, and schedules for the project, Consultant has no control over cost or price of labor and materials; unknown or latent conditions of existing equipment or structures that may affect operation or maintenance costs; competitive bidding procedures and market conditions; time or quality of performance by third parties; quality, type, management, or direction of operating personnel; and other economic and operational factors that may materially affect the ultimate project cost or schedule. Therefore, Consultant makes no warranty that City's actual project costs, financial aspects, economic feasibility, or schedules will not vary from Consultant's opinions, analyses, projections, or estimates.

S.1.2 Subsurface Investigations. In soils, foundation, ground water, and other subsurface investigations, the actual characteristics may vary significantly between successive test points and sample intervals and at locations other than where observations, exploration, and investigations have been made. Because of the inherent uncertainties in subsurface evaluations, changed or unanticipated underground conditions may occur that could affect total Project cost and/or execution. These conditions and cost/execution effects are not the responsibility of the Engineer.

S.1.3 Record Drawings. Record drawings, if required, will be prepared, in part, on the basis of information compiled and furnished by others, and may not always represent the exact location, type of various components, or exact manner in which the Project was finally constructed. Engineer is not responsible for errors or omissions in the information from others that are incorporated into the record drawings.

S.2 Notwithstanding acceptance or payments, City shall not be precluded or estopped from recovering from Consultant or its insurer or surety such damages as may be sustained by reason of Consultant's failure to comply with the terms of this Agreement. Accordingly, Consultant shall not be precluded or estopped from recovering from Consultant or its insurer or surety such damages as may be sustained by reason of Consultant's failure to comply with the terms of this Agreement. A waiver by City of a breach by Consultant shall not be deemed to be a waiver of any subsequent breach by Consultant.

T. Integration

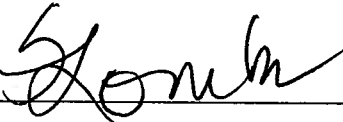
This Agreement, including Attachments and Consultant's proposal submitted to City contains the entire and integrated agreement between the parties and supersedes all prior written or oral discussions, representations or agreements. In case of conflict among these documents the provisions of this Agreement shall control.

APPROVED AND ENTERED this 12th day of September, 2011.

JLA Public Involvement

City of Tualatin

By _____

By 

Title - Principal

Title - City Manager

1110 SE Alder Street, Suite 301

18880 SW Martinazzi Avenue

Portland, OR 97214

Tualatin, OR 97062

503-235-5881

503-692-2000

Consultant's Federal ID Number or
Social Security Number

APPROVED AS TO LEGAL FORM


City Attorney

Tualatin Transportation System Plan

Public Involvement Scope

This document provides a scope of work for the Tualatin Transportation System Plan. The project is scoped to continue for 18-months. An associated Public Involvement budget, based on these tasks, is included with this scope of work.



THROUGHOUT PROJECT DURATION

1. Project Management

- 1.1. Project Management Plan/Team Kick-off Meeting: The Consultant Project Manager will hold a two-hour kickoff meeting with key internal project staff and subconsultants to provide an overview of the project review protocols, and establish communication guidelines.
- 1.2. Contract Administration: The Consultant will prepare monthly progress reports and billings. The monthly project progress reports will include current project status, unresolved issues, projected significant milestones, and major accomplishments during the month. The Consultant will provide coordination and project team management by communicating with technical staff and subconsultants, updating schedule, maintaining files, and preparing submittals.
- 1.3. Project Management Team Meetings: It will be important to maintain clear and open communication with key agency stakeholders so that changes in the project or the process occur early enough to minimize rework or changes. Therefore, a Project Management Team (PMT) will be established with key members of Tualatin staff and consultants to guide the consultant team at key milestones. The PMT is expected to include representation from the following: City of Tualatin, JLA Public Involvement, CH2MHill.
Up to thirty-six (36), semi-monthly, PMT meetings will be held through the duration of the TSP, including one project kick-off meeting. Agendas will be created by the City's project manager and sent out via e-mail before each meeting. PMT meetings are expected to be held in Tualatin. When possible, other project work will be coordinated with the meetings to minimize cost. Meetings are estimated to be 1.5 hours in length. Travel time to and from meetings is estimated at ¾ hour each way.
- 1.4. Coordination with Agency PM and Technical Consultant PM: Phone conversations and occasional in person meetings between the City's Project Manager and the Consultant Project Manager will take place to prepare for each PMT meeting and

address current tasks. Assumes six (6) hours per month for regular communications.

2. General Public and Stakeholder Engagement

2.1. Task Force Meetings, *Assumes up to ten (10) meetings*: The Task Force includes individuals representing a range of community and jurisdictional interests. The Task Force serves as an advisory group that provides input on public values and issues, agency perspectives and provides recommendations to the study. The Task Force is presented with new study information, public involvement activities, survey results, and other public outreach information at each meeting.

2.1.1. Consultant will assist with committee establishment including the development of an invitation letter, Task Force charge statement and meeting protocols.

2.1.2. Consultant will plan meeting activities and create draft agendas for City review two-weeks in advance of each task force meeting. JLA will assist City and CH2MHill staff with the development of other meeting materials, presentations and displays.

2.1.3. Two JLA staff people will attend each 2-hour meeting to facilitate and document up to ten (10) Task Force meetings.

2.1.4. Consultant will organize member communications between meetings, prepare agendas for City Project Manager review, provide sign-in sheets and prepare meeting summaries. Draft Meeting Summaries will be distributed to City Staff for review no later than one (1) week (5 working days) after each meeting.

The City will be responsible for meeting logistics including room reservations (and associated costs), meeting refreshments and the preparation of all printed meeting materials and presentations for Task Force members. The City will provide meeting materials in advance of each meeting to members and interested parties via email and post meeting notices on the project website.

2.2. Support for Working Group Meetings (*assume three (3) meetings for each working group, seven (7) different working groups, 21 meetings total*): Working groups will be convened and meet several times to tackle complex issues. The Working Groups will be open to everyone but consistent attendance will be requested. At least two Task Force members will serve on every Working Group. Agency representatives

will be invited to attend but their primary role will be to listen and provide technical information.

- 2.2.1. Consultant will facilitate a small number of Work Group meetings (up to 5), but will not provide documentation. One JLA staff person will attend each meeting (up to 5). The estimated hours assume 1.5-hour meetings, approximately 2 hours meeting planning and preparation for each meeting and 4 hours for travel, set-up, facilitation and clean up of each meeting attended.
- 2.2.2. Consultant will coordinate all Working Group meetings by working with staff and Task Force members to establish agendas and set meeting schedules. Consultant will be available to offer facilitation assistance and advice for staff or Task Force member facilitators. The estimated budget assumes 2 hours meeting planning and preparation for each meeting. If not every Working Group requires this amount of prep time from JLA staff, remaining hours will be dedicated to facilitation training and support for staff facilitators.
- 2.2.3. JLA support staff will assist CH2MHill and City staff with the design and development of materials, presentations and displays for Working Group meetings. The estimated budget assumes an average of 1.5 hours of support staff time for material development.

