



City of Tualatin

# TUALATIN CITY COUNCIL

Monday, January 28, 2012

**CITY COUNCIL CHAMBERS**  
**18880 SW Martinazzi Avenue**  
**Tualatin, OR 97062**

**WORK SESSION** begins at 5:00 p.m.  
**BUSINESS MEETING** begins at 7:00 p.m.

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**Mayor Lou Ogden**

**Council President 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 Announcements, 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 website at [www.tualatinoregon.gov/meetings](http://www.tualatinoregon.gov/meetings), 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](http://www.tvctv.org). Council meetings can also be viewed by live *streaming video* on the day of the meeting at [www.tualatinoregon.gov/meetings](http://www.tualatinoregon.gov/meetings).

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, 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

An Executive Session is a meeting of the City Council that is closed to the public to allow the City Council to discuss certain confidential matters. An Executive Session may be conducted as a separate meeting or as a portion of the regular Council meeting. No final decisions or actions may be made in Executive Session. In many, but not all, circumstances, members of the news media may attend an Executive Session.

The City Council may go into Executive Session for certain reasons specified by Oregon law. These reasons include, but are not limited to: 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) information or records exempt by law from public inspection; ORS 192.660(2)(h) current litigation or litigation likely to be filed; and ORS 192.660(2)(i) employee performance of chief executive officer.



## OFFICIAL AGENDA OF THE TUALATIN CITY COUNCIL MEETING FOR JANUARY 28, 2013

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### A. CALL TO ORDER

Pledge of Allegiance

### B. ANNOUNCEMENTS

1. New Employee Introduction: Jackie Konen, Volunteer Specialist

### 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 City Council Work Session and Regular Meeting on January 14, 2013.
2. 2012 Annual Urban Renewal Agency Financial Report
3. Approval of a New Liquor License Application for El Sol De Mexico.
4. Resolution Authorizing Modification of the City Manager's Employment Agreement
5. Establishment of an Ad Hoc Committee to Coordinate the 2013 Arbor Week Celebration
6. Resolution Authorizing the City Manager to Acquire Property Located at 11605 SW Hazelbrook Road for Park Purposes and Accept the Dedication of Right-Of-way From the Property Owner

### E. SPECIAL REPORTS

1. 2012 Annual Report of the Tualatin Park Advisory Committee

### F. PUBLIC HEARINGS – Legislative or Other

### G. PUBLIC HEARINGS – Quasi-Judicial

### H. GENERAL BUSINESS

**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. ADJOURNMENT**

**City Council Meeting**

**B. 1.**

**Meeting Date:** 01/28/2013

**ANNOUNCEMENTS:** New Employee Introduction: Jackie Konen, Volunteer Specialist

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**ANNOUNCEMENTS**

New Employee Introduction: Jackie Konen, Volunteer Specialist

**SUMMARY**

Jackie Konen, Volunteer Specialist

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# STAFF REPORT

## CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Nicole Morris, Deputy City Recorder

**DATE:** 01/28/2013

**SUBJECT:** Approval of the Minutes for the City Council Work Session and Regular Meeting on January 14, 2013.

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### **ISSUE BEFORE THE COUNCIL:**

The issue before the Council is to approve minutes from the City Council Work Session and Regular Meeting on January 14, 2013.

### **RECOMMENDATION:**

Staff respectfully recommends that the Council adopt the attached minutes.

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**Attachments:** Attachment A- City Council Work Session Meeting Minutes of January 14, 2013  
Attachment B-City Council Regular Meeting Minutes of January 14, 2013



## OFFICIAL MINUTES OF TUALATIN CITY COUNCIL WORK SESSION FOR JANUARY 14, 2013

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

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Kent Barker; Community Development Director Alice Rouyer; Finance Director Don Hudson; Deputy City Manager Sara Singer; Planning Manager Aquilla Hurd-Ravich; Deputy City Recorder Nicole Morris; Information Services Manager Lance Harris; Parks and Recreation Manager Carl Switzer; Library Manager Abigail Elder; Maintenance Services Division Manager Clayton Reynolds

### **CALL TO ORDER**

Mayor Ogden called the work session to order at 6:03 p.m.

#### **1. Council Committee Assignments**

The Council reviewed the committee assignments and Ogden asked for any conflicts with the current assignments. Councilor Beikman stated that she can no longer participate on the Policy Advisory Board. Councilor Bubenik, as the alternate, asked that staff attend the meetings until June. He stated he would continue to attend the Washington County Commission on Children & Families meetings, as both occur at the same date and time. If WCCCF is dissolved after June then Councilor Bubenik will attending the Policy Advisory Board meetings from that point forward. It was noted that ex-officio Barhyte was still serving on the Metro Area Communications Council and the Council would like an update on this committee. Councilor Davis will serve on the Tigard-Tualatin Resource Advisory Committee if the new meeting dates will fit into her schedule.

#### **2. Statewide Transportation Improvement Plan Update**

Councilor Beikman updated the Council on the status of the Statewide Transportation Improvement Plan. She stated they have restructured the plan to allow a new approach for allocating dollars. There are now two programs called Fix It and Enhance It. This was driven by a need for greater flexibility with fewer resources. The Oregon Transportation Commission received 94 applications which represented 5 times the available funds. The committee will begin reviewing applications in collaboration with Washington County to narrow the group to the 150% list. The list will be narrowed to 100% and should be complete by the end of the year.

Mayor Ogden asked to find out more information on how the STIP relates to the Metropolitan Transportation Improvement Program (MTIP).

#### **3. Oregon Passenger Rail Update**

Management Analyst Ben Bryant presented an update on the Oregon Passenger Rail. Bryant gave an overview on the process to date for the narrowing of the rail options. Several routes were identified and the Technical Team evaluated the potential viable alignments and narrowed it to four. The Passenger Rail Leadership then reviewed the preliminary recommendations and are currently holding several open houses concurrent with online forums. On January 24th the Corridor Forum, which is comprised of elected leaders throughout the corridor, including Mayor Ogden and Council President Beikman, will compile all the information from the open houses and forums and will forward the information for a decision to be made on January 31st at the Leadership Council, a group appointed by the Governor to provide direction on the project.

Mayor Ogden asked about the opinion of the Tualatin Planning Commission on the options presented. Planning Manager Aquilla Hurd-Ravich stated the Commission expressed interest in a Passenger Rail alignment that traveled through Tualatin.. Mayor Ogden asked if it was possible to attend the next Planning Commission meeting to discuss the basis for the recommendation. Mayor Ogden and Councilor Beikman will attend the next TPAC meeting on January 17th to gather more input from the Commission on the forwarded recommendation.

#### **4. Council Meeting Agenda Review, Communications & Roundtable**

Councilor Truax stated that the newly elected Councilors will have to abstain from the entire consent agenda unless item four regarding the technology stipend for Councilors is removed. It was decided that item four will be moved to general business.

Councilor Davis attended the last Washington County Consolidated Communications Agency meeting and informed the Council that there will only be an increase of around \$3,000 dollars for the cities yearly fees. She also noted that WACC has received two state wide recognitions for Lead Dispatcher and a Technology award.

