



City of Tualatin

TUALATIN CITY COUNCIL

Monday, MAY 8, 2017

TUALATIN POLICE TRAINING ROOM

8650 SW Tualatin Road

Tualatin, OR 97062

WORK SESSION- Cancelled

BUDGET COMMITTEE MEETING begins at 5:00 p.m.

BUSINESS MEETING begins at 7:00 p.m.

Mayor Lou Ogden

Council President Joelle Davis

Councilor Robert Kellogg

Councilor Paul Morrison

Councilor Jeff DeHaan

Councilor Frank Bubenik

Councilor Nancy Grimes

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.



OFFICIAL AGENDA OF THE TUALATIN CITY COUNCIL MEETING FOR MAY 8, 2017

A. CALL TO ORDER

Pledge of Allegiance

B. ANNOUNCEMENTS

1. Tualatin Youth Advisory Council's Activities for May
2. Proclamation Declaring the Week of May 7-13, 2017 as Public Service Recognition Week in the City of Tualatin
3. Proclamation Declaring the Week of May 14 - 20, 2017 as "National Police Week" in the City of Tualatin
4. New Employee Introduction- Sou Souvanny, Community Services Management Analyst

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 Special Council Work Session of April 11, 2017 and the Regular Meeting of April 24, 2017
2. Consideration of **Resolution No. 5315-17** to Purchase Wetland Credits for the Myslony Bridge Project
3. Consideration of **Resolution No. 5316-17** Adopting the City of Tualatin Financial Policies Manual

E. SPECIAL REPORTS

1. Tualatin Chamber of Commerce Special Report

F. GENERAL BUSINESS

- 0.** Consideration of **Resolution No. 5318-17** Authorizing the City Manager to Sign an Intergovernmental Agreement between Clackamas County, Metro, Lake Oswego, Tualatin and West Linn regarding Stafford Urban Reserve Area

G. 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.

H. COMMUNICATIONS FROM COUNCILORS

I. ADJOURNMENT

City Council Meeting

Meeting Date: 05/08/2017

ANNOUNCEMENTS: Tualatin Youth Advisory Council Update

ANNOUNCEMENTS

Tualatin Youth Advisory Council's Activities for May

A. YAC Update

May 8, 2017

Tualatin Youth Advisory Council

Youth Participating in Governance

Project FRIENDS

- Friday, May 19
- Byrom, Bridgeport, Deer Creek, and Tualatin Elementary



Blender Dash

- Saturday, June 3
- Tualatin Community Park
- Fun run for kids ages 6-15



July 1

Dr. Strange

July 8

The Secret Life of Pets

July 15

Captain America Civil War

July 22

Fantastic Beasts and Where
to Find Them

July 29

Moana

August 12

The Lego Batman Movie

August 19

Sing

August 26

Rogue One



City Council Meeting

Meeting Date: 05/08/2017

ANNOUNCEMENTS: Public Service Recognition Week - May 7 -13, 2017

ANNOUNCEMENTS

Proclamation Declaring the Week of May 7-13, 2017 as Public Service Recognition Week in the City of Tualatin

Proclamation - Public Service Recognition Week

Proclamation

*Declaring the Week of May 7 - May 13, 2017 as
"Public Service Recognition Week"*

In Honor of the Public Employees of the City of Tualatin

WHEREAS, public service is a honorable calling that involves a wide variety of challenging and rewarding professions, including providing recreational services, maintaining public safety, improving transportation, protecting our environment, and performing administrative and management activities which are essential to efficient and effective operation of government; and

WHEREAS, Tualatin's city employees contribute significantly to the quality of life for the Tualatin community, with their commitment to excellence, high ethical standards, and diversity of skills; and

WHEREAS, excellence in the delivery of public service helps keep Tualatin strong, prosperous, and a wonderful place in which to live, work, play and volunteer; and

WHEREAS, this commemoration provides an opportunity to express our appreciation for the many contributions public employees make to our daily lives.

NOW, THEREFORE, IT IS PROCLAIMED by the Tualatin City Council that the week of May 7-13, 2017 be Public Service Recognition Week in the City of Tualatin and the Council encourages all citizens to recognize the accomplishments and contributions of public employees.