The City will be responsible for meeting logistics including room reservations (and associated costs), meeting refreshments and the preparation of all printed meeting materials for Working Groups. The City will provide meeting reminders in advance of each meeting to members and interested parties via email and post meeting information on the project website. City staff will document all Working Group meetings.

- 2.3. Website Maintenance (*assume eight (8) hours per month*) The website will serve as a primary resource for providing the public with TSP information. Website updates will be necessary at key milestones and as new materials are developed. City staff will make most website updates including regular news updates on the front page (semi-monthly), to the project schedule, and meeting announcements for Task Force and Working Group meetings. Consultant is available for technical assistance, to add new pages to the site and to consult on needed site updates.

- 2.4. Public Workshops/Open Houses (*assume up to 3 events*):
-

- 2.4.1. Consultant in coordination with City will strategize, plan, organize and prepare materials for up to three (3) three-hour public workshops/open houses, this includes assistance with invitation design. Consultant will coordinate with technical consultants to incorporate mutually beneficial materials and workshop designs.
- 2.4.2. Consultant will facilitate the public event. At least two people from JLA will attend. This assumes that City staff will conduct presentations, staff the sign-in table, provide small group facilitation as needed, and set-up and clean-up each event.
- 2.4.3. JLA will prepare meeting notes and produce a meeting summary report for each event.
- 2.4.4. JLA will prepare materials for use on the project website that mimic information presented at the three in-person public meetings. The estimated budget includes 8 hours per event. No new material will be developed for this purpose. It is assumed that City staff will post material on the project website. JLA will also design a webpage to act as a fourth online open house. A total of approximately

Consultant will provide workshop materials, a meeting plan and staff for each workshop. Instead of an event in one central location, it may be preferred to organize area or neighborhood meetings in different parts of the City. If any of these public workshops/open houses are split into multiple meetings, consultant time staffing the events will be reduced.

The City will be responsible for meeting logistics including room reservations (and associated costs), meeting refreshments and the preparation of all printed meeting materials for Working Groups. The City will provide meeting reminders in advance of each meeting to members and interested parties via email and post meeting information on the project website.

- 2.5. Support for Decision-maker and Leadership Briefings: During the course of this Project it will be necessary to meet with certain stakeholders/officials with common interests in small group settings to update them on the Project and obtain their input. Consultant shall help staff prepare for up to eight (8) small group briefings. The City will provide Consultant with summaries of any briefings they conduct without Consultant, to ensure coordination and documentation. Assumes support

and review of presentation materials for up to eight (8) meetings. City staff will produce all presentation materials.

- 2.6. Focus Area Meetings/Coffee Klatches/Tabling: This is the chance to check back with potentially impacted community members. These events provide an opportunity to meet with a smaller group of individuals to talk about specific recommendations in their area or recommendations that impact them. These meetings could be at a local business or in someone's home. The format of these meetings will be determined at a later date. Consultant will develop meeting materials and a meeting plan for up to four (4) coffee klatch or focus area meetings. Consultant will assist the City with event logistics, scheduling and invitations. Consultant will facilitate up to two (2) events. Staff will document events they facilitate and provide a copy of meetings summaries to JLA. JLA will produce an summary memo of all events. Consultant will also coordinate and help staff prepare for tabling at up to four (4) community events (Summer 2012) such as local events and farmer's markets. Consultant will not attend or produce summary reports for these tabling events.

The City will be responsible for meeting logistics including room reservations (and associated costs), meeting refreshments and the preparation of all printed meeting materials. The City will provide meeting reminders in advance of each meeting to members and interested parties via email and post meeting information on the project website.

- 2.7. Establishment of Planning Framework: Consultant will assist the Technical Team with the development of the Planning Framework and will organize review and comment with the Task Force during their meetings.
- 2.7.1. Project Goals and Objectives: Consultant will work with the Task Force, City Staff and the Technical Team to develop and refine a set of project goals and objectives.
- 2.7.2. Evaluation Criteria: Consultant will assist the Technical Team with the development of evaluation criteria based on Task Force feedback. Consultant will review criteria with the Task Force at a meeting and collect feedback.
- 2.7.3. Review Performance Standards and Methods: Consultant will review performance standards developed by the Technical Team and will provide comment.



- 2.8. Script Development and Video Production: Consultant shall script and produce up to two (2) four-minute promotional videos to raise awareness of the Project to a large geographic area and engage diverse stakeholders. A DVD formatted for copying will be provided. The video will be available for the City to post on the Project web site or email a link to the project email list.
- 2.9. Support for Outreach to the Spanish-speaking Community: It is a goal of the project to involve Tualatin citizens who don't speak English in the process to update the TSP. Preliminary research suggests that this will require providing materials in Spanish, establishing relationships with leaders in the community and holding events that target this population. This task supports those activities.
- 2.9.1. Consultant will provide translation services for project materials produced for distribution to a citywide audience (Task 2.10) or material produced for events targeted to the Spanish-speaking population.
- 2.9.2. Consultant will work with Tualatin staff to identify opportunities for involving the Spanish-speaking population. Consultant will help staff build relationships with leaders in the community.
- 2.9.3. Consultant will identify, help organize, produce materials for and facilitate up to three (3) public events targeted to a Spanish-speaking population. The estimated budget assumes that these events would be conducted in partnership with another department or organization like the Tualatin Library, Tigard-Tualatin Schools, parent-teacher organizations or a local church. These may be an event at a local school, sporting event or church or in conjunction with a library activity.
- 2.10 Materials Development: Consultant will create up to six (6) informational pieces for the project. It is assumed that this may include project newsletters, fact sheets, media releases, question and answer handouts, display materials or posters.
- 2.10.1 Consultant will work with the PMT on general project messaging and update it once during the project. Talking points will include the project description, purpose, schedule and intent of the public involvement program.
- 2.10.2 Consultant will design and produce up to four (4) handouts, newsletters, fact sheets or FAQs through the project to share information with the public at key stages. Content for these publications will come from the technical team and City staff.
- 2.10.3 Consultant will design up to two (2) display materials for sharing information with the public.
-

2.10.4 Consultant will write up to four (4) articles and press releases. Content will come from the technical team and City staff.

PHASE 1: FRAME THE CONVERSATION

3. *No specific JLA activities for this task.*

4. Existing Conditions Analysis (Community-led System Assessment)

4.1. Support for Tabling at local events: Consultant will coordinate and help staff prepare for tabling at up to four (4) community events such as local events such as school events or at the Tualatin Library. This task may also include tabling at neighborhood events like a local picnic, park activity, CIO meeting, back to school night or at a local business to target people in a certain part of the city.