Ogden attended the Southwest Corridor steering committee. The committee is considering light rail and bus rapid transit from the water front to Tigard, Tualatin, and Sherwood. He discussed implications of all the options. Analyst Bryant stated that transit alignments and several maps will be brought to the next work session on January 28th for further discussion.

#### **ADJOURNMENT**

The work session adjourned at 6:56 p.m.

Sherilyn Lombos, City Manager

*Nicole Morris*

/ Nicole Morris, Recording Secretary

\_\_\_\_\_ / Lou Ogden, Mayor





## OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR JANUARY 14, 2013

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

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Kent Barker; Community Development Director Alice Rouyer; Finance Director Don Hudson; Deputy City Manager Sara Singer; Planning Manager Aquilla Hurd-Ravich; Deputy City Recorder Nicole Morris; Information Services Manager Lance Harris; Parks and Recreation Manager Carl Switzer; Library Manager Abigail Elder; Program Coordinator Becky Savino; Teen Program Specialist Julie Ludemann; Maintenance Services Division Manager Clayton Reynolds

### A. CALL TO ORDER

Pledge of Allegiance

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

### B. ANNOUNCEMENTS

#### 1. Swear-In Newly Elected Councilors

Oath of Office was administered to Councilor Joelle Davis, Councilor Ed Truax, Councilor Nancy Grimes, and Councilor Monique Beikman.

#### 2. 2013 Council President Selection

MOTION by Councilor Wade Brooksby, SECONDED by Councilor Nancy Grimes to elect Councilor Beikman as Council President.

**Vote:** 7 - 0 MOTION CARRIED

#### 3. YAC Update for January 2013

Maddie Simmons, Libby Banse-Fay and Evan Marx presented the Youth Advisory Committee update. They briefed the Council on their current activities including the annual holiday party. The YAC received the Washington County Commission on Families Youth Summit Grant in the amount of \$700. This grant will help bring back project F.R.I.E.N.D.S. Simmons also briefly reviewed the structure of the YAC for the Council.

#### 4. New Employee Introductions: Nicole Morris, Deputy City Recorder and Josie Dix, Library Public Services Assistant

Deputy City Manager Singer introduced new Deputy City Recorder, Nicole Morris. The City Council welcomed Ms. Morris to the staff.

Library Manager Elder introduced new Library Public Services Assistant, Josie Dix. The City Council welcomed Ms. Dix to the staff.

## 5. Proclamation Declaring 2013 as Tualatin's Centennial Anniversary

Parks and Recreation Manager Carl Switzer and Program Coordinator Becky Savino along with Councilor Bubenik presented a powerpoint presentation on the upcoming Centennial Celebration activities and presented the Centennial Visual Chronicle artwork. Councilor Bubenik stated that the Tualatin Times mailed a Centennial Celebration insert with history of the area and upcoming events to all residents of Tualatin. He announced that a celebration will be held during the Crawfish Festival and will end with a fireworks display.

Councilor Grimes read the proclamation declaring 2013 as the year of Tualatin's Centennial Anniversary.

Bubenik thanked both Switzer and Savino for their contributions to the Centennial Celebration Planning Committee and Tualatin Arts Advisory Committee.

## C. **CITIZEN COMMENTS**

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State Representative for West-Linn and Tualatin, Julie Parrish, came to acknowledge the staff at the City of Tualatin. She was sworn in this morning at the Capital for another term and looks forward to serving this area. She would like a copy of the Centennial Proclamation to present to the legislators and have it recognized as a memorial. She announced that the Legislature will go into session on February 4th and will be working on the budget. She will be focusing this year on working on the veterans affair bills and offering opportunities for cities and counties with economic development bills regarding revenue sharing. Councilor Bubenik brought up concerns regarding the Commissions on Children and Families and the transition. He asked that she continue to support that transition. Parrish responded there are still many of details which need to be worked out and should become clear over the next year.

Wendie Kellington representing the Tonquin Industrial Group spoke in regards to the extension of SW 124th Ave to the 2020 Transportation Action Plan. She is concerned that Washington County has proposed a new and different alignment not originally stated in the Washington County TSP and wants the Council to be aware of the effects of this proposal. The Tonquin Group is concerned with the proposed realignment as it will affect them negatively. Mayor Ogden asked if the County stated why they proposed this particular realignment. Kellington responded that there were some behind the scenes discussions regarding stakeholder

concerns which were not involved in the original process.

Kathy Newcomb from CIO 1 wanted to address the Council regarding the Oregon Passenger Rail plan. She stated that this issue has not been brought before the Tualatin Parks Advisory Committee and should have been. She would like to ask that there be consideration by TPARK regarding the passenger rail.

**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, I) 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.*

MOTION by Council President Monique Beikman, SECONDED by Councilor Joelle Davis to approve the consent calendar as amended.

**Vote: 7 - 0 MOTION CARRIED**

1. Approval of the Minutes for the Special Work Session on November 18-19, 2012 and City Council Work Session and Regular Meeting on December 10, 2012
2. Resolution Establishing Regular Meetings of the City Council, Architectural Review Board and Tualatin Planning Commission and Repealing Resolution No. 5083-12
3. Extension of the term of the Broadband Users Group (BUG) Intergovernmental Agreement to January 1, 2023.
4. Resolution to Repeal Resolution No. 3696-00 Regarding Public Contracting Rules

**E. SPECIAL REPORTS**

1. 2012 Annual Report of the Tualatin Arts Advisory Committee (TAAC)

Program Coordinator Becky Savino along with the Tualatin Arts Advisory Committee Chair Buck Braden presented the annual report for the committee. Mr. Braden explained the background of the committee and the action plan for 2013 including Centennial celebrations. Mayor Ogden thanked the committee for their hard work over the last year and all the work they have already put into making this year's Centennial artwork great.

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

**G. PUBLIC HEARINGS – Quasi-Judicial**

**H. GENERAL BUSINESS**

**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.*

**1. Resolution to Provide a Technology Stipend As Part of Council Compensation Package.**

City Manager Lombos stated that the Council adopted a resolution to provide a electronic devices to all Councilors in June of 2011.

The Administration Department completed a study at that time on the cost savings of doing this. This resolution required that the Council access the packet electronically. The presented resolution modifies the original resolution so that each Councilor at the beginning of their regular term would receive a stipend instead of the City providing a device. This simplifies the process and helps each Councilor's technology needs to be met.

MOTION by Councilor Frank Bubenik, SECONDED by Councilor Nancy Grimes to approve the resolution to provide a technology stipend in the amount of \$750 to each councilor at the beginning of each regular term.

**Vote:** 4 - 0 MOTION CARRIED

**J. COMMUNICATIONS FROM COUNCILORS**

Bubenik announce that Washington County Commission on Children and Families assisted the Tigard-Tualatin School District in securing a \$500,000 grant to build a school based health center in the Tualatin High School. The new center will also be able to be accessed by the Tigard and Sherwood schools as well.