INTRODUCED AND ADOPTED this 8th day of May, 2017.

CITY OF TUALATIN, OREGON

BY _____
Mayor

ATTEST:

BY _____
City Recorder

City Council Meeting

Meeting Date: 05/08/2017

ANNOUNCEMENTS: Proclamation Declaring the Week of May 14 - 20, 2017 as "National Police Week" in the City of Tualatin

ANNOUNCEMENTS

Proclamation Declaring the Week of May 14 - 20, 2017 as "National Police Week" in the City of Tualatin

SUMMARY

The week of May 14-20, 2017 has been designated as National Police Week by the Congress of the United States of America. In addition, May 15th of each year is designated as Police Memorial Day in honor of the Federal, State and Municipal Officers who have been killed or disabled in the line of duty. The City of Tualatin is proud of our law enforcement officers and wishes to recognize their commitment to the public safety profession.

National Police Week Proclamation

Proclamation

Proclamation Declaring the Week of May 14 – 20, 2017 as “National Police Week” in the City of Tualatin

WHEREAS the Congress of the United States of America has designated the week of May 14 - 20, 2017 to be dedicated as “*National Police Week*” and May 15 of each year to be “*Police Memorial Day*” in honor of the Federal, State and Municipal Officers who have been killed or disabled in the line of duty; and

WHEREAS it is known that on average, one law enforcement officer is killed in the line of duty somewhere in the United States every 63 hours. Since the first known line-of-duty death in 1791, more than 21,000 U.S. law enforcement officers have made the ultimate sacrifice; and

WHEREAS law enforcement officers, including Tualatin Police Officers are our guardians of life and property and defenders of the individual rights of freedom; and

WHEREAS the City of Tualatin is proud of our law enforcement officers and wish to recognize their commitment to the public safety profession; and

WHEREAS the Tualatin Police Department and officers provide the highest quality services and are committed to the highest professional standards, working in partnership with our community, to meet the challenges of reducing crime, creating a safe environment, and improving our quality of life.

NOW, THEREFORE BE IT PROCLAIMED that the City of Tualatin designates the week of May 14-20, 2017 as “*Police Memorial Week*” in the City of Tualatin to call attention to Tualatin Police Officers for the outstanding service they provided to our community. The City Council also calls upon our residents and businesses to express their thanks to the men and women who make it possible for us to leave our homes and family in safety each day and return to our homes knowing they are protected by men and women willing to sacrifice their lives if necessary, to guard our loved ones, property, and government against all who would violate the law.

INTRODUCED AND ADOPTED this 8th day of May, 2017.

CITY OF TUALATIN, OREGON

BY _____
Mayor

ATTEST:

BY _____
City Recorder



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: 05/08/2017

SUBJECT: Consideration of Approval of the Minutes for the Special Council Work Session of April 11, 2017 and the Regular Meeting of April 24, 2017

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve the minutes for the Special Council Work Session of April 11, 2017 and the Regular Meeting of April 24, 2017.

RECOMMENDATION:

Staff respectfully recommends that the Council adopt the attached minutes.

Attachments: [City Council Regular Meeting Minutes of April 24, 2017](#)
[Special Council Work Session of April 11, 2017](#)



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR APRIL 24, 2017

Present: Mayor Lou Ogden; Councilor Frank Bubenik; Council President Joelle Davis; Councilor Nancy Grimes; Councilor Paul Morrison; Councilor Jeff DeHaan; Councilor Robert Kellogg

Staff Present: City Attorney Sean Brady; Police Chief Bill Steele; Community Services Director Paul Hennon; Deputy City Recorder Nicole Morris; Parks Maintenance Manager Tom Steiger; Program Coordinator Kathy Kaatz; Assistant to the City Manager Tanya Williams; Assistant City Manager Alice Cannon; Library Manager Jerianne Thompson; Parks and Recreation Manager Rich Mueller; Project Engineer Dominique Huffman; Human Resources Director Stacy Ruthrauff; Public Works Director Jerry Postema

A. CALL TO ORDER

Pledge of Allegiance

Mayor Ogden called the meeting to order at 7:03 p.m.