4.2. iPhone Application: Consultant has coordinated with staff from the University of Oregon to produce an iPhone application available for use by the project from August to September 2011. Consultant produced questions for the application. Consultant will compile resulting data with the web-based mapping tool described below and provide results to the Technical Team in an agreed upon format.

4.3. Web-based mapping and survey tool: Consultant will support the existing web-based mapping and survey tool, including the approval of comments before posting and the resolution of any technical issues.

4.3.1. Compilation of Interactive Map Comments: Consultant will compile comments and provide raw data to the Technical Team in an agreed upon format. Consultant will produce a report summarizing results at the end of this phase.

4.4. Participatory Video contest: Consultant has assisted the City with the development of a video contest. Consultant will continue to provide assistance as needed including support for judging and coordination of prizes. Consultant will produce a summary video that compiles multiple entries into one 3-4 minute video.

Phase 2: Deliberation and Discussion

5. *No specific JLA activities for this task.*

6. Future Conditions Analysis

6.5 Review and update the Public Involvement Strategy: At the end of this phase, Consultant will lead a review of the Public Involvement Strategy with City staff and the Technical Team. Consultant will make revisions to update the strategy.

7. Develop and Screen System Options

- 7.1. Review Long List of Potential Options: Consultant will provide support to the Technical Team on this task by reviewing potential options in light of Task Force feedback and community needs/desires.
- 7.2. Support Screening of Feasible Options: Consultant will provide support to the Technical Team on this task by reviewing feasible options in light of Task Force feedback and community needs/desires.
- 7.3. Review the I³ (Interested, Impacted and Influential) for System Options: As the number of potential options is narrowed, Consultant will work with City Staff to identify whether additional outreach is necessary with specific neighborhoods or individuals as a result of the alternatives under consideration.

Phase 3: Options and Recommendations

8. Prepare TSP Recommendations

- 8.3. Review Preliminary Recommendations: Consultant will review preliminary recommendations and provide comment to the City and the Technical Team in advance of their public review to anticipate public issues or concerns.
- 8.4. Support Recommendation Refinement: Consultant will assist the Technical Team with recommendation refinement to make sure that public comments and feedback from the Task Force has been included.
- 8.5. Survey Tool: Consultant will develop a survey tool for use on-line and in paper to solicit community feedback on the preliminary recommendations. Consultant will compile comments and provide raw data to the Technical Team in an agreed upon format. Consultant will produce a report summarizing results.

9. Implementation Plan

- 9.1. Prioritize Recommendations: Consultant will provide support to the Technical Team on this task by reviewing recommendation priorities in light of Task Force feedback and community needs/desires. Consultant will engage the Task Force in activities at their meetings to solicit their ideas for the prioritization.

10. Ordinance Language *No specific JLA activities for this task.*

11. Prepare TSP --Technical Team Task 11

9/1/2011 3:54 PM

11.3 Draft Public Involvement Chapter for TSP: Consultant will produce the Public Involvement Chapter for the Draft TSP.

11.4 Revised Draft Public Involvement Chapter for TSP: Consultant will make updates and refinements to the Public Involvement chapter as required for the final version of the TSP.

12. Support for TSP Adoption --Technical Team Task 12

12.1. Develop Adoption Strategy: Consultant will work in collaboration with the Technical Team and City staff to create a strategy for TSP adoption.

12.2. Support for TPAC Meetings: Consultant will assist with the production of presentation materials during the adoption process.

12.3. Support for Council Meetings: Consultant will assist with the production of presentation materials during the adoption process.

12.4. Consultant will conduct a short evaluation of the public involvement process during TSP development and provide a report summarizing the results. This report will include recommendations for future public involvement processes in Tualatin.

RESOLUTION NO. 5068-11

RESOLUTION AUTHORIZING A PERSONAL SERVICES AGREEMENT WITH JLA PUBLIC INVOLVEMENT FOR PUBLIC INVOLVEMENT PHASE II FOR THE TRANSPORTATION SYSTEM PLAN UPDATE

WHEREAS the Review Committee previously recommended that the City Council accept their recommendation of JLA Public Involvement for the public involvement consultant; and

WHEREAS JLA Public Involvement has created the Public Involvement Strategy for the Transportation System Plan Update; and

WHEREAS staff has begun working the public outreach identified in the Public Involvement Strategy and this personal services agreement provides the necessary oversight and guidance as the Public Involvement Strategy is implemented; and

WHEREAS there are funds available for the Transportation System Plan Update in the Road Operating/Gas Tax Fund.

BE IT RESOLVED BY THE CITY COUNCIL, CITY OF TUALATIN, OREGON, that:

Section 1. The Public Involvement contract for the Transportation System Plan Update is awarded to JLA Public Involvement.

Section 2. The City Recorder is authorized to execute a contract with JLA Public Involvement for Phase 2 in an amount not to exceed \$167,000.


Section 3. The City Recorder is authorized to execute Amendments totaling up to 10% of the original contract amount.

INTRODUCED AND ADOPTED this 12th day of September, 2011.

CITY OF TUALATIN, OREGON

By 
Mayor

APPROVED AS TO LEGAL FORM


CITY ATTORNEY

ATTEST: 
By
City Recorder



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Linda Odermott, Paralegal
Brenda Braden, City Attorney

DATE: 09/12/2011

SUBJECT: An Ordinance Relating to the Tualatin Planning Advisory Committee (TPAC);
Reducing the number of members; and Amending TDC 2.060 PTA-11-06

ISSUE BEFORE THE COUNCIL:

Council will consider an Ordinance approving PTA 11-06 amending TDC 2.060 and changing the Tualatin Planning Advisory Committee (TPAC) by reducing the number of positions from nine (9) to seven (7) and amending TDC Section 2.060(2) to remove the limit that a member may serve no more than two (2) consecutive terms.

RECOMMENDATION:

Staff recommends Council approve the Ordinance.

EXECUTIVE SUMMARY:

On August 22, 2011, Council held a public hearing (PTA-11-06) to decide whether to reduce the number of TPAC members from 9 to 7 and amend TDC 2.060. At the close of the public hearing, Council approved the Staff Report by a vote of 7-0, and directed Staff to bring back an ordinance adopting PTA-11-06.

OUTCOMES OF DECISION:

If the ordinance is approved, the size of the Tualatin Planning Advisory Committee will be consistent with the changes just adopted by Council for the Tualatin Municipal Code, which reduced the size of TPAC to 7 members and removed term limits.

If the ordinance is not approved, the Tualatin Development Code will continue to require TPAC to have 9 members while the Municipal Code requires 7 members.

