



City of Tualatin

TUALATIN CITY COUNCIL

Tuesday, May 26, 2015

JUANITA POHL CENTER

8513 SW Tualatin Road

Tualatin, OR 97062

WORK SESSION begins at 6:00 p.m.

BUSINESS MEETING begins at 7:00 p.m.

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 your comments on its agenda, following Announcements, at which time citizens may address the Council concerning any item not on the agenda or to request to have an item removed from the consent agenda. If you wish to speak on a item already on the agenda, comment will be taken during that item. Please fill out a Speaker Request Form and submit it to the Recording Secretary. You will be called forward during the appropriate time; each speaker will be 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, 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 day of the meeting at 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.



A. CALL TO ORDER
Pledge of Allegiance

B. ANNOUNCEMENTS

1. New Employee Introductions: Peggy McGregor, Library Assistant
2. New Employee Introductions: Andrew Degner, Water Division Manager

C. CITIZEN COMMENTS

This section of the agenda allows anyone to address the Council regarding any issue not on the agenda, or to request to have an item removed from the consent 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 ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, 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. Consideration of Approval of the Minutes for the City Council Work Session and Regular Meeting of May 11, 2015.
2. Consideration of Approval of a New Liquor License Application for Brew Abyss
3. Consideration of **Resolution No. 5232-15** Authorizing the City Manager to Execute Amendments to the Intergovernmental Agreement with Tualatin Valley Water District and City of Portland for an Emergency Water System Intertie.

E. SPECIAL REPORTS

F. PUBLIC HEARINGS – Legislative or Other

G. PUBLIC HEARINGS – Quasi-Judicial

H. GENERAL BUSINESS

If you wish to speak on a general business item please fill out a Speaker Request Form and you will be called forward during the appropriate item. 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.

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

Meeting Date: 05/26/2015

ANNOUNCEMENTS: New Employee Introduction: Peggy McGregor, Library Assistant

ANNOUNCEMENTS

New Employee Introductions: Peggy McGregor, Library Assistant

SUMMARY

New Employee Introductions: Peggy McGregor, Library Assistant

City Council Meeting

Meeting Date: 05/26/2015

ANNOUNCEMENTS: New Employee Introductions: Andrew Degner, Water Division Manager

ANNOUNCEMENTS

New Employee Introductions: Andrew Degner, Water Division Manager

SUMMARY

New Employee Introductions: Andrew Degner, Water Division Manager



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos

FROM: Colleen Resch, Recording Secretary

DATE: 05/26/2015

SUBJECT: Consideration of Approval of the Minutes for the City Council Work Session and Regular Meeting of May 11, 2015.

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve the minutes for the City Council Work Session and Regular Meeting of May 11, 2015.

RECOMMENDATION:

Staff respectfully recommends that the Council adopt the attached minutes.

Attachments: [City Council Work Session Minutes for May 11, 2015](#)
[City Council Meeting Minutes for May 11, 2015](#)



OFFICIAL MINUTES OF TUALATIN CITY COUNCIL WORK SESSION FOR MAY 11, 2015

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

Absent: Councilor Wade Brooksby; Councilor Ed Truax

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Community Services Director Paul Hennon; Finance Director Don Hudson; Deputy City Manager Sara Singer; Planning Manager Aquilla Hurd-Ravich; Information Services Manager Lance Harris; Associate Planner Cindy Hahn; Police Captain Mark Gardner; Assistant City Manager Alice Cannon; City Engineer Jeff Fuchs; Recording Secretary Colleen Resch; Public Works Director Jerry Postema

CALL TO ORDER

Mayor Ogden called the meeting to order at 6:15 p.m.

1. *Basalt Creek Concept Plan Briefing.*

Assistant City Manager Alice Cannon provided an overview of the project and asked staff to share the results of the Sanitary System Alternatives Analysis for the Basalt Creek planning area. She said staff will seek direction as to whether service boundaries should line up with jurisdictional boundaries and if shared service agreements are an acceptable approach.