B. ANNOUNCEMENTS

1. Proclamation Declaring the Week of April 23 – April 29, 2017 as Volunteer Appreciation Week in the City of Tualatin

Mayor Ogden presented information regarding Tualatin Volunteers noting nearly 2,700 volunteers served 26,000 volunteer hours in the past year. Councilor Bubenik read the proclamation declaring April 23-29, 2017 as Volunteer Appreciation Week in the City of Tualatin.

Mayor Ogden presented the Outstanding Volunteer Awards. The nomination process includes City employees nominating volunteers based on a list of criteria.

Nominees for each category were announced:

Outstanding Youth Volunteer- Elaine Meslow, Azucena Javier, Emma Erdman, Javier Mitchell

Outstanding Adult Volunteer- Cathy Holland, Judy Hansen, Phyllis Meyer, Jeanine Juliana

Outstanding Lifetime Volunteer Achievement- Christine Tunstall and Buck Braden

Outstanding Group Volunteer- Summer Teens and the Youth Advisory Committee

Winners were announced for each category:

Outstanding Youth Volunteer- Elaine Meslow and Azucena Javier

Outstanding Adult Volunteer- Cathy Holland and Judy Hansen

Outstanding Lifetime Volunteer Achievement- Christine Tunstall and Buck Braden

Outstanding Group Volunteer- Summer Teens and the Youth Advisory Committee

2. Proclamation Declaring the Week of April 30-May 6, 2017 as Construction Industry Safety Week in the City of Tualatin

Council President Davis presented the proclamation declaring the week of April 30-May 6, 2017 as Construction Industry Safety Week in the City of Tualatin. Bill Kalapsa of SafeBuild Alliance accepted the proclamation.

3. New Employee Introduction- Andy Shaver, Desktop Technician

Information Services Director Bates Russell introduced Desktop Technician Andy Shaver. The Council welcomed him.

C. CITIZEN COMMENTS

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None.

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.

MOTION by Councilor Nancy Grimes, SECONDED by Council President Joelle Davis to adopt the consent agenda.

Aye: Mayor Lou Ogden, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Jeff DeHaan, Councilor Paul Morrison, Councilor Robert Kellogg

MOTION CARRIED

1. Consideration of Approval of the Minutes for the Work Session and Regular Meeting of April 10, 2017
2. Consideration of Approval of 2017 Liquor License Renewals, Late Submittal
3. Consideration of Approval of a New Liquor License Application for Marquis Community Center
4. Consideration of **Resolution No. 5314-17** Adopting the April 2017 Update to the Public Works Construction Code

5. Consideration of **Resolution No. 5313-17** Authorizing the Purchase of Rights-of-Way and Temporary Construction Easements for the Construction of Myslony Bridge

E. COMMUNICATIONS FROM COUNCILORS

Councilor Bubenik thanked everyone who participated in the Vine2Wine Library Foundation Fundraiser. He stated the event was a success.

Council President Davis invited everyone to attend the Lunch with the Chief event on April 25. Tickets will be available at the door.

F. ADJOURNMENT

Mayor Ogden adjourned the meeting at 7:38 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Lou Ogden, Mayor



OFFICIAL MINUTES OF THE SPECIAL WORK SESSION OF THE TUALATIN CITY COUNCIL FOR APRIL 11, 2017

Present: Mayor Lou Ogden; Council President Joelle Davis; Councilor Frank Bubenik;
Councilor Paul Morrison; Councilor Robert Kellogg

Absent: Councilor Jeff DeHaan; Councilor Nancy Grimes

Staff Present: Sherilyn Lombos, Sean Brady, Bill Steele, Paul Hennon, Don Hudson, Aquilla Hurd-Ravich, Nicole Morris, Tom Steiger, Tanya Williams, Matt Saviello, Alice Cannon, Jerianne Thompson, Kelsey Lewis, Rich Mueller, Zoe Monahan, Jeff Fuchs, Melinda Anderson, Bates Russell, Terrance Leahy, Greg Pickering, Mark Gardner, Bert Olheiser, Cortney Kammerer, Kathy Kaatz, Tom Steiger, Jerry Postema

A. CALL TO ORDER

Mayor Ogden called the meeting to order at 5:39 p.m.