Attachments: A - Ordinance

ORDINANCE NO. 1332-11

AN ORDINANCE RELATING TO THE TUALATIN PLANNING ADVISORY COMMITTEE (TPAC); AND AMENDING TUALATIN DEVELOPMENT CODE (TDC) 2.060 (PTA-11-06)

WHEREAS upon the application of the City on behalf of TPAC, a public hearing was held before the City Council of the City of Tualatin on August 22, 2011, related to a Plan Text Amendment of the TDC; and amending TDC 2.060 (PTA-11-06); and

WHEREAS notice of public hearing was given as required under the Tualatin Development Code by publication on in The Times, a newspaper of general circulation within the City, which is evidenced by the Affidavit of Publication marked "Exhibit A," attached and incorporated by this reference; and

WHEREAS the Council conducted a public hearing on August 22, 2011, and heard and considered the testimony and evidence presented by the City staff and those appearing at the public hearing; and

WHEREAS after the conclusion of the public hearing, the Council vote resulted in approval of the application by a vote of [7-0],

WHEREAS based upon the evidence and testimony heard and considered by the Council and especially the City staff report dated August 22, 2011, the Council makes and adopts as its Findings of Fact the findings and analysis in the staff report attached as "Exhibit B," which are incorporated by this reference; and

WHEREAS based upon the foregoing Findings of Fact, the City Council finds that it is in the best interest of the residents and inhabitants of the City and the public; the public interest will be served by adopting the amendment at this time; and the amendment conforms with the Tualatin Community Plan; and therefore, the Tualatin Development Code should be amended.

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

Section 1. TDC 2.060 is amended to read as follows:

(1) Number of members: 97.

(2) Selection criteria: good geographic balance; no more than three members with same occupation; no more than two members engaged in the real estate development profession; reside within City except for those members allowed to live outside the City who must reside within the Urban Growth Area.

(3) Term of office: ~~three years~~ Each committee member shall serve three years per term. The City Council may reappoint a member continually or appoint a successor.

(4) Powers and duties: recommend and make suggestions to the Council regarding preparation and revision of plans for the growth, development, and beautification of areas both inside the corporate limits of Tualatin and within the City's Urban Growth Boundary, such plans to incorporate elements and subelements, including but not limited to the following:

(a) Land Use

(b) Economic Development
Housing
Commercial and Industrial

(c) Public Facilities
Transportation
Water Supply
Sewerage
Drainage
Parks and Open Space
Institutions

(d) Historic Resources

(e) Recommend and make suggestions to the Council regarding preparation and revision of community development ordinances, including but not limited to the following:

Tualatin Development Code
Tualatin Sign Ordinance
Tree Planting Regulations

(f) Study and propose in general such measures as may be advisable for promotion of public interest, health, morals, safety, comfort, convenience, and welfare of the City and of the area within the City's Urban Growth Boundary.

INTRODUCED AND ADOPTED this 12th Day of September, 2011.

CITY OF TUALATIN, OREGON

BY _____

Mayor

APPROVED AS TO LEGAL FORM

Brenda L. Brader

CITY ATTORNEY

ATTEST: _____

BY _____

City Recorder

ITEMS REFERRED TO AS EXHIBITS IN THE FOREGOING ORDINANCE ARE ATTACHED TO THE ORIGINAL. THEY HAVE BEEN OMITTED FROM THE COUNCIL PACKET AS A CONSERVATION MEASURE. IF THESE EXHIBITS NEED TO BE EXAMINED, PLEASE CONTACT THE CITY RECORDER.



6605 SE Lake Road, Portland, OR 97222 • PO Box 22109 Portland OR 97288-2109
 Phone: 503-684-0380 Fax: 503-620-3433
 E-mail: legals@commnewspapers.com

AFFIDAVIT OF PUBLICATION

State of Oregon, County of Washington, SS I, Charlotte Allsop, being the first duly sworn, depose and say that I am the Accounting Manager of *The Times* (serving Tigard, Tualatin & Sherwood), a newspaper of general circulation, published at Beaverton, in the aforesaid county and state, as defined by ORS 193.010 and 193.020, that

**City of Tualatin
 Notice of Hearing/PTA 11-06
 TT11592**

A copy of which is hereto annexed, was published in the entire issue of said newspaper for

1
 week in the following issue:
August 4, 2011


 Charlotte Allsop (Accounting Manager)

Subscribed and sworn to before me this August 4, 2011.


 NOTARY PUBLIC FOR OREGON
 My commission expires

Nov. 28, 2011

Acct #108462
 Attn: Heidi Blaine
 City of Tualatin
 Community Development Department
 18880 SW Martinazzi Ave
 Tualatin, OR 97062



Size: 2 x 7.75"
 Amount Due **\$140.27 ***
 *Please remit to address above.

**NOTICE OF HEARING
 CITY OF TUALATIN, OREGON**

NOTICE IS HEREBY GIVEN that a public hearing will be held before the City of Tualatin City Council at 7:00 p.m., Monday, August 22, 2011 at the Council Building at 18880 SW Martinazzi Avenue to consider:

PLANTEXT AMENDMENT (PTA) 11-06—AN ORDINANCE AMENDING THE TUALATIN PLANNING ADVISORY COMMITTEE (TPAC); AND AMENDING TDC 2.060 (PTA-11-06)

Before granting the proposed amendments, the City Council must find that: (1) Granting the amendments is in the public interest; (2) The public interest is best protected by granting the amendments at this time; (3) The proposed amendments are in conformity with the applicable objectives of the Tualatin Community Plan; (4) The factors listed in Section 1.032(4) were consciously considered; (5) The Tigard Tualatin School District Facility Plan was considered; (6) The amendments are consistent with the Statewide Planning Goals; (7) The amendments are consistent with the Metro Urban Growth Management Functional Plan; and (8) The amendments are consistent with Level of Service F for the PM peak hour and E for the one-half hour before and after the PM peak hour for the Town Center 2040 Design Type and E/E for the rest of the 2040 Design Types in the City's planning area.

Individuals wishing to comment may do so in writing to the Planning Division prior to the hearing and/or present written and/or verbal testimony to the City Council at the hearing. Hearings begin with a staff presentation, followed by testimony by proponents, testimony by opponents, and rebuttal. The time of individual testimony may be limited. If a participant requests, before the hearing is closed, the record shall remain open for at least 7 days after the hearing. The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to the decision maker to respond to the issue precludes an action for damages in circuit court.

Copies of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost. A copy of the staff report will be available for inspection at no cost at least seven days prior to the hearing, and will be provided at reasonable cost. *For more information contact Colin Cortes, AICP, CNU-A, Assistant Planner at ccortes@ci.tualatin.or.us or 503-691-3024.* This meeting and any materials being considered can be made accessible upon request.

CITY OF TUALATIN, OREGON

By: Sherilyn Lombos
 City Recorder

PTA-11-06 ATTACHMENT B:

ANALYSIS AND FINDINGS

The approval criteria of the Tualatin Development Code (TDC), Section 1.032, must be met if the proposed PTA is to be granted. The plan amendment criteria are addressed below:

1. Granting the amendment is in the public interest.

Tualatin Development Code (TDC) 2.050, part of the City's comprehensive plan, designates the (Tualatin Planning Advisory Committee) TPAC as a citizen body responsible for fulfilling Goal 1 "Citizen Involvement."