**K. ADJOURNMENT**

The meeting adjourned at 8:12 p.m.

Sherilyn Lombos, City Manager

*Nicole Morris*

/ Nicole Morris, Recording Secretary

\_\_\_\_\_ / Lou Ogden, Mayor



# STAFF REPORT

## TUALATIN DEVELOPMENT COMMISSION

**TO:** Honorable Chairman and Members of the Commission

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Ben Bryant, Management Analyst

**DATE:** 01/28/2013

**SUBJECT:** 2012 Annual Urban Renewal Agency Financial Report

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### **ISSUE BEFORE THE COMMISSION:**

Should the Tualatin City Council accept the 2012 Annual Urban Renewal Agency Financial Report?

### **RECOMMENDATION:**

Accept the 2012 Annual Financial Report to the Tualatin City Council.

### **EXECUTIVE SUMMARY:**

#### **Annual Financial Report Contents**

In accordance with Oregon Revised Statute 457.460, the City of Tualatin's Urban Renewal Agency must file an annual financial report with the Tualatin Development Commission and City of Tualatin prior to January 31st. Once the report is filed, it will be published in *The Tigard-Tualatin Times*.

The Central Urban Renewal District (CURD) and the Leveton Tax Increment District (LTID) stopped collecting revenue on June 30, 2010. The annual financial report (Attachment A) outlines:

- the remaining revenues and expenditures as expected in the Fiscal Year 2012-13 Adopted Budget; and,
- the year-end actual revenues and expenditures from Fiscal Year 2011-12.

Since both urban renewal districts stopped collecting revenue, no taxes were forgone by other taxing jurisdictions in the districts.

#### **Behind the Numbers**

For more detail behind the numbers in the report, below is a summary of the highlights in both

districts this past year and the goals for the current year, as reflected in the 2012-13 Adopted Budget

### **CURD 2011-12 Highlights**

- Finished the quiet zone project.
- Made substantial progress on the Tualatin-Sherwood Road Landscaping Enhancement Project.
- Completed environmental monitoring and testing of the former Hanagan gas station site and Robinson Crossing project.

### **CURD 2012-13 Goals**

- Finish the construction of the Tualatin-Sherwood Road beautification project
- Work with the TDC to prioritize remaining CURD funds.

### **LTID 2011-12 Highlights**

- Made substantial progress on the Leveton Drive extension project.

### **LTID 2012-13 Goals**

- Complete construction of the Leveton Drive extension project.
- Wetland monitoring and reporting for Herman Road
- Work with the TDC to prioritize remaining LTID funds.

### **FINANCIAL IMPLICATIONS:**

The numbers in the annual financial report are reflected in the 2012-13 Adopted Budget.

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**Attachments:**    [Attachment A: Annual Financial Summary](#)

# NOTICE

## TUALATIN URBAN RENEWAL AGENCY – ANNUAL FINANCIAL REPORT FOR 2012

In accordance with ORS 457.460, notice is given that the annual financial statement of the City of Tualatin’s Urban Renewal Agency has been filed with the Tualatin Development Commission and the City of Tualatin. Below is a summary of the two urban renewal districts in Tualatin, the Central Urban Renewal District and the Leveton Tax Increment District. A complete copy of the report is available at the City of Tualatin.

**TABLE 1**

<b>TUALATIN URBAN RENEWAL AGENCY - ANNUAL FINANCIAL REPORT FOR 2012</b>		
<b>CENTRAL URBAN RENEWAL DISTRICT</b>	<b>FY 12/13</b>	<b>FY 11/12</b>
<b>BOND FUND</b>		
<b>Revenue</b>		
Beginning Balance	\$ -	\$ -
Tax Increment, Current & Prior Years	\$ -	\$ -
Interest	\$ -	\$ -
<b>Expenditures</b>		
Materials & Services	\$ -	\$ -
Debt Service	\$ -	\$ -
Contingency and Reserves	\$ -	\$ -
<b>PROJECT FUND</b>		
<b>Revenues</b>		
Beginning Balance	\$ 777,240	\$ 2,677,660
Interest	\$ 3,885	\$ 12,591
Sale of Bonds	\$ -	\$ -
<b>Expenditures</b>		
Materials & Services	\$ -	\$ -
Transfers & Reimbursements	\$ 32,035	\$ 175,000
Capital Outlay	\$ 300,000	\$ 1,400,068
Contingency & Reserves	\$ 449,090	\$ 1,115,183
<b>LEVETON TAX INCREMENT DISTRICT</b>		
<b>BOND FUND</b>		
<b>Revenue</b>		
Beginning Balance	\$ -	\$ -
Tax Increment, Current & Prior Years	\$ -	\$ -
Interest	\$ -	\$ -
<b>Expenditures</b>		
Materials & Services	\$ -	\$ -
Debt Service	\$ -	\$ -
Contingency and Reserves	\$ -	\$ -
<b>PROJECT FUND</b>		
<b>Revenues</b>		
Beginning Balance	\$ 4,756,730	\$ 7,973,677
Interest	\$ 23,785	\$ 36,714
Sale of Bonds	\$ -	\$ -
Transfers & Reimbursements	\$ -	\$ 24,617
<b>Expenditures</b>		
Materials & Services	\$ -	\$ -
Transfers and Reimbursements	\$ 156,410	\$ 245,000
Capital Outlay	\$ 1,500,000	\$ 2,128,877
Contingency & Reserves	\$ 3,124,105	\$ 5,661,131

Both urban renewal districts stopped collecting revenue on June 30, 2010. Accordingly, no taxes were forgone by other taxing jurisdictions in the districts.



# STAFF REPORT

## CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Nicole Morris, Deputy City Recorder

**DATE:** 01/28/2013

**SUBJECT:** Approval of a New Liquor License Application for El Sol De Mexico.

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### **ISSUE BEFORE THE COUNCIL:**

The issue before the Council is to approve a new liquor license application for El Sol De Mexico.

### **RECOMMENDATION:**

Staff respectfully recommends that the Council approve endorsement of the liquor license application for El Sol De Mexico.

### **EXECUTIVE SUMMARY:**

El Sol De Mexico has submitted a new liquor license application under the category of Full On Premises Sales, which allows the sale & service of distilled spirits, malt beverages & wine for consumption on the licensed premises. The business is located at 7028 SW Nyberg Road. 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 new 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.

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**Attachments:** [Attachment A-Vicinity Map](#)  
[Attachment B- License Types](#)  
[Attachment C- Application](#)





El Sol De Mexico



## OREGON LIQUOR CONTROL COMMISSION

### LICENSE TYPES

#### FULL ON-PREMISES SALES

- **Commercial Establishment**  
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location (*this is the license that most “full-service” restaurants obtain*). Sell malt beverages for off-site consumption in securely covered containers provided by the customer. Food service required. Must purchase distilled liquor **only** from an Oregon liquor store, or from another Full On- Premises Sales licensee who has purchased the distilled liquor from an Oregon liquor store.
- **Caterer**  
Allows the sale of distilled spirits, malt beverages, wine, and cider by the drink to individuals at off-site catered events. Food service required.
- **Passenger Carrier**  
An airline, railroad, or tour boat may sell and serve distilled spirits, malt beverages, wine, and cider for consumption on the licensed premises. Food service required.
- **Other Public Location**  
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location, where the predominant activity is not eating or drinking (for example an auditorium; music, dance, or performing arts facility; banquet or special event facility; lodging fairground; sports stadium; art gallery; or a convention, exhibition, or community center). Food service required.
- **Private Club**  
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location, but only for members and guests. Food service required.