B. AGENDA

1. Fiscal Year 2017-18 Budget Discussion

Director Hudson presented an update on the Fiscal Year 2017-18 budget. This year's budget theme was announced as Tualatin on the Move. Director Hudson stated the budget premise this year was to look at what is needed to provide and maintain services, while identifying savings wherever possible. Budget instructions for staff were reviewed and remained the same as previous years. He spoke to the use of the fiscal health model stating the model helps to align ongoing expenditures and revenues and is a tool to assist Council and management in maintaining fiscal health.

Director Hudson spoke to ongoing general fund expenditures. He noted expenditures keep the city operating, the public safe, and provides the important city services that citizens desire. 78.7% of the general fund is spent on staffing with an additional 12% going to PERS. Director Hudson noted contribution rates to PERS went up 3.58% of payroll and will continue to increase over the next two years. The budget maintains current service levels and continues to fund emergency preparedness, community engagement, and recreational programming for all ages. One time expenditures programmed for this year include improvements at the Juanita Pohl Center, furnishing replacements at the Library, replacement of police mobile data terminals, roof replacement at the Van Raden Center, and an electronic document management system.

Mayor Ogden asked where funding for one-time revenues comes from. Director Hudson provided examples such as interest earnings, grant funding, and donations.

Councilor Bubenik asked about projected revenues for the marijuana tax. Director Hudson stated disbursements will be on a per capita bases before July 1, 2017. After that date disbursements will be based off number of licenses. It is anticipated that the monies will not be distributed until August. Director Hudson stated he did not program any monies in this year's budget due to the uncertainty of HB 2203.

Councilor Morrison asked if Capital Reserves were being used for small one-time projects and how larger projects are funded. Director Hudson stated large projects typically would need to go to bond to be funded.

Director Hudson stated ongoing general fund revenues are funded by property taxes, franchise fees and intergovernmental agreements, cigarette and liquor taxes, charges for services to the City of Durham and Metro, and transfers to cover general fund services. He noted 85% of general fund revenues come from property taxes, franchise fees, intergovernmental agreements and transfers. Challenges this year include revenues, though stable, are growing at a slower rate than expenditures. Both revenues and expenditures grew at 4% this year. Staff will continue to look at ways to curb expenditure growth and explore other revenue sources.

Councilor Kellogg asked if additional franchise fees could be a revenue sources. Director Hudson stated adopting a Right of Way ordinance would be one way to collect those fees.

Councilor Bubenik asked if increasing business license fees would generate more revenue. Director Hudson stated all revenues can be looked at and evaluated.

Director Hudson reviewed the current fiscal health model noting investment earnings have grown 1.3% and revenue projection increased \$100,000 on interest earnings. There is a \$34,000 positive alignment this year.

Councilor Kellogg asked if the model doesn't anticipate the PERS reserve. Director Hudson stated that was correct.

Director Hudson stated due to the positive alignment of the model staff is proposing three strategic budgetary additions. Library Manager Jerianne Thompson spoke to the proposed additional staffing for the Mobile Makerspace. She noted the add package is for a request of \$28,000 for part-time dedicated staffing. Assistant to the City Manager Tanya Williams spoke to the proposed addition of a Community Engagement Coordinator. Part of her proposal included moving the newsletter to a digital format which would save the City approximately \$55,000 a year. Chief Bill Steele spoke to the proposed additional staffing of a Police Officer position. He stated the last time a position was added was in 2009. The addition of this position would allow the department to move from 12 hour shifts to 10 hour shifts and increase Officer Safety. Director Hudson presented an updated version of the fiscal health model with these positions incorporated.

Director Hudson presented proposed utility rate increases of 4.25% based of the master

plan. The total increase for an average residential home will be \$4.31.

Director Hudson stated there is a full budget committee in place for this year with three new members joining the committee. The first budget meeting is scheduled for May 8 and the second meeting is scheduled on May 30.

2. Financial Policies

Director Hudson passed out a draft of the proposed Financial Policies. He spoke to the general purpose and goals of the policy manual. Policies in the manual include revenue, operating budget, expenditure, capital improvement plan, investment, contingency and reserves, capital assets management, accounting, auditing and financial reporting, and debt. Goals for each policy were reviewed.

City Manager Lombos thanked staff for their hard work and dedication to providing the Council with a fiscally responsible budget again this year.