The purpose of the amendment is to acknowledge a realistic number of potential TPAC members among the general public who are willing to attend meetings following Council appointment, to retain these members. The action is to decrease the number of positions from nine (9) to seven (7). (Of the 9 present positions, 7 are filled.) This action increases the ability of TPAC to conduct business regularly, a condition that is in and better serves the public interest. A second action is to remove the limit that a member may serve no more than two consecutive terms and allow the term of office to reside with Council's discretion. The City Council ultimately has the authority to approve new members and end the term of existing members as per the Tualatin Municipal Code Section 11-1-020(3).

Granting the amendment is in the public interest. Criterion "A" is met.

2. The public interest is best protected by granting the amendment at this time.

As examined for Criterion A, the purpose of the amendment is to acknowledge a realistic number of potential TPAC members among the general public who are willing to attend meetings following Council appointment, to retain these members. The action is to decrease the number of positions from nine (9) to seven (7). (Of the 9 present positions, 7 are filled.) This action increases the ability of TPAC to conduct business regularly.

A second action is to remove the limit that a member may serve no more than two consecutive terms. The City Council ultimately has the authority to approve new members and end the term of existing members. Eliminating term limits assists the Planning Advisory Committee with the ability to retain full membership, while keeping the ability to approve and remove members at Council discretion. In the past, members who are citizen volunteers and have shown great interest in land use issues affecting the community were forced to step down due to the current limit of terms that is three (3) years. This is a disservice to our community when there are

citizens who are interested in participating in decision making about the future of the City but are unable to participate. The public interest is in fact better protected through removal of the limit that a member may serve no more than two consecutive terms.

In 2010, primarily because of vacant positions TPAC failed to attain quorum for four meetings, including two consecutive meetings, delaying action items. The committee has attracted and retained seven (7) members though having nine (9) positions. These conditions make the amendment timely.

Granting the amendment at this time best protects the public interest.

3. The proposed amendment is in conformity with the applicable objectives of the Tualatin Community Plan.

In 1976 Tualatin Development Code (TDC) 2.050 designated TPAC as a citizen body responsible for fulfilling Goal 1 "Citizen Involvement." The amendment does not interfere with the Plan objective of TPAC fulfilling Goal 1.

The proposed amendment conforms with the objectives of the Tualatin Community Plan. Criterion "C" is met.

4. The following factors were consciously considered:

The various characteristics of the areas in the City.

The factor is not relevant to the proposed amendment because it does not affect any planning district designation or related regulation.

The suitability of the areas for particular land uses and improvements in the areas.

The factor is not relevant to the proposed amendment because it does not affect any planning district designation or related regulation.

Trends in land improvement and development.

The factor is not relevant to the proposed amendment because it does not relate to trends in land improvement and development.

The needs of economic enterprises and the future development of the area.

The factor is not relevant to the proposed amendment because it does not relate to the needs of economic enterprises and the future development of the area.

Needed right-of-way and access for and to particular sites in the area.

The factor is not relevant to the proposed amendment because it does not relate to needed right-of-way and access for and to particular sites in the area.

Natural resources of the City and the protection and conservation of said resources.

The factor is not relevant to the proposed amendment because it does not relate to natural resources of the City and the protection and conservation of said resources.

Prospective requirements for the development of natural resources in the City.

The consideration of the previous factor applies here also.

And the public need for healthful, safe, aesthetic surroundings and conditions.

The factor is not relevant to the proposed amendment because it does not relate to the public need for healthful, safe, aesthetic surroundings and conditions.

Proof of change in a neighborhood or area

Neither the applicant nor staff assert proof of change in a neighborhood or area.

Mistake in the Plan Text or Plan Map.

Neither the applicant nor staff assert a mistake in the Plan Text or Plan Map.

5. The criteria in the Tigard-Tualatin School District Facility Plan for school facility capacity have been considered when evaluating applications for a comprehensive plan amendment or for a residential land use regulation amendment.

Because the amendment does not relate to residential use, the criterion is not applicable.

6. Granting the amendment is consistent with the applicable State of Oregon Planning Goals and applicable Oregon Administrative Rules.

Of the 19 statewide planning goals, the applicable one is Goal 1 "Citizen Involvement."

The purpose of the amendment is to acknowledge a realistic number of potential TPAC members among the general public who are willing to attend meetings

following Council appointment, to retain these members, and allow TPAC a realistic quorum. Additionally, the purpose of the amendment is to remove the limit that a member may serve no more than two consecutive terms and change the terms of office to reside with Council's discretion. This action allows citizen volunteers the opportunity to continue serving the community as long as they and the City Council are willing.

The amendment does not interfere with the City Council designation of TPAC in Tualatin Development Code (TDC) 2.050 as a citizen body responsible for fulfilling Goal 1. The criterion is met.

7. Granting the amendment is consistent with the Metropolitan Service District's Urban Growth Management Functional Plan.

The Urban Growth Management Functional Plan (UGMFP), codified in Metro Code 3.07, neither precludes the amendment nor regulates how a local government constitutes its planning commission or equivalent. The criterion is met.

8. Granting the amendment is consistent with Level of Service F for the p.m. peak hour and E for the one-half hour before and after the p.m. peak hour for the Town Center 2040 Design Type (TDC Map 9-4), and E/E for the rest of the 2040 Design Types in the City's planning area.

Because the amendment does not relate to vehicle trip generation at a land use level, the criterion is not applicable.



STAFF REPORT

CITY OF TUALATIN

APPROVED BY TUALATIN CITY COUNCIL
Date 9-12-11
Recording Secretary [Signature]

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos

FROM: Linda Odermott, Paralegal
Brenda Braden, City Attorney

DATE: 09/12/2011

SUBJECT: An Ordinance Relating to Land Use Approval Periods; and Amending TDC 32.080, 32.090, 36.160, 36.240, AND 73.056 (PTA 11-05)

ISSUE BEFORE THE COUNCIL:

Council will consider an Ordinance to modify approval and extension periods for Architectural Review, Partition, Subdivision, and Conditional Use Approvals; and Amending TDC 32.080, 32.090, 36.160, 36.240, AND 73.056 (PTA 11-05).

RECOMMENDATION:

Staff recommends that Council approve the Ordinance.

EXECUTIVE SUMMARY:

On August 22, 2011, the City Council held a legislative hearing (PTA-11-05) to decide whether to approve an amendment to the Tualatin Development Code that would change approval and extension periods for Architectural Review, Partition, Subdivision, and Conditional Use. At the close of the public hearing, Council approved the Staff Report dated August 22, 2011 by a vote of 7-0, and directed Staff to bring back an ordinance adopting PTA-11-05.