Planning Manager Aquilla Hurd-Ravich, Associate Planner Cindy Hahn and Andy Braun with Clean Water Services presented a PowerPoint on their efforts to re-evaluate the sanitary sewer system, seek a more efficient system considering both construction and long-term operating and maintenance costs. The analysis presents three additional sanitary sewer alternatives for consideration, with updated cost estimates. Alternative 1 is to minimize pump stations, which proposes three pump stations and upgrades at Martinazzi lateral and upper Tualatin trunk. The con for this alternative is poor phasing opportunities. The pros are approximate equal flow between cities, the least amount of pump stations, low impact on existing system and the lowest cost with a total cost of \$44 million. Alternative 2 is to minimize impacts to the existing Tualatin system which proposes five pump stations and upgrades to the Martinazzi lateral. This alternative has better phasing opportunities for Tualatin in the northeast but poor phasing in the central and northwest region with a total cost of \$47.2 million. Alternative 3 is a hybrid alternative system which proposes four pump stations, has better phasing and requires upgrades to Martinazzi lateral and upper Tualatin trunk with a total cost of \$47.3 million. She discussed the pros and cons of each alternative including the Base Case Alternative and said the project team's initial analysis concludes the most efficient system is Alternative 1 which proposes minimizing pump stations.

Andy Braun commented on the role of Clean Water Services and their interest in

minimizing the long-term impacts. He referred a possible shared service agreement with Wilsonville and some upfront costs.

Ms. Cannon said Wilsonville was conceptually supportive of the proposal and having some of their areas serviced by Tualatin. Discussion followed concerning the service areas, reciprocity and phasing.

Aquilla Hurd-Ravich said staff will return to City Council on June 8 with alternative land use scenario and jurisdictional boundary options to prepare for the next Tualatin-Wilsonville Joint Council meeting on June 17. She said the alternative land use scenario will be refined into a preferred alternative over the summer with further input from the Tualatin and Wilsonville Councils and the public. She sought direction as to whether service boundaries line up with jurisdictional boundaries and if shared service agreements are an acceptable approach. Councilor Beikman said she is supportive of the jurisdiction boundary along the east-west connector but concerned about the service boundaries lining up the jurisdictional boundaries, and she supports the shared service agreements.

Councilor Bubenik referred to the minimize pump station alternative and asked what this will cost Tualatin rate payers. Ms. Hurd-Ravich said these costs will be determined in the next step. Discussion followed regarding system development charges covering Tualatin's capital costs, and Ms. Cannon said there will be financial analysis information provided in the future.

2. Council Meeting Agenda Review, Communications & Roundtable.

None.

ADJOURNMENT

The work session adjourned at 7:13 p.m.

Sherilyn Lombos, City Manager

_____ / Colleen Resch, Recording Secretary

_____ / Lou Ogden, Mayor



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR MAY 11, 2015

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

Absent: Councilor Wade Brooksby; Councilor Ed Truax

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Community Services Director Paul Hennon; Finance Director Don Hudson; Deputy City Manager Sara Singer; Planning Manager Aquilla Hurd-Ravich; Information Services Manager Lance Harris; Associate Planner Cindy Hahn; Teen Program Specialist Julie Ludemann; Human Resources Analyst Debra Bullard; Police Captain Mark Gardner; Assistant City Manager Alice Cannon; Library Manager Jerianne Thompson; Parks and Recreation Manager Rich Mueller; City Engineer Jeff Fuchs; Recording Secretary Colleen Resch; Librarian II Aimee Meuchel; Public Service Manager Sarah Jesudason; Management Analyst II Carrie Severson; Public Works Director Jerry Postema

A. CALL TO ORDER

Pledge of Allegiance

Mayor Ogden called the meeting to order at 7:15 p.m.

B. ANNOUNCEMENTS

1. Tualatin Youth Advisory Council Update, May 2015

Members of the Tualatin Youth Advisory Council (YAC) presented a PowerPoint on their latest activities and upcoming events. The YAC held their annual Project FRIENDS event on April 24. The YAC presented ideas to investigate further which included utilizing social media to promote volunteer opportunities, job preparation workshops, internship programs and a teen coffee house. Upcoming events include Movies on the Commons, Tualatin TRYathlon and Teen Kaleidoscope Run.

2. America's Best Communities Grant Award

Tualatin Tomorrow Advisory Committee Member John Bartholomew and Tualatin Chamber of Commerce CEO Linda Moholt announced Tualatin's entry for America's Best Communities Grant Award has been selected as one of the 50 nationwide quarter finalists. He said Tualatin will receive a \$35,000 award from the national sponsors, and \$15,000 from a local corporate sponsor (Intel) and must commit to raising an additional \$15,000 in matching donations from our community

by August 4, 2015. These funds are to be spent to further develop the initial entry into a more detailed plan for economic development and community revitalization. In the competition's later rounds, eight semifinalist teams will be chosen to receive \$100,000 each, and will continue on to compete for the three grand prize awards of \$3 million, \$2 million and \$1 million. He commented on fundraising opportunities and upcoming deadlines.