#### LIMITED ON-PREMISES SALES

Sell and serve malt beverages, wine, and cider for onsite consumption. Allows the sale of malt beverages in containers (kegs) for off-site consumption. Sell malt beverages for off-site consumption in securely covered containers provided by the customer.

#### OFF-PREMISES SALES

Sell factory-sealed containers of malt beverages, wine, and cider at retail to individuals in Oregon for consumption off the licensed premises. Eligible to provide sample tastings of malt beverages, wine, and cider for consumption on the premises. Eligible to ship manufacturer-sealed containers of malt beverages, wine, or cider directly to an Oregon resident.

#### BREWERY PUBLIC HOUSE

Make and sell malt beverages. Import malt beverages into and export from Oregon. Distribute malt beverages directly to retail and wholesale licensees in Oregon. Sell malt beverages made at the business to individuals for consumption on or off-site.

#### WINERY

Must principally produce wine or cider in Oregon. Manufacture, store, and export wine and cider. Import wine or cider *If bottled, the brand of wine or cider must be owned by the licensee*. Sell wine and cider to wholesale and retail licensees in Oregon. Sell malt beverages, wine, and cider to individuals in Oregon for consumption on or off-site.



# CITY OF TUALATIN

## LIQUOR LICENSE APPLICATION

Date 12-12-12

**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): El Sol De Mexico

Business address 7028 SW Nyberg City Tualatin State OR Zip Code 97062

Mailing address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone # 503-692-1390 Fax # \_\_\_\_\_

Name(s) of business manager(s) First Jose Middle A Last Quitron

Date of birth [redacted] Social Security # [redacted] ODL# [redacted] M  F

Home address [redacted] City Tigard State OR Zip Code 97224  
(attach additional pages if necessary)

Type of business Restaurant

Type of food served Mexican food

Type of entertainment (dancing, live music, exotic dancers, etc.) N/A

Days and hours of operation 7 days a week Monday 11:00-11:30 Friday 11:00-10:30

Food service hours: Breakfast \_\_\_\_\_ Lunch  Saturday 11:00-10:00pm Sunday 12-9:00 Dinner

Restaurant seating capacity 96 Outside or patio seating capacity N/A

How late will you have outside seating? N/A How late will you sell alcohol? 10:30 pm

How many full-time employees do you have? 5 Part-time employees? 2

**SECTION 3: DESCRIPTION OF LIQUOR LICENSE**

Name of Individual, Partnership, Corporation, LLC, or Other applicants Individual

Type of liquor license (refer to OLCC form) Full On-Premises

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 Jose Ansel Guitron Date of birth 12-12-12  
Residence address [REDACTED] Tigard OR 97224

**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 N/A 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 N/A

(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 N/A

(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: N/A 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: N/A Date of birth: \_\_\_\_\_  
Residence address: \_\_\_\_\_

Full name: Jose Angel Guitron Date of birth: [REDACTED]  
Residence address [REDACTED] Tigard OR 97224

**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.

[REDACTED] \_\_\_\_\_ 12-12-12  
Date

**For City Use Only**

Sources Checked:

DMV by [Signature]     LEDS by [Signature]     TuPD Records by [Signature]    *See ATTACHED*  
 Public Records 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: NOTE TO OLCC!

PLEASE SEE ATTACHED REPORT.

[REDACTED] \_\_\_\_\_ 12/10/12  
Signature Date

Kent W. Barker  
Chief of Police  
Tualatin Police Department

## City Council Meeting

D. 4.

**Meeting Date:** 01/28/2013

**CONSENT AGENDA:** Modification of the City Manager's Employment Agreement

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### **CONSENT AGENDA**

Resolution Authorizing Modification of the City Manager's Employment Agreement

#### **SUMMARY**

On January 14, 2013 the City Council conducted a formal review of the City Manager's job performance for the period of December 2010 to December 2012. The result of the review is the City Council is pleased with the performance of the Manager and is rewarding that performance with a 3% merit increase.

This merit increase will be for the period of January 2013 - January 2015, at which time the City Manager's performance will be reviewed again by the City Council. The Manager will be eligible to receive any cost of living adjustments the Council may authorize for the non-represented employees during the FY 2013/2014 and FY 2014/2015. The costs associated with the increase in compensation is available within the Administration Department's personnel allocation of the 2012/2013 fiscal year budget.

Staff recommends the Council adopt the attached resolution, modifying the City Manager's employment agreement under the Compensation section to reflect these provisions.

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#### **Attachments**

Resolution-City Manager Compensation Adjustment

RESOLUTION NO. \_\_\_\_\_

RESOLUTION AUTHORIZING MODIFICATIONS OF THE CITY MANAGER'S EMPLOYMENT AGREEMENT.

WHEREAS through Resolution No. 4603-06 the City Council selected a City Manager and approved an employment agreement with the City Manager; and

WHEREAS the present City Manager commenced employment on December 18, 2006 and has served continuously since that time; and

WHEREAS the City Council has conducted a formal review of the City Manager's job performance and compensation on January 14, 2013 and agreed that said performance from the period of December 2010 to December 2012 warrants an increase in compensation; and

WHEREAS the City Council has determined this increase in compensation will cover the period of January 2013 to December 2014, at which time the Council will again evaluate the City Manager's performance; and

WHEREAS the City Council has authorized the City Manager to receive any cost of living adjustments which may be authorized through Resolution by the City Council for non-represented employees for FY 2013-2014 and FY 2014-2015.

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

The Employment Agreement is modified in the following manner:

Section 3. Compensation

a. The City agrees to pay Employee an annual base salary of \$127,178.10 for the performance of the above-mentioned services payable in installments at the same time that the other management employees of the City are paid.

b. The City Council may review Employee's job performance and compensation at their discretion; however, such a review shall occur initially at six (6) months and every two years thereafter.

c. Any adjustment in compensation due to merit increase shall be made by amendment to this agreement. Employee is eligible to receive any cost of living adjustments authorized through Resolution by the City Council for non-represented employees for FY 2013-2014 and FY 2014-2015.

INTRODUCED AND ADOPTED this 28th day of January, 2013.

CITY OF TUALATIN, OREGON

BY \_\_\_\_\_  
Mayor

ATTEST:

BY \_\_\_\_\_  
City Recorder

APPROVED AS TO FORM

BY \_\_\_\_\_  
City Attorney





# STAFF REPORT

## CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Carl Switzer, Parks & Recreation Manager

**DATE:** 01/28/2013

**SUBJECT:** Establishment of an Ad Hoc Committee to Coordinate the 2013 Arbor Week Celebration

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### **ISSUE BEFORE THE COUNCIL:**

Council will consider the establishment of an Ad Hoc Committee to coordinate the 2013 Arbor Week Celebration to increase public awareness and education around the contribution that trees have in our lives.