C. ADJOURNMENT

Mayor Ogden adjourned the meeting at 7:21 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Lou Ogden, Mayor



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Dominique Huffman, Project Engineer
Jeff Fuchs, City Engineer

DATE: 05/08/2017

SUBJECT: Consideration of **Resolution No. 5315-17** to Purchase Wetland Credits for the Myslony Bridge Project

ISSUE BEFORE THE COUNCIL:

Consideration of **Resolution No. 5315-17** to purchase wetland credits to replace wetland that will be impacted by the construction of the Myslony Bridge Project.

RECOMMENDATION:

Staff recommends that Council adopt the attached resolution to purchase wetland credits for the Myslony Bridge project.

EXECUTIVE SUMMARY:

This resolution enables the City Manager to execute legal documents to purchase wetland credits to mitigate the impact of constructing the Myslony Bridge project.

The project footprint has been adjusted to reduce the impact to environmentally sensitive areas as much as possible. The project team evaluated several alternatives and selected the alternative that reduced the amount of right-of-way required, reduced impacts to wetlands, and met the requirements identified in the 2014 Transportation System Plan. The bridge project will impact 1,200 square feet of wetland (approximately 0.03 acres). The impacted wetlands are within City right-of-way. Because there is no available space within existing right-of-way to replace the impacted wetlands, the design team recommends mitigating the impacted wetlands with wetlands purchased from a mitigation bank. The cost of mitigation credits for 0.03 acres is \$4,725.

The City has applied for environmental permits from Oregon Department of State Lands and U.S. Army Corps of Engineers. Both agencies have approved purchasing wetland mitigation credits as an acceptable method for mitigating wetlands. In order to maintain the current schedule, wetland mitigation credits must be purchased before May 19th or a three week minimum permit extension will be required from the Oregon Department of State Lands.

FINANCIAL IMPLICATIONS:

Funds for mitigating wetland impacts are included in the Road Operating Fund budget for the Myslony Bridge Project.

Attachments: [Reso 5315-17 - Myslony Purchase Wetland Credits](#)

RESOLUTION NO. 5315-17

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE WETLAND CREDITS FOR THE CONSTRUCTION OF MYSLONY BRIDGE

WHEREAS, the City is constructing a bridge, adding roadway and connecting a water line on SW Myslony Street to cross Hedges Creek; and

WHEREAS, as part of the project, the City is responsible for mitigating 0.03 acres of wetland impacts; and

WHEREAS, it is in the best interest of the project and the City to purchase wetland credits instead of trying to create wetlands at the project site; and

WHEREAS, purchase of the credits will satisfy the requirements of the Joint Permit Application as administered by the Oregon Department of State Lands (DSL) and the U.S. Army Corp of Engineers (USACE); and

WHEREAS, sufficient funding has been budgeted for wetland mitigation credit acquisition;

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

Section 1. The City Manager is authorized to purchase 0.03 acres of wetland credits for the Myslony Bridge Project in the amount of \$4,725 and execute any and all documents related thereto.

Section 2. This resolution is effective upon adoption.

INTRODUCED AND ADOPTED this 8th day of May, 2017.

CITY OF TUALATIN OREGON

BY _____
Mayor

APPROVED AS TO LEGAL FORM

ATTEST

BY _____
City Attorney

BY _____
City Recorder



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Don Hudson, Finance Director

DATE: 05/08/2017

SUBJECT: Consideration of Resolution No. 5316-17 Adopting the City of Tualatin Financial Policies Manual

ISSUE BEFORE THE COUNCIL:

Whether or not to adopt the City of Tualatin Financial Policies Manual.

RECOMMENDATION:

Staff recommends approval of Resolution No. 5316-17, Adopting the City of Tualatin Financial Policies Manual.

EXECUTIVE SUMMARY:

Financial policies are vital to a strategic, long-term approach to financial management, and to achieve and maintain a stable and positive financial position while ensuring the financial integrity of City operations. They are used as a guideline for operational decision making and maintaining a fiscally prudent budget, while carrying out the needs and wants of the City of Tualatin and its citizens. They also establish a framework for planning and decision making to meet the City's goal of maintaining an adequate financial base to sustain the desired level of services the community has come to know and expect from the City. In addition, the attached policies provide guidelines for managing financial risk and assisting the City in complying with established public financial management best practices, as well as federal, state and local legal and reporting requirements.