3. Proclamation Declaring the Week of May 18-23, 2015 as Emergency Medical Services (EMS) Week

Councilor Grimes read the proclamation declaring the week of May 18-23, 2015 as Emergency Medical Services (EMS) Week.

Sean Russell with Metro West Ambulance accepted the proclamation and presented the City with a plaque.

4. Proclamation Declaring Saturday May 16, 2015 as National Kids to Parks Day in Tualatin

Council President Beikman read a proclamation declaring Saturday, May 16, 2015 as National Kids to Parks Day.

5. Proclamation Declaring the Week of May 10 - 16, 2015 as "National Police Week" in the City of Tualatin

Councilor Davis read a proclamation declaring May 10-16, 2015 as National Police Week.

6. Employee Recognition - Aimee Meuchel, OYAN You're Excellent Award

Teen Librarian II Aimee Meuchel was awarded the OYAN You're Excellent Award at the 2015 Oregon Library Association annual conference, by the Oregon Young Adult Network. This award recognizes an individual or organization that has made a positive and significant contributions to teens in Oregon libraries.

7. New Employee Introduction: Carrie Severson, Management Analyst II, Operations

Public Works Director Jerry Postma introduced Management Analyst II Carrie Severson. The Council welcomed her.

C. CITIZEN COMMENTS

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Jim McCreight with the Washington County Museum introduced their new Director Mark Harmon.

Dale Potts announced the Memorial Day Observance will be at 10:45 a.m. at the Winona Cemetery. He said the VFW will have a free picnic after the ceremony at Tualatin Commons Park.

D. CONSENT AGENDA

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MOTION by Council President Monique Beikman, SECONDED by Councilor Nancy Grimes to approve the consent agenda.

Aye: Mayor Lou Ogden, Council President Monique Beikman, Councilor Frank Bubenik, Councilor Joelle Davis, Councilor Nancy Grimes

Other: Councilor Wade Brooksby (Absent), Councilor Ed Truax (Absent)

MOTION CARRIED

1. Consideration of Approval of the Minutes for the City Council Work Session and Regular Meeting of April 27, 2015.

E. SPECIAL REPORTS

1. Update on Summer Programs and Activities Offered by the City of Tualatin and Partners

Teen Program Specialist Julie Ludemann and Public Services Manager Sarah Jesudason presented the City of Tualatin 2014 Summer Programs. Programs included the Summer Reading Program, Youth Summer Camps, Concerts and Movies on the Commons, Art Programs, the Tualatin Farmers Market, Tualatin Crawfish Festival, Gang Resistance Education and Training (GREAT) Summer Program, and TEAM Tualatin. There will also be many ongoing activities at the Juanita Pohl Center and the Library.

F. PUBLIC HEARINGS – Legislative or Other

G. PUBLIC HEARINGS – Quasi-Judicial

H. GENERAL BUSINESS

If you wish to speak on a general business item please fill out a Speaker Request Form and you will be called forward during the appropriate item. 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.

1. Consideration of **Ordinance No. 1381-15** Relating to Elections, Initiatives, Referendums, and Referrals; Amending Tualatin Municipal Code Chapter 1-24; and Adding New Provisions

The Council added Ordinance No. 1381-15 to the agenda and asked City Attorney Sean Brady to provide a copy of the updated draft ordinance with the changes Council suggested at the December 8, 2014 work session. Attorney Brady outlined the draft ordinance including Council referrals of measures, proposal of initiatives and referendums by electors, signature requirements, filing periods for signatures, clarifications on election dates, and a double majority vote. He reminded the Council that the consensus was to shorten the time frame for signature gathering and not allowing measures to be put on special elections and forwarded to only general statewide elections.

Mr. Brady referred to Section 1-24-050 of the updated draft ordinance regarding Filing Signatures which states all signatures for an initiative must be filed with the City Recorder for signature verification within 180 days after the initiative petition is approved for circulation. He reminded the Council that State law provides 2 years. He noted that State law currently allows electronic signatures and this proposal would only accept original signatures.

Council asked about the process of adopting an ordinance. Mr. Brady clarified that an ordinance may be adopted at one meeting with a unanimous vote of the Council. He said in order to be effective immediately the Council would be required to unanimously approve a first reading and a second reading by title only and include an emergency clause.