### **RECOMMENDATION:**

The Tualatin Parks Advisory Committee (TPARK) recommends the Council form an Ad Hoc Committee to Coordinate the 2013 Arbor Week Celebration and appoint a Councilor to participate on the Committee.

### **EXECUTIVE SUMMARY:**

April 7 - 13, 2013, marks the City of Tualatin's 27<sup>th</sup> annual Arbor Week celebration. Since 1987, Tualatin has celebrated Arbor Week with tree planting ceremonies and special tree-themed activities and events. The purpose of Arbor Week is to increase public awareness and education around the contribution that trees have in our lives.

An Arbor Week observance and proclamation are mandatory requirements of the Tree City USA designation.

The Arbor Week celebration entails several months of planning and preparation. The following is the 2013 Arbor Week planning timeline.

January 8 TPARK recommends Council establish an ad hoc committee to coordinate Arbor Week celebration

January 28 City Council establishes ad hoc committee

February 7 Ad hoc committee meeting\*

March 7 Ad hoc committee meeting\*

March 12 TPARK meeting - Ad hoc committee report - Review of Arbor Week proclamation

March 25 City Council presentation ceremony for Tree City USA, Heritage Trees, and reading of Arbor Week Proclamation

April 7-13 Arbor Week

\*Arbor Week ad hoc Committee meetings are from 4:00 p.m. to 5:00 p.m. at the Juanita Pohl Center Multi-Purpose Room in beautiful Tualatin Community Park at 8513 SW Tualatin Road.

The proposed Ad Hoc Committee to coordinate the 2013 Arbor Week Celebration is comprised of the following membership:

1. Stephen Ricker - TPARK
2. Connie Ledbetter - TPARK
3. TBD - Tualatin City Council Representative
4. Julie Wickman- Library Representative
5. Tom Steiger- Operations Department Representative
6. Jackie Konen –Volunteer Specialist
7. Annie Lee-Bartelamia (Lee Farms)- Local Business Representative
8. Carole Hoss- Tualatin Historical Society
9. Jan Giunta- Tualatin CIO Representative
10. Bella Koessler- Youth Advisory Council
11. Shaeln Rogers- Youth Advisory Council
12. Evan Marx – Youth Advisory Council

The Arbor Week Celebration is a prime opportunity for the City to further its public involvement and education efforts, including the following information. VISION STATEMENT from 2001 Urban Forestry Management Plan:

Tualatin is a community often identified and remembered through our trees.

The urban forest provides a framework for the community through our greenways, wetlands, open spaces, remnant forests and parks, connected by thousands of street trees and the treed corridors of our creeks.

Tualatin builds and grows with trees in mind. Development in Tualatin has sought to create and preserve a balance between the natural and urban world. For over two decades, Tualatin has been recognized by the National Arbor Day Foundation for our efforts to preserve, care for, and enhance the urban forest.

Tualatin sees the health of the urban forest as vital to the sense of well being we enjoy here by providing stable and adequate funding to maintain and enhance the urban forest resource.

The urban forest in Tualatin gives back much more than it receives. It purifies and cools our water, cleans our air, gives shelter and food to wildlife and fish, shades us from summer heat and blocks cold winter winds, increases the value of our homes, and fosters a sense of community and place. Tualatin has been, and will continue to be, committed to caring for the urban forest.

THE BENEFITS OF TREES

The benefits trees provide are endless. In general, trees are planted to provide shade to a location, restore the environment or give extra beauty to a site. However, trees provide benefits beyond these common examples. The benefits trees provide can be divided into four simple categories: social, community, environmental, and economic.

Trees provide social benefits by making the places we live more pleasant and appealing. People are known to feel more at ease around trees, and it is common to hear reports of hospital patients experiencing easier recoveries when their rooms are located within sight of trees. Trees help provide a “sense of place” within a community, that binds residents together. This is evidenced by the resistance often exhibited towards the removal of trees in a community.

Community benefits that trees provide include the screening of objectionable views, increasing privacy, reducing glare and reflection, directing pedestrian traffic, decreasing auto speeds, or complementing architecture. Although many trees are located on private property, their size often makes them a part of the community as a whole.

Trees benefit the environment around us by improving the air we breathe, cooling warm urban areas, increasing wildlife habitat, conserving and purifying water, and moderating the effects of the sun, wind and rain. By planting and caring for trees, we return to a more natural environment.

Trees can also provide significant economic benefits. These can be realized both directly and indirectly. The direct benefits are many times linked to energy cost reductions. For instance, a properly shaded home can cost less to cool in warm summers. Also, homes surrounded by trees can sometimes realize an increase in property values of 5-20% versus a non-landscaped home.

Some of the more indirect economic impacts can be tied to how a region benefits from a healthy urban forest. Storm water is a good example of how healthy trees can reduce costs to an entire region or community. It is a commonly supported fact that treed areas help reduce the amount of polluted runoff or erosion that reaches a public storm water system. This can translate to cost savings in not having to build larger treatment facilities or pay for costly erosion cleanup.

Trees will give back many times what they receive through the investment made in their planting, maintenance, and care.

## PUBLIC INVOLVEMENT AND EDUCATION PROGRAMS

The City of Tualatin has been recognized as a Tree City USA for more than two decades and has received numerous Growth Awards through that same program for efforts in urban forestry education, preservation, planting, maintenance, and planning.

The City currently sponsors activities that increase the level of knowledge and awareness of residents and community leaders about urban forestry in Tualatin. Some of the programs and activities include:

- Arbor Week activities
- Heritage Tree program
- Famous and Historic Tree plantings
- Tree City USA program participation
- Community volunteer program
- Public education and outreach on urban forestry issues

- “Tree for a Fee” tree replacement program to replace street trees that are removed and to fill open spaces

**FINANCIAL IMPLICATIONS:**

The celebration expenses are minor, included in the adopted FY12/13 Community Services Department budget, and are leveraged with in-kind donations from other organizations and local businesses.

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**Attachments:**



# STAFF REPORT

## CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Paul Hennon, Community Services Director  
Sean Brady, City Attorney

**DATE:** 01/28/2013

**SUBJECT:** Resolution Authorizing the City Manager to Acquire Property Located at 11605 SW Hazelbrook Road for Park Purposes and Accept the Dedication of Right-Of-way From the Property Owner

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### **ISSUE BEFORE THE COUNCIL:**

Shall the City Council adopt a resolution authorizing the City Manager to acquire property located at 11605 SW Hazelbrook Road for park purposes and accept the dedication of right-of-way from the property owner.

### **RECOMMENDATION:**

The staff respectfully recommends that the Council adopt the resolution to authorize the City Manager to acquire property located at 11605 SW Hazelbrook Road for park purposes and accept the dedication of right-of-way from the property owner.