The goals of the City's financial polices are to:

1. Provide an adequate financial base to sustain the desired level of municipal services.
2. Deliver cost effective and efficient services to our citizens.
3. Provide and maintain essential public facilities, utilities and capital equipment.
4. Protect and enhance the City's credit rating so as to obtain the lowest cost of borrowing and assure taxpayers and the financial community that the City is well managed and financially sound.
5. Provide the financial stability needed to navigate through economic downturns, adjust to changes in the service requirements of the community and respond to other changes as they affect the City's residents and businesses.

6. Adhere to the highest standards of financial management and reporting practices as set by the Government Finance Officers Association, the Governmental Accounting Standards Board and other professional standards.
7. Comply with finance related legal mandates, laws and regulations.

To achieve these goals, the City is considering adopting the following nine policies:

1. Revenue Policy
2. Operating Budget Policy
3. Expenditure Policy
4. Capital Improvement Plan Policy
5. Investment Policy
6. Contingency and Reserve Policy
7. Capital Asset Management Policy
8. Accounting, Auditing & Financial Reporting Policy
9. Debt Policy

These policies will be reviewed by management annually, and amended as necessary.

Attachments: Resolution No. 5316-17

RESOLUTION NO. 5316-17

A RESOLUTION ADOPTING CITY OF TUALATIN FINANCIAL POLICIES MANUAL.

WHEREAS, financial policies are vital to a strategic, long-term approach to financial management; and

WHEREAS, financial policies help achieve and maintain a stable and positive financial position while ensuring the financial integrity of City operations; and

WHEREAS, financial policies establish a framework for planning and decision making to meet the City’s goal of maintaining an adequate financial base to sustain the desired level of services citizens have come to know and expect; and

WHEREAS, financial policies provide guidelines for managing risk and assisting the City in complying with established public management best practices, while ensuring compliance with federal, state and local legal and reporting requirements;

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

Section 1. The attached Financial Polices Manual is hereby adopted to achieve the financial goals listed in the purpose section of the manual.

Section 2. This resolution is effective upon adoption.

INTRODUCED AND ADOPTED this 8th day of May, 2017.

CITY OF TUALATIN OREGON

BY _____
Mayor

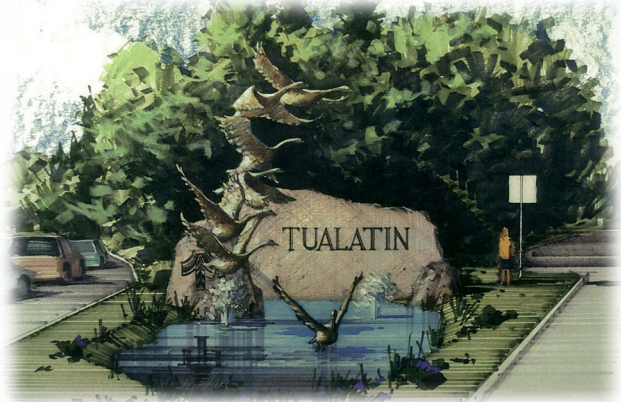
APPROVED AS TO LEGAL FORM

ATTEST

BY _____
City Attorney

BY _____
City Recorder

City of Tualatin



Financial Policies

“Dedicated to being Good Stewards of Public Funds”



Financial Policies

City of Tualatin's Financial Policies

Purpose

Financial policies are vital to a strategic, long-term approach to financial management, and to achieve and maintain a stable and positive financial position while ensuring the financial integrity of City operations. They are used as a guideline for operational decision making and maintaining a fiscally prudent budget while carrying out the needs and wants of the City of Tualatin and its citizens. These policies establish parameters in which we operate while providing a standard against which our fiscal performance can be judged.

Financial policies also establish a framework for planning and decision making to meet the City's goal of maintaining an adequate financial base to sustain the desired level of services citizens have come to know and expect. It provides guidelines for managing risk and assisting the City in complying with established public management best practices, while ensuring compliance with federal, state, and local legal and reporting requirements.