Council discussed Section 1-24-070 regarding election dates for initiative and referendums and clarified that statewide general elections refer to even year elections.

Councilor Davis commented on electronic signatures, explained the process involved and said the state accepts electronic signatures. She supports accepting electronic signatures.

Councilor Grimes agreed that electronic signatures should be accepted.

Mayor Ogden said he supports original signatures only and wants the petitions to be face to face.

Councilor Davis suggested a motion to strike the language that all signatures must be original signatures and add language to allow ballots on November general elections only.

Council considered the merits of allowing a 180 day period for gathering signatures. Councilor Davis and Council President Beikman support the 180 day period. Mayor Ogden stated he supports a 90 day period for gathering signatures.

Councilor Grimes said she agrees ballot measures being placed on the November general elections only in order to have a higher voter turnout.

Mayor Ogden accepted public comment.

Tom Black, Chief Petitioner for Term Limits for Washington Council, came forward and commented on the need to be inclusive. He referred to the timeline and said general citizens need more time for this process. He stated the process is overburdening.

The following motion was received.

Council directed Mr. Brady to provide an updated draft ordinance deleting Section 1-24-040(4) which bans electronic signatures, amend Section 1-24-070 to allow ballots on November general elections only, correct a typing error, and add a section for an emergency and applicable clause.

Mayor Ogden stated he would not support accepting electronic signatures and prefers 90 days for gathering signatures.

Mayor Ogden called for a recess at 9:15 p.m. for Mr. Brady to draft an updated ordinance for Council consideration.

Mayor Ogden called the meeting back to order at 9:20 p.m.

MOTION by Council President Beikman, SECONDED by Councilor Grimes for first reading of Ordinance No. 1381-15 Relating to Elections, Initiative, Referendums, and Referrals; Amending Tualatin Municipal Code Chapter 1-24; and Adding New Provisions.

Vote: 5 - 0 MOTION CARRIED

MOTION by Council President Beikman , SECONDED by Councilor Grimes for second reading by title only of Ordinance No. 1381-15 Relating to Elections, Initiative, Referendums, and Referrals; Amending Tualatin Municipal Code Chapter 1-24; and Adding New Provisions.

Vote: 5 - 0 MOTION CARRIED

MOTION by Council President Monique Beikman, SECONDED by Councilor Nancy Grimes to adopt Ordinance No. 1381-15 Relating to Elections, Initiatives, Referendums, and Referrals; Amending Tualatin Municipal Code Chapter 1-24; and Adding New Provisions

Aye: Mayor Lou Ogden, Council President Monique Beikman, Councilor Frank Bubenik, Councilor Joelle Davis, Councilor Nancy Grimes

Other: Councilor Wade Brooksby (Absent), Councilor Ed Truax (Absent)

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

K. ADJOURNMENT

Sherilyn Lombos, City Manager

_____ / Colleen Resch, Recording Secretary

_____ / Lou Ogden, Mayor



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos

FROM: Colleen Resch, Recording Secretary

DATE: 05/26/2015

SUBJECT: Consideration of Approval of a New Liquor License Application for Brew Abyss

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve a new liquor license application for Brew Abyss

RECOMMENDATION:

Staff respectfully recommends that the Council approve endorsement of the liquor license application for Brew Abyss

EXECUTIVE SUMMARY:

Brew Abyss has submitted a new liquor license application under the category of full on-premises and off premises sales. This would permit them to sell factory-sealed malt beverages, wine, and cider at retail to individuals in Oregon for consumption on and off the licensed premises. They would also be eligible to provide sample tastings of malt beverages, wine, and cider for consumption on the premises. The business is located at 20585 SW 115th Avenue. The application is in accordance with provisions of Ordinance No.680-85 which established a procedure for review of liquor licenses by the Council. 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.

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

Attachment C - Application



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

Return Completed form to:
City of Tualatin
Attn: Deputy City Recorder
18880 SW Martinazzi Ave
Tualatin, OR 97062

Date 04/30/2015

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.

CITY OF TUALATIN

MAY 01 2015

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.