### **EXECUTIVE SUMMARY:**

The attached resolution authorizes the City Manager to acquire property located at 11605 SW Hazelbrook Road for park purposes and accept the dedication of right-of-way from the property owner.

The land acquisition consists of 0.77 acres of land with approximately 107 feet of Tualatin River frontage for Tualatin River Greenway purposes. The property will be purchased from a willing seller using Tualatin's Local Share funds from the 2006 Metro Natural Areas Bond Measure.

The property is located near the west end of SW Hazelbrook Road at 11605 SW Hazelbrook Road (see Exhibit A to the attached resolution) and will expand the City's land holdings along the Tualatin River in the Hazelbrook area.

The property is included in the Tualatin River Greenway and is adjacent to 1.82 acres of parkland already owned by the City for Tualatin River Greenway purposes, and that land connects to the west to an area near and under Highway 99W that is used by the City for greenway purposes including a pathway, kayak and canoe launch and related parking pursuant to a Public Recreation Facility License issued by the State of Oregon.

Acquisition of this land is consistent with objectives of the Park and Recreation Master Plan to preserve the scenic value of the Tualatin River, enhance water quality, preserve fish and wildlife habitat, and provide public pedestrian and bicycle access within the Tualatin River Greenway.

The acquisition furthers Council's Vision of Protecting and Expanding Natural Resources and Expanding Opportunities for Vibrant Parks and Recreational Facilities, including greenway and bike and pedestrian trails. It is consistent with the Bicycle and Pedestrian Plans within the Tualatin Development Code and the Draft 2013 Transportation System Plan Update by providing for implementation of an interconnected system of on and off street bicycle and pedestrian facilities linking neighborhoods, public facilities, commercial, and other employment areas.

Closing is anticipated by mid February, 2013. The City will take possession of the entire property at closing. After taking possession, the next steps for the City will be to take several actions to stabilize the property and ensure that it is in a safe condition, in preparation of holding the land for future development.

Funds for master planning, long-term use and site development of the property are not currently available and the property will be land banked for future development when funding is available. At a minimum, future development will include expansion of the Tualatin River Greenway bicycle and pedestrian trail, enhancement of native vegetation, and perhaps a small amount of parking. The property is within Tualatin's Urban Growth Boundary, but not within Tualatin's city limits. Staff will forward a request for annexation in the future.

Future widening of SW Hazelbrook Road, as planned for in the Draft 2013 Transportation System Plan Update, requires a dedication of eight feet of right-of-way along the north side of the road. The seller has agreed to grant a Deed of Dedication for the required right-of-way prior to the City's purchase of the property. The deed of dedication will be a requirement of closing. The resolution will authorize the City Manager to accept the deed of dedication on behalf of the City. This dedication of right of way will be in compliance with Chapter XI, Section 51, of the City Charter. If in the future, the Council determines that the dedicated right-of-way is not needed, it could be vacated at which point it could be used for park purposes.

#### **FINANCIAL IMPLICATIONS:**

The purchase price is \$260,000 and funding will be through Tualatin's Local Share of the 2006 Metro Natural Areas Bond Measure. Adequate funds have been provided for in the FY12/13 Adopted Budget.

On November 7, 2006, electors of Metro approved Ballot Measure 26-80 authorizing Metro to issue \$227.4 million in bonds to preserve natural areas, clean water, and protect fish and wildlife (the "Measure").

The Measure provided that \$44 million from bond proceeds be expended by local parks providers for specified projects between April 1, 2007 and March 31, 2012. The Local Share Partner is a local government jurisdiction who has received approval for funding for projects as specified in the Measure.

The City of Tualatin is a Local Share Partner and on October 13, 2008 entered into an intergovernmental agreement with Metro in order to receive its share of the Measure funds, subject to the terms and conditions as provided for in the Measure including use of Local Share funds only for projects included on the Local Share Project List.

On February 27, 2006, prior to the November 7, 2006 election on the Measure, the Council passed Resolution No. 4487-06 approving the City of Tualatin's Local Share Project List which specified that Tualatin's Local Share funds would be used solely for land acquisition within the boundaries of the Tualatin River Greenway. This acquisition is consistent with Resolution No. 4487-06.

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**Attachments:**    A. Resolution

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACQUIRE  
PROPERTY FOR PARK PURPOSES AND ACCEPT DEDICATION OF  
RIGHT-OF-WAY

WHEREAS the City of Tualatin has adopted the Tualatin Parks and Recreation Master Plan as part of the Tualatin Community Plan, to preserve the scenic value of the Tualatin River, enhance water quality, preserve fish and wildlife habitat, and provide public pedestrian and bicycle access within the Tualatin River Greenway; and

WHEREAS, the City desires to acquire certain property located at 11605 SW Hazelbrook Road for park purposes, and to be included within the planned Tualatin River Greenway; and

WHEREAS, the City and Property Owner entered into a purchase and sale agreement to acquire the property for a purchase price of \$260,000 with funding from Tualatin's Local Share of the 2006 Metro Natural Areas Bond Measure, subject to City Council authorization; and

WHEREAS, part of the property is needed to expand the right-of-way for Hazelbrook Road; and if in the future, the Council determines that the dedicated right-of-way is not needed, it could be vacated at which point it could be used solely for park purposes; and

WHEREAS, Chapter XI of the City Charter, allows the City to acquire portions of property and improvements not intended for City park purposes and allows disposal of non-park portions within two years of acquisition or dedication of the park;

WHEREAS, acquisition of the property complies with the City Charter, will promote the public good, and expand the park options for citizens of the City of Tualatin.

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

Section 1. The City Manager is hereby authorized to execute any and all documents necessary to acquire property located 11605 SW Hazelbrook Road for park purposes as described in Exhibit A.

Section 2. The City Manager is hereby authorized to accept the dedication of right-of-way from the property owner located at 11605 SW Hazelbrook Road and execute any and all documents necessary to effectuate the dedication of right-of-way.



Section 3. This resolution is effective upon date of adoption.

ADOPTED this 28<sup>th</sup> day of January, 2013.