OUTCOMES OF DECISION:

If the ordinance is adopted, initial periods for land use permits and approvals would be lengthened to allow developers more time to begin building their projects, and it would allow for those permits to be extended for an additional period according to certain criteria for extension.

If the ordinance is not adopted, the current time periods will remain applicable.

Attachments: A - Ordinance

ORDINANCE NO. 1333-11

AN ORDINANCE RELATING TO LAND USE APPROVAL PERIODS; AND AMENDING TDC 32.080, 32.090, 36.160, 36.240, AND 73.056 (PTA 11-05)

WHEREAS upon the application of the Community Development Department, a public hearing was held before the City Council of the City of Tualatin on August 22, 2011, related to a Plan Text Amendment of the TDC; and amending TDC 32.080, 32.090, 36.160, 36.240, AND 73.056 (PTA-11-05); and

WHEREAS notice of public hearing was given as required under the Tualatin Development Code by publication on in The Times, a newspaper of general circulation within the City, which is evidenced by the Affidavit of Publication marked "Exhibit A," attached and incorporated by this reference; and

WHEREAS the Council conducted a public hearing on August 22, 2011, and heard and considered the testimony and evidence presented by the City staff and those appearing at the public hearing; and

WHEREAS after the conclusion of the public hearing, the Council vote resulted in approval of the application by a vote of [7-0],

WHEREAS based upon the evidence and testimony heard and considered by the Council and especially the City staff report dated August 22, 2011, the Council makes and adopts as its Findings of Fact the findings and analysis in the staff report attached as "Exhibit B," which are incorporated by this reference; and

WHEREAS based upon the foregoing Findings of Fact, the City Council finds that it is in the best interest of the residents and inhabitants of the City and the public; the public interest will be served by adopting the amendment at this time; and the amendment conforms with the Tualatin Community Plan; and therefore, the Tualatin Development Code should be amended.

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

Section 1. TDC 32.080 is amended to read as follows:

(1) Any previously granted conditional use permit may be revoked by the City Council, after a hearing conducted in the manner required for approval of a conditional use permit initially, upon the following grounds:

(a) Failure to comply with the conditions of approval.

(b) Discontinuance of the use for a period in excess of ~~4~~two years.

(c) Failure to comply with other applicable provisions of the Tualatin Community Plan regarding design, dimensional or use requirements.

(d) A change in the Tualatin Community Plan or Planning District Standards of the planning district within which the use is located that have the effect of no longer allowing a new conditional use permit application to be considered in such planning district.

(2) Revocations initiated under TDC 32.080(1)(a) or (b) above shall not be initiated for at least 6 months after approval of the conditional use permit. Revocations initiated under TDC 32.080(1)(a), (b) and (c) above shall have the effect of making the previously granted conditional use permit void until a new application is submitted and granted. Revocations initiated under TDC 32.080(d) above shall have the effect of making the previously granted conditional use a nonconforming use.

Section 2. TDC 32.090 is amended to read as follows:

(1) Unless otherwise provided by the Council in the resolution granting approval of the conditional use permit, a conditional use permit shall automatically become null and void ~~4two years~~ after the effective date upon which it was granted unless one of the following events occur:

(a) The applicant or his successor in interest has secured a building permit within said ~~4two-year~~ period, if a building permit is required, and has actually commenced construction of the building or structure authorized by the permit within said ~~4two-year~~ period.

(b) The applicant or his successor in interest has commenced the activity or installation of the facility or structure authorized by the conditional use permit within said ~~4two-year~~ period.

(2) The applicant may submit a written request to the City Council for an extension of time on the conditional use permit to avoid the permit's becoming null and void. The request for extension must be ~~filed-submitted with the City Recorder~~ prior to the expiration of the times established by Subsection (1) above. The City Council may, in the resolution granting such conditional use permit, provide for an extension of time beyond ~~4two years~~.

Section 3. TDC 36.160 is amended to read as follows:

(1) A subdivision application shall not be approved unless the City Engineer first finds that adequate public improvements are, or will be, made available to serve the proposed subdivision.

(2) The City Engineer may approve, approve with conditions, or deny the application based upon demonstrated compliance with applicable City regulations. The City Engineer's decision shall be supported by written findings and reasons for the decision. Findings and reasons may consist of references to the applicable Tualatin Development Code (TDC) or Tualatin Municipal Code (TMC), ordinance provisions, or special studies. The decision shall also include an explanation of the rights of each party to request a review of the decision.

(3) One copy of the subdivision plan and decision shall be filed with both the City Recorder and the City Engineer.

(4) The decision of the City Engineer on a subdivision shall become final 14 calendar days after the date the notice of the decision is given, unless the applicant submits a written request for review is sought.

(5) The approval for the subdivision shall expire ~~24 months~~ two years from the date the decision ~~becomes final~~ is issued unless the applicant requests an extension and the City Engineer approves it pursuant to Subsection (6).

(6) Before approving an extension of a subdivision approval, the City Engineer shall find the request meets these criteria.

(a) There have been no significant changes in any conditions, ordinances, regulations, or other standards of the City or applicable agencies that affect the previously approved subdivision so as to warrant its resubmittal.

(b) If the applicant neglected site maintenance and allowed the site to become blighted, the City Engineer shall factor this into the decision.

(c) The City Engineer shall grant no more than a single one-year extension.

(67) A subdivision plan approval may include restrictions and conditions. These restrictions and conditions shall be reasonably conceived to:

(a) protect the public from the potentially deleterious effects of the proposal;

(b) fulfill the need for public facilities and services created by the proposal, or increased or in part attributable to the impacts of the proposal; or

(c) further the implementation of the requirements of the Tualatin Development Code TDC.

Section 4. TDC 36.240 is amended to read as follows:

(1) The City Engineer shall render a final decision for a partition or an Expedited Partition Application.

(2) The City Engineer shall approve ~~No partition or expedited partition application shall be approved by the City Engineer~~ unless adequate public facilities are available to serve the proposed partition.

(3) The City Engineer's decision may be to approve, approve with conditions or deny the partition or expedited partition application based upon demonstrated compliance with applicable City regulations. The City Engineer's decision shall be supported by written findings and reasons for the decision. Findings and reasons may consist of references to the applicable Tualatin Development Code (TDC) or Tualatin Municipal (TMC) ordinance provisions.

(4) The final decision shall be written, and at a minimum shall identify:

(a) the applicant;

(b) the date of the decision;

(c) the decision;

(d) any time frame and conditions to which the decision is subject;

(e) a brief statement that explains the criteria and standards considered relevant to the decision, states the facts relied upon in the rendering the decision, explains the justification for the decision based on the criteria, standards and facts set forth; and

(f) an explanation of the rights to request a review of the decision.

(5) Notice of the decision shall be provided to the applicant, property owner, and any party who submitted comments within the 14 calendar-day comment period. Notice of the decision shall include a description of rights to request a review of the decision.