MAYOR COUNCIL POLICE ADM
FINANCE COMM DEV LEGAL OPER
COMMSVCS ENG & BLDG LIBRARY

SECTION 2: DESCRIPTION OF BUSINESS

Name of business (dba): Brew Abyss
Business address 20575 SW 115th Ave. City Tualatin State OR Zip Code 97062
Mailing address [redacted] City Oregon City State OR Zip Code 97045
Telephone # 503-997-1871 Fax #
Name(s) of business manager(s) First Jeremy Middle Last Turner
Date of birth 02/11/81 Social Security # [redacted] ODL# [redacted] M X F
Home address [redacted] City Tualatin State OR Zip Code 97062
(attach additional pages if necessary)
Type of business Brewpub
Type of food served None.
Type of entertainment (dancing, live music, exotic dancers, etc.) N/A
Days and hours of operation Mon - Fri 3pm - 11pm; Sat - Sun 11am - 11pm
Food service hours: Breakfast N/A Lunch N/A Dinner N/A
Restaurant seating capacity Pub: 15 Outside or patio seating capacity 6
How late will you have outside seating? 11pm How late will you sell alcohol? 11pm

How many full-time employees do you have? ¹⁰ _____ Part-time employees? ⁰ _____

SECTION 3: DESCRIPTION OF LIQUOR LICENSE

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

Brew Abyss, LLC

Type of liquor license (refer to OLCC form) Brewery Public-House (BP)

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: Jerry Turner Date of birth:

Residence address:

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:  Date: 4/30/15

For City Use Only

Sources Checked:

- DMV by Bstet
- LEADS by Bstet
- TuPD Records by Bstet
- Public Records by Bstet

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: 5/6/15

Kent W. Barker
Chief of Police
Tualatin Police Department



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos

FROM: Jerry Postema, Public Works Director

DATE: 05/26/2015

SUBJECT: Consideration of **Resolution No. 5232-15** Authorizing the City Manager to Execute Amendments to the Intergovernmental Agreement with Tualatin Valley Water District and City of Portland for an Emergency Water System Intertie.

ISSUE BEFORE THE COUNCIL:

Council adopted on October 13, 2014 Resolution No. 5206-14 authorizing the City Manager to execute final design and construction Intergovernmental Agreements with Tualatin Valley Water District (TVWD) and the City of Portland (Portland) related to an emergency water system intertie. Additional funding for Task 2: Final design required to additional design efforts needed to address the unforeseen complexities related to the flow meter bypass for this design project. Additional funding of \$9,764 shall be added to the City's contribution. The previous resolution (5206-14) did not allow for the City Manager to approve additional funding for this project. Resolution 5232-15 will allow the City Manager to approve up to 10% in contingencies above the original IGA.

RECOMMENDATION:

Authorize City Manager to execute cost amendments to the Intergovernmental Agreement approved by Resolution No. 5206-14, provided the amendments do not exceed 10 percent of the total project cost. The City Manager would also be authorized to execute any administrative amendments to the Intergovernmental Agreement approved by Resolution No. 5206-14.

Attachments: A - Resolution No. 5232
B-Intergovernmental Agreement

RESOLUTION NO. 5232-15

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENTS TO THE INTERGOVERNMENTAL AGREEMENTS WITH TUALATIN VALLEY WATER DISTRICT AND THE CITY OF PORTLAND FOR AN EMERGENCY WATER SYSTEM INTERTIE

WHEREAS, on October 13, 2014, the Council adopted Resolution No. 5206-14 to authorize the City Manager to execute final design and construction Intergovernmental Agreements with Tualatin Valley Water District (TVWD) and the City of Portland (Portland) related to an emergency water system intertie; and

WHEREAS, an amendment to the Intergovernmental Agreement for design is needed to address unforeseen complexities to the flow meter bypass;

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

Section 1. The City Manager is authorized to execute Amendment No. 1 to the Intergovernmental Agreement, which is attached and incorporated herein.

Section 2. The City Manager is authorized to execute cost amendments to the Intergovernmental Agreements approved by Resolution No. 5206-14, provided the amendments do not exceed 10 percent of the total project cost authorized. The City Manager is authorized to execute any administrative amendments to the Intergovernmental Agreements approved by Resolution No. 5206-14.

Section 3. This resolution is effective upon adoption.

INTRODUCED AND ADOPTED this 26th day of May, 2015.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder

AMENDMENT NO: 1

INTERGOVERNMENTAL AGREEMENT NO: 30004061

This amends Intergovernmental Agreement (Agreement) No. 30004061 which was entered into by and between the City of Portland, acting by and through its Water Bureau, hereafter called CITY, the Tualatin Valley Water District hereafter called TVWD, and the City of Tualatin, hereafter called Tualatin.