CITY OF TUALATIN, TUALATIN, OREGON

BY: \_\_\_\_\_  
Mayor

ATTEST:

BY: \_\_\_\_\_  
City Recorder

Approved as to legal form:

\_\_\_\_\_  
City Attorney

EXHIBIT A

**PROPERTY DESCRIPTION / LOCATOR MAP**

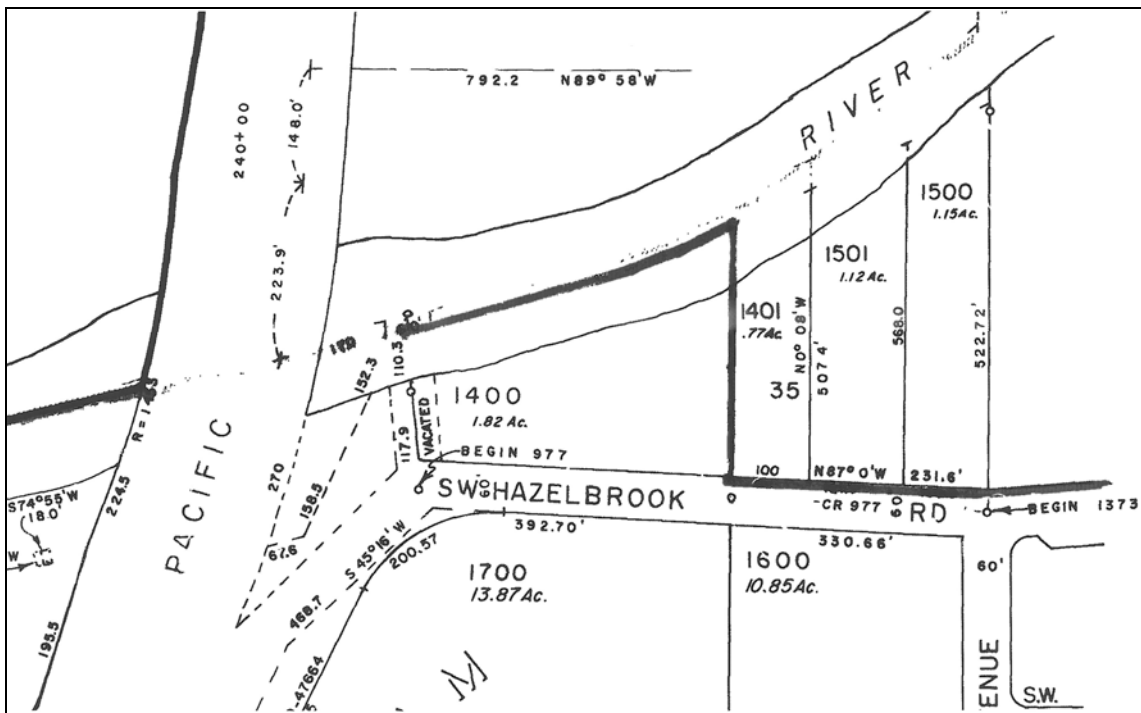
Washington County

Tax Account Number: Map 2S 1 15C, Tax lot 1401

Acreage: 0.77

Street Address: 11605 SW Hazelbrook Road, Tualatin

LOCATOR MAP



PROPERTY LEGAL DESCRIPTION

That part of Lot 35, HAZELBROOK FARM, in the County of Washington and State of Oregon, described as follows:

The East 100 feet of the following described property:

Beginning at an iron pipe on the South line of said Lot, North 87°0' West along said South line, 231.6 feet from the Southeast corner thereof; thence North 0°08' West 507.4 feet to the Northerly line of said Lot; thence Westerly along said Northerly line, to the Northwest corner thereof; thence South along the West line thereof, to the Southwest corner thereof; thence Easterly along the South line thereof to the place of beginning.

Excepting therefrom any portion thereof lying with the boundaries of public roads.

**City Council Meeting**

**E. 1.**

**Meeting Date:** 01/28/2013

**SPECIAL REPORTS:** 2012 Annual Report of the Tualatin Park Advisory Committee

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**SPECIAL REPORTS**

2012 Annual Report of the Tualatin Park Advisory Committee

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**Attachments**

2012 TPARK Annual Report



## 2012 ANNUAL REPORT

### Tualatin Park Advisory Committee (TPARK)

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#### 1. BACKGROUND

TPARK was established by Ordinance 418-77, adopted November 28, 1977, and incorporated into the Tualatin Municipal Code as Chapter 11-2. TPARK also serves as the Tree Board for the purpose of the Tree City USA program pursuant to Resolution 2013-87, adopted July 27, 1987.

Section 11-2-090 of the Tualatin Municipal Code calls for an annual report summarizing TPARK's activities in the preceding calendar year, outlining future activities of the committee, and identifying any other matters deemed appropriate by the committee for recommendation and advice to the Council.

The members of TPARK in 2012 were Stephen Ricker, Bruce Andrus-Hughes, Kay Dix, Connie Ledbetter, Dana Paulino, Valerie Pratt (Vice Chair), and Dennis Wells (Chair).

TPARK recognizes and supports the Community Services Department's vision and missions.

#### *Vision Statement*

We create community through people, facilities, programs, and the natural environment.

#### *Missions*

The following missions help achieve the vision.

- **Strengthen Community Image and Sense of Place**  
Parks, library, recreation facilities, programs and community events are key factors in strengthening community image and creating a sense of place.
- **Support Economic Development**  
Library, parks, recreation programs and facilities attract and retain businesses and residents, and increase property values.
- **Strengthen Safety and Security**  
Parks and libraries provide safe environments for recreation. Facilities, programs and services help reduce criminal activity.
- **Promote Health and Wellness**  
Participation at parks and libraries improves physical, psychological, and emotional health.

- **Foster Human Development and an Informed Citizenry**  
Libraries and recreation services foster social, intellectual, lifelong learning, physical and emotional development through access to information, programs and materials that promote literacy.
- **Increase Cultural Unity**  
Parks, libraries, and recreation increase cultural unity through experiences that promote cultural understanding and celebrate diversity.
- **Protect Natural and Cultural Resources**  
Natural and cultural resources are protected through acquisition and management of open space, such as parks, greenways, natural areas; and learning and discovery take place through library collections and interpretive facilities and programs.
- **Provide Recreational Experiences**  
A variety of benefits to individuals and society are achieved through participation in programmed and self-facilitated recreation and volunteerism. Recreation experiences are important as an end in themselves for personal enjoyment.

## **2. ROLES OF THE COMMITTEE**

The Tualatin Park Advisory Committee has the duty to

- A. Recommend and makes suggestions to the City Council regarding all matters relating to public parks, playground-related activities and programs. This shall include, but not be limited to
  - a. the budget process,
  - b. immediate and long-range planning, and
  - c. citizen participation; and
- B. Formulate comprehensive and community-wide park and recreation systems and programs to serve the horticultural, environmental, historical, recreational, cultural and leisure needs of all City residents; and
- C. Consider the provisions of any comprehensive plan, project plan or agency plan of the City of Tualatin Development Commission, the Urban Renewal Agency of the City of Tualatin, and other government agencies having plans or projects affecting the City of Tualatin; and
- D. As the City's Tree Board TPARK makes recommendations to staff and Council on Urban Forestry related issues.

## **3. ACTIONS AND ACCOMPLISHMENTS IN SUPPORT OF ROLES IN 2012**

- A. RECOMMEND AND MAKE SUGGESTIONS TO THE CITY COUNCIL REGARDING ALL MATTERS RELATING TO PUBLIC PARKS, PLAYGROUND-RELATED ACTIVITIES AND PROGRAMS

TPARK made a number of recommendations to staff and Council in 2012. Most of the recommendations were informed by public testimony. Citizens and other interested parties shared their thoughts on a range of planning, policy and capital projects including the Transportation System Plan, Helenius Greenway Master Plan, Chieftain/Dakota Greenway Outfalls & Trail Retrofit, Linking Tualatin, Tonquin Trail Master Plan, older adult services, bicycle and pedestrian facilities, wetland protection, Tualatin Tomorrow, grant applications, and the Juanita Pohl Center renovation.