(6) The decision of the City Engineer shall become final 14 calendar days after the date the notice of the decision is given unless a written request to review the decision has been received by the City in accordance with applicable procedures provided in TDC 36.161. If a request for City Council review is timely and properly filed,

the decision on the partition application shall not be final until a final determination is made by the City Council.

(7) The final decision of the City Engineer, or approval by the City Council, shall expire ~~24 months~~ two years from the date the City Engineer issues the final decision or the City Council is issued, or adopts the resolution is adopted unless the applicant requests an extension and the City Engineer approves it pursuant to Subsection (8).

(8) Before approving an extension of a partition approval, the City Engineer shall find that the request meets these criteria:

(a) There have been no significant changes in any conditions, ordinances, regulations, or other standards of the City or applicable agencies that affect the previously approved subdivision so as to warrant its resubmittal.

(b) If the applicant neglected site maintenance and allowed the site to become blighted, the City Engineer shall factor this into the decision.

(c) The City Engineer shall grant no more than a single one-year extension.

(89) A partition plan approval may include restrictions and conditions. These restrictions and conditions shall be reasonably conceived to:

(a) protect the public from the potentially deleterious effects of the proposal;

(b) fulfill the need for public facilities and services created by the proposal, or increased or in part attributable to the impacts of the proposal;

(c) further the implementation of the requirements of the ~~Tualatin Development Code~~ TDC.

(910) The final decision of the City Council on a partition associated with an Industrial Master Plan (TDC 37) shall be subject to all requirements of TDC 36.240.

Section 5. TDC 73.056 is amended to read as follows:

Architectural Review approvals shall ~~be void~~ expire after ~~one~~ two years unless:

(1) A building, or grading permit submitted in conjunction with a building permit application, has been issued and substantial construction pursuant thereto has taken place and an inspection performed by a member of the Building Division; or

~~(2) An extension is requested by the applicant of the Architectural Review and approved by the applicant of the Architectural Review and approved by the Community Development Director and City Engineer. Before approving an extension the Community Development Director and the City Engineer shall find that there have been no significant changes in any ordinances, standards, regulations or other conditions affecting the previously approved project so as to warrant its resubmittal. The following conditions shall apply. The Architectural Review (AR) applicant requests in writing an extension and the City approves it. If the Community Development Director and City Engineer or their designees approved the AR, then the Community Development Director and City Engineer shall decide upon the extension request. If the Architectural Review Board (ARB) approved the AR, then the ARB shall decide upon the extension request. The applicant shall provide notice of extension request to past recipients of the AR notice of application and post a sign recipients of the AR notice of application and post a sign pursuant to TDC 31.064. Before approving an extension, the deciding party shall find the request meets these criteria:~~

~~(a) An extension request shall be submitted prior to the initial one year expiration, n, and~~The applicant submitted a written extension request prior to the original expiration date.

~~(b) No more than one 6 month extension shall be granted for a project receiving Architectural Review approval~~There have been no significant changes in any conditions, ordinances, regulations or other standards of the City or applicable agencies that affect the previously approved project so as to warrant its resubmittal for AR.

~~(c) If the previously approved application included a special n environmental or transportation study, the applicant provided with the extension a status report that shows no significant changes on the site or within the vicinity of the site. A letter from a recognized professional also would satisfy this criterion if it states that conditions have not changed after the original approval and that no new study is warranted.~~

~~(d) If the AR applicant neglected site maintenance and allowed the site to become blighted, the deciding party shall factor this into its decision.~~

~~(e) The deciding party shall grant no more than a single one-year extension for an AR approval.~~

~~(f) If the Community Development Director and City Engineer or their designees are the deciding party, then they shall decide within thirty (30) days of receipt of the request. If the ARB is the deciding party, then the ARB shall decide within sixty (60) days of receipt of the request. If the deciding party fails to decide within the applicable time period, the decision shall default to approval.~~

(3) The Architectural review approval was granted on or after January 1, 2007 through September 30, 2009. In those cases approval shall be extended to December 31, 2012. Such approval shall not be eligible for extension under TDC 73.056(2). This subsection (3) shall terminate on January 2, 2013, without further action of the City Council.

INTRODUCED AND ADOPTED this 12th Day of September, 2011.

CITY OF TUALATIN, OREGON

BY  _____
Mayor

ATTEST:

BY  _____
City Recorder

APPROVED AS TO LEGAL FORM


CITY ATTORNEY



ITEMS REFERRED TO AS EXHIBITS IN THE FOREGOING ORDINANCE ARE ATTACHED TO THE ORIGINAL. THEY HAVE BEEN OMITTED FROM THE COUNCIL PACKET AS A CONSERVATION MEASURE. IF THESE EXHIBITS NEED TO BE EXAMINED, PLEASE CONTACT THE CITY RECORDER.



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AFFIDAVIT OF PUBLICATION

State of Oregon, County of Washington, SS I, Charlotte Allsop, being the first duly sworn, depose and say that I am the Accounting Manager of *The Times* (serving Tigard, Tualatin & Sherwood), a newspaper of general circulation, published at Beaverton, in the aforesaid county and state, as defined by ORS 193.010 and 193.020, that

**City of Tualatin
 Notice of Hearing/PTA 11-05
 TT11593**

A copy of which is hereto annexed, was published in the entire issue of said newspaper for **1** week in the following issue:
August 4, 2011

Charlotte Allsop
 Charlotte Allsop (Accounting Manager)

Subscribed and sworn to before me this August 4, 2011.

Justin D. Curran
 NOTARY PUBLIC FOR OREGON
 My commission expires *Nov. 28, 2011*

Acct #108462
 Attn: Heidi Blaine
 City of Tualatin
 Community Development Department
 18880 SW Martinazzi Ave
 Tualatin, OR 97062



Size: 2 x 8"
 Amount Due: \$144.80 *
 *Please remit to the address above.

**NOTICE OF HEARING
 CITY OF TUALATIN, OREGON**

NOTICE IS HEREBY GIVEN that a public hearing will be held before the City of Tualatin City Council at 7:00 p.m., Monday, August 22, 2011 at the Council Building at 18880 SW Martinazzi Avenue to consider:

PLAN TEXT AMENDMENT (PTA) 11-05—AN ORDINANCE AMENDING ARCHITECTURAL REVIEW, PARTITION, AND SUBDIVISION APPROVAL AND EXTENSION PERIODS AND CONDITIONAL USE APPROVAL PERIOD; AND AMENDING TDC 32.080, 32.090, 36.160, 36.240, AND 73.056 (PTA-11-05)

Before granting the proposed amendments, the City Council must find that: (1) Granting the amendments is in the public interest; (2) The public interest is best protected by granting the amendments at this time; (3) The proposed amendments are in conformity with the applicable objectives of the Tualatin Community Plan; (4) The factors listed in Section 1.032(4) were consciously considered; (5) The Tigard Tualatin School District Facility Plan was considered; (6) The amendments are consistent with the Statewide Planning Goals; (7) The amendments are consistent with the Metro Urban Growth Management Functional Plan; and (8) The amendments are consistent with Level of Service F for the PM peak hour and E for the one-half hour before and after the PM peak hour for the Town Center 2040 Design Type and E/E for the rest of the 2040 Design Types in the City's planning area.