The Agreement was authorized pursuant to City of Portland Ordinance No. 186477 which authorized the design of new piping and meter at district meter vault on the Washington County Supply Line.

MODIFICATION TO AGREEMENT

The modification to the Agreement is as follows:

1. The project needs expanded as this project evolved requiring a higher level of detail and effort than originally anticipated on for **Task 2: Final Design**. The additional tasks required are listed below.
 - **Structural Calculations:** As piping configurations became more complex it was determined that structural calculations were required for the design of the flow meter bypass and were requested by the CITY to verify that modifications to the meter vault would not compromise the meter vault integrity.
 - **Geometry Constraints - Complete revision of Piping:** Due to the complex 3D geometry involved with the flow meter bypass, each adjustment in geometry required a rework of the pipe geometry to accommodate the changes.
 - **Additional Site Visits:** Additional site visits confirm that the design will match existing conditions and will be constructible.
 - **Lowering Existing Valve Actuator:** Inclusion of coordination required to move the equipment.
 - **Adjusting Air Valves in Vault:** Movement of the air valves to accommodate the flow meter bypass piping.
 - **Post Submittal Construction Revisions:** Revisions to the final construction drawings to incorporate additional comments that added required engineering.
2. Additional funding for **Task 2: Final Design** is required due to additional design efforts needed to address the unforeseen complexities related to the flow meter bypass for this design project. Additional funding of **\$9,764** shall be added to the City's contribution bringing the total Agreement to a not to exceed amount of **\$49,764**. A budget detail showing the additional funds required is attached as Exhibit A to this Amendment.

NOW, THEREFORE, in consideration of the items set forth above, the parties agree to all conditions of Intergovernmental Agreement No, 30004061 as amended.

CITY OF PORTLAND SIGNATURES:

Approved:

By: _____
David G. Shaff, Water Bureau Administrator

Date: _____

Approved:

By: _____
Office of City Attorney

Date: _____

CITY OF TUALATIN:

Approved:

By: _____
Name and Title Date

Date: _____

Approved:

By: _____
Office of City Attorney – Tualatin

Date: _____

TUALATIN VALLEY WATER DISTRICT:

Approved:

By: _____
Name and Title Date

Approved:

By: _____
District Council - TVWD Date

Exhibit A - Amendment 1

Task 2b Design Revisions		Project Manager	Quality Control	Project Advisor	Electrical Engineer	Project Engineer	Project Mechanical Engineer	Project EIT	Project Electrical EIT	Structural Engineer	Technician I - CAD/Design	Technical Writer II	Project Assistant	Project Controller	Hours	Labor	Technology Charge	Expense Estimate as a % of Labor	Total Expenses	HDR Fee
		John Plattammer	John Koch	Jeff Fuchs	Don Best	Joelle Bennett	Matt Duffy	Lisa Hall	Greg Davis	Sri Rajah	Sarah Pawfowski	Lori Buffington	Brandon Lindquist	Pat Kool						
Task Description		\$ 335.48	\$ 250.91	\$ 227.30	\$ 202.37	\$ 128.03	\$ 139.46	\$ 86.30	\$ 103.26	\$ 219.01	\$ 91.52	\$ 132.83	\$ 56.00	\$ 101.02						
Task 2b - PWB																				
2b.1	Structural calculations	0						8		4					12	\$ 1,566	\$ 44	\$ 31	\$ 76	\$ 1,842
2b.2	Geometry constraints requiring complete revision of piping	1				2			8		7				18	\$ 2,058	\$ 67	\$ 41	\$ 106	\$ 2,166
2b.3	Additional site visits to vault			1					4						5	\$ 640	\$ 19	\$ 13	\$ 31	\$ 672
2b.4	Accommodating existing valve with actuator modification				1				14		4				19	\$ 2,014	\$ 70	\$ 40	\$ 111	\$ 2,125
2b.5	Adjusting air valves in vault					1		2			2				5	\$ 484	\$ -	\$ 10	\$ 10	\$ 493
2b.6	Post-submittal design revision for construction	1		1	1			8			4	3	2	2	22	\$ 2,534	\$ 81	\$ 51	\$ 132	\$ 2,666
Hours		2	0	2	2	3	0	18	26	4	17	3	2	2	81					
Fee		\$671	\$0	\$455	\$405	\$384	\$0	\$1,553	\$2,685	\$876	\$1,566	\$398	\$112	\$202		\$ 9,297	\$ 281	\$ 186	467	\$ 9,764