**1. Recommendations on the Transportation System Plan and Linking Tualatin**

2012 was “The Year of Transportation” in Tualatin and between the Transportation System Plan update and Linking Tualatin TPARK spent more time discussing transportation issues than any other issue this year. The committee made recommendations throughout the year on matters relating to parks and bicycle and pedestrian facilities.



Bruce Andrus-Hughes represented TPARK at Transportation Task Force meetings and conveyed their discussions and decisions to TPARK during their deliberations.

**2. Recommended Council Accept the Helenius Greenway Master Plan**

TPARK recommended that Council accept the Master Plan for the Blake Street Right-of-Way and Designate it as the Ibach Greenway which Council accepted by resolution on January 9, 2012. TPARK recommended a name change to Helenius Greenway which Council approved by resolution on February 27, 2012.





**3. Recommended that Council approve the formation of an Arbor Week ad hoc Committee.**

Council approved the formation of the Arbor Week ad hoc Committee on January 23, 2012.



**4. Received the 2011 Tualatin Heritage Center Annual Report and recommended that Council accept the report.**

Council accepted the Tualatin Heritage Center Report on February 13, 2012.

**B. FORMULATE COMPREHENSIVE AND COMMUNITY-WIDE PARK AND RECREATION SYSTEMS AND PROGRAMS TO SERVE THE HORTICULTURAL, ENVIRONMENTAL, HISTORICAL, RECREATIONAL, CULTURAL AND LEISURE NEEDS OF ALL CITY RESIDENTS**

In 2012 TPARK regularly provided input on parks and recreation programs, activities and special events, but they also participated in them. TPARK members volunteered at the West Coast Giant Pumpkin Regatta, Tualatin TRYathlon, Arbor Week Celebration, and other recreation programs.

### **1. Trail User Counting Project**

TPARK members performed the 2012 trail user counts to determine the use of the Tualatin River Greenway. Data in the 2008-2010 Intertwine Trail Use Snapshot show that 310,491 people used the Tualatin River Greenway per year during that time frame. This data is used to establish a national database of bicycle and pedestrian count information generated by these consistent methods and practices and allows analysis on the correlations bicycle and pedestrian activity and local characteristics.



### **2. Supported the City of Tualatin assume management of the Juanita Pohl Center** The City of Tualatin assumed management of the Juanita Pohl Center in 2012.

C. CONSIDER THE PROVISIONS OF ANY COMPREHENSIVE PLAN, PROJECT PLAN OR AGENCY PLAN OF THE CITY OF TUALATIN DEVELOPMENT COMMISSION, THE URBAN RENEWAL AGENCY OF THE CITY OF TUALATIN, AND OTHER GOVERNMENTAL AGENCIES HAVING PLANS OR PROJECTS AFFECTING THE CITY OF TUALATIN

### **1. SW Corridor Plan**

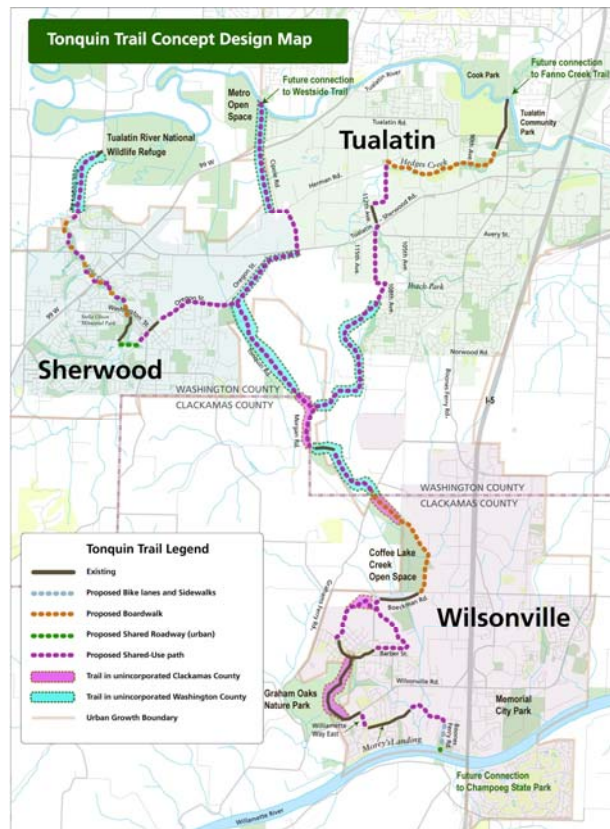
This planning process is a comprehensive planning effort to create livable and sustainable communities along the Barbur Boulevard/Highway 99W corridor between Portland, Tigard and Sherwood through integrated community investments in land use and transportation. Stephen Ricker represented TPARK at meetings regarding the SW Corridor regional planning project.

### **2. Ice Age Tonquin Trail Master Plan**

The future Ice Age Tonquin Trail will offer bicyclists and pedestrians safe, new connections between Wilsonville, Sherwood and Tualatin. Connie Ledbetter represented TPARK and



the IATTMP Project Steering Committee and conveyed their discussions and decisions to TPARK for their deliberations.



Other projects TPARK kept abreast of in 2012 include: Basalt Creek and West Railroad Planning Area , Tualatin River Light Watercraft Access Study, and Oregon Passenger Rail.

D. AS THE CITY'S TREE BOARD TPARK MAKES RECOMMENDATIONS TO STAFF AND COUNCIL ON URBAN FORESTRY RELATED ISSUES

1. **Recommended that Council form an Arbor Week ad hoc committee**

TPARK recommended that Council form this committee to help plan the Arbor Week Celebration and develop the Arbor Week Proclamation. The committee was approved by Council on January 10, 2012 and the proclamation was read on March 12, 2012.



**2. Recommended that Council name a Heritage Tree**

Council passed a resolution granting Heritage Tree Status to a tree located at the Tualatin Commons on March 12, 2012.

**4. ACTION PLAN FOR 2013**

**A. Continue to fulfill prescribed duties**

**B. Refresh the TPARK enabling ordinance**

Recommend modifications to include more specific language about recreation.

**C. Lafky Park playground replacement**

The playground at Lafky Park is scheduled to be replaced. TPARK will host the public involvement phase of the project.

**D. Celebrate Tualatin's Centennial**

TPARK will seek opportunities to be actively involved in the commemoration of Tualatin's 100<sup>th</sup> Anniversary of Incorporation.

**5. RECOMMENDATIONS**

**The Tualatin Park Advisory Committee recommends that City Council make it a high agency priority to update the 1983 Parks and Recreation Master Plan** which would lay the groundwork to achieve the Council vision and the community's goals, including but not limited to:

- Increasing the number and quality of sports fields in Tualatin

- Increasing financial support for recreation programming for people of all ages, and
- Pursuing public financing to expand and interconnect the park system, trail system, and on- and off- street bicycle system.

c: Tualatin Park Advisory Committee (TPARK)