Individuals wishing to comment may do so in writing to the Planning Division prior to the hearing and/or present written and/or verbal testimony to the City Council at the hearing. Hearings begin with a staff presentation, followed by testimony by proponents, testimony by opponents, and rebuttal. The time of individual testimony may be limited. If a participant requests, before the hearing is closed, the record shall remain open for at least 7 days after the hearing. The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to the decision maker to respond to the issue precludes an action for damages in circuit court.

Copies of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost. A copy of the staff report will be available for inspection at no cost at least seven days prior to the hearing, and will be provided at reasonable cost. For more information contact Colin Cortes, AICP, CNU-A, Assistant Planner at ccortes@ci.tualatin.or.us or 503-691-3024. This meeting and any materials being considered can be made accessible upon request.

CITY OF TUALATIN, OREGON

By: Sherilyn Lombos
 City Recorder

PTA-11-05 ATTACHMENT B:

ANALYSIS AND FINDINGS

The approval criteria of the Tualatin Development Code (TDC), Section 1.032, must be met if the proposed PTA is to be granted. The plan amendment criteria are addressed below:

1. Granting the amendment is in the public interest.

The two blanket extensions of Architectural Review (AR) approvals through PTA-09-06 and PTA-11-03 were awkward legislative short-term solutions to an on-going problem caused by the compound effect of the national recession and a one-year AR approval period that is short compared with the five neighboring cities of Lake Oswego, Sherwood, Tigard, West Linn, and Wilsonville. Since 2008, there has been one Conditional Use Permit (CUP) that expired and that the City renewed in 2009 (CUP-08-02; CUP-09-03). Together, these circumstances suggest a more durable and strategic action to lessen the need for and frequency of extension requests for ARs and CUPs.

The amendment would give building projects approved through AR – as well as CUPs – a more reasonable amount of time to begin construction by providing a two-year rather than one-year period and lessen the need for and frequency of extension requests.

Additionally, by providing Partitions and Subdivisions allowance for extension requests, the amendment would make the approval period uniform for the major Tualatin land use applications most closely associated with building – AR, CUP, Partition, and Subdivision – by making the approval period of each application two (2) years and by allowing each a single one-year extension with the exception of CUP because the City Council renews a lapsed CUP through re-approval instead of extension. This would ease administration.

Together, these changes will lessen the need for City Council, TPAC, and staff to spend time reviewing extension requests. This change benefits applicants by allowing more time and enhancing the quality of the City's customer service. The time-limited approval and extension periods retain the City ability to review projects and their benefit to the public interest.

Granting the amendment is in the public interest. Criterion "A" is met.

2. The public interest is best protected by granting the amendment at this time.

As examined for Criterion A, the purpose of the amendment is to lessen the need for and frequency of extension requests, and in recent years the need for and frequency of extension requests has consumed an undue amount of time from the City Council, TPAC, and staff, making the amendment timely.

Granting the amendment at this time best protects the public interest.

3. The proposed amendment is in conformity with the applicable objectives of the Tualatin Community Plan.

The amendment neither directly relates to nor interferes with comprehensive plan objectives.

Criterion "C" is met.

4. The following factors were consciously considered:

The various characteristics of the areas in the City.

The factor is not relevant to the proposed amendment because it does not affect any planning district designation or related regulation.

The suitability of the areas for particular land uses and improvements in the areas.

The factor is not relevant to the proposed amendment because it does not affect any planning district designation or related regulation.

Trends in land improvement and development.

The factor is not relevant to the proposed amendment because it does not relate to trends in land improvement and development.

The needs of economic enterprises and the future development of the area.

The National Bureau of Economic Research dated the beginning of the national recession December 2007. While the agency officially has declared that the recession ended in June 2009, recessionary effects on local real estate continue. For this reason, at this time the needs of economic enterprises and the future development of commercial and industrial areas of Tualatin need additional time, primarily to maintain or obtain bank financing of building projects. The amendment directly addresses this need.

Needed right-of-way and access for and to particular sites in the area.

The factor is not relevant to the proposed amendment because it does not relate to needed right-of-way and access for and to particular sites in the area.

Natural resources of the City and the protection and conservation of said resources.

The factor is not relevant to the proposed amendment because it does not relate to natural resources of the City and the protection and conservation of said resources.

Prospective requirements for the development of natural resources in the City.

The consideration of the previous factor applies here also.

And the public need for healthful, safe, aesthetic surroundings and conditions.

The amendment establishes an additional criterion for review of an AR extension request: If an applicant neglected site maintenance (i.e. allowed blight), the deciding party may factor this into its decision. The amendment consciously considers the factor of public need for healthful, safe, aesthetic surroundings and conditions.

Proof of change in a neighborhood or area

Neither the applicant nor staff assert proof of change in a neighborhood or area.

Mistake in the Plan Text or Plan Map.

Neither the applicant nor staff assert a mistake in the Plan Text or Plan Map.

5. The criteria in the Tigard-Tualatin School District Facility Plan for school facility capacity have been considered when evaluating applications for a comprehensive plan amendment or for a residential land use regulation amendment.

Because the amendment does not relate to residential use, the criterion is not applicable.

6. Granting the amendment is consistent with the applicable State of Oregon Planning Goals and applicable Oregon Administrative Rules.

Of the 19 statewide planning goals, the applicable ones are Goals 2 "Land Use Planning" and 9 "Economic Development."

The purpose of the amendment is to lessen the need for and frequency of extension requests. The amendment is in keeping with a land use planning process and policy framework that is a basis for all decision and actions related to use of land and assures an adequate factual base for such decisions and actions. By increasing approval periods, it also provides more reasonable opportunity for a variety of economic activities vital to the health, welfare, and prosperity of Tualatin's residents and employees to manifest themselves on the landscape.

The criterion is met.

7. Granting the amendment is consistent with the Metropolitan Service District's Urban Growth Management Functional Plan.

The Urban Growth Management Functional Plan (UGMFP), codified in Metro Code 3.07, neither precludes the amendment nor regulates how a local government may set its land use approval period. The criterion is met.

8. Granting the amendment is consistent with Level of Service F for the p.m. peak hour and E for the one-half hour before and after the p.m. peak hour for the Town Center 2040 Design Type (TDC Map 9-4), and E/E for the rest of the 2040 Design Types in the City's planning area.

Because the amendment does not relate to vehicle trip generation at a land use level, the criterion is not applicable.