These policies are adopted to achieve the following general financial goals:

1. Provide an adequate financial base to sustain the desired level of municipal services.
2. Deliver cost effective and efficient services to our citizens.
3. Provide and maintain essential public facilities, utilities, and capital equipment.
4. Protect and enhance the City's credit rating so as to obtain the lowest cost of borrowing and assure taxpayers and the financial community that the City is well managed and financially sound.
5. Provide the financial stability needed to navigate through economic downturns, adjust to changes in the service requirements of the community and respond to other changes as they affect the City's residents and businesses.
6. Adhere to the highest standards of financial management and reporting practices as set by the Government Finance Officers Association, the Governmental Accounting Standards Board and other professional standards.
7. Comply with finance related legal mandates, laws and regulations.

To achieve these goals, fiscal policies generally cover areas of revenue management, operating and capital budgeting, financial planning and forecasting, investment and asset management, debt management, accounting and financial reporting, reserves and internal controls. The following policies are adopted by the City Council, reviewed annually by management and amended as necessary.

I. Revenue Policy

The goal of the Revenue Policy is to create and maintain a diversified and stable revenue system to mitigate the impact of short-term fluctuations in any revenue source and provide a stable revenue stream to support City services.

1. Significant one-time and or temporary revenue sources will not be used to fund continuing programs and services, but rather to fund one-time, or intermittent, expenditures.
2. The City will establish user fees for services that can be identified and where costs are directly related to the level of service provided and to the cost of providing the service. User fees will be reviewed on an established periodic basis.
 - a. Charges for providing utility services shall be sufficient to finance all operating, capital outlay and debt service expenses of the City's utility funds, including operating contingency, reserve requirements and capital replacement.
 - b. User charges shall be sufficient to finance the City's costs to perform development review and building activities.
 - c. Other reimbursable work performed by the City (full labor costs, overhead, contracted services, equipment and other indirect expenses) should be billed at total actual or estimated total actual cost.
 - d. Charges for services will accurately reflect the total actual or estimated cost of providing a specific service. The cost of providing specific services will be recalculated periodically, and the fee adjusted accordingly. The City will maintain a current schedule of fees.
 - e. The City will consider market rates and charges levied by other municipalities of similar size for like services in establishing rates, fees and charges.
3. The City will pursue an aggressive policy of collecting delinquent accounts. When necessary, discontinuing service, collection agencies, liens and other methods of collection, such as imposing penalties, collection and late charges, may be used.
4. All potential grants that require matching funds, on-going resource requirements, or include new or additional continuing compliance requirements shall be evaluated and considered before submittal of the application. Approval by the City Manager shall be obtained, prior to the submittal of an application.
5. Revenues will be estimated realistically and prudently. Revenue of a volatile nature will be estimated conservatively. The City will estimate its revenues by an objective, analytical process using best practices as defined by the Government Finance Officers Association, or other reliable sources.

II. Operating Budget Policy

The City shall prepare, present, adopt and amend its operating budget in accordance with Oregon Local Budget Law.

1. The City will prepare the budget with participation by all departments, guided by City Council goals and the work plan to accomplish these goals.
2. A budget calendar will be prepared with key elements/deadlines in the development of the budget.
3. Departmental objectives will be integrated into the City's annual budget.
4. The City shall maintain a budget system to monitor revenue and expenditures on an ongoing basis with adjustments made as necessary.
5. The amount of funding available will be determined for each fund. The budget will be developed based upon expected revenues.
6. Budget Committee meetings will be advertised and posted, as required by Oregon Budget Law, and on the City's website, as well as the public hearing to adopt the City's budget.
7. The City Manager shall present a proposed budget to the Budget Committee for evaluation and approval before sending the Approved Budget to the City Council for adoption.
8. Budgetary procedures shall conform to state regulations and generally accepted accounting principles.
9. Budget amendments will be prepared by the Finance Director, under the direction of the City Manager, to ensure compliance with Oregon Budget Law.

III. Expenditure Policy

The City will prioritize services, establish appropriate service levels, and manage the expenditure of available resources while ensuring fiscal stability and providing necessary services.

1. Expenditures will be controlled through appropriate internal controls and procedures. Management must ensure expenditures comply with the legally adopted budget. Each Department or Division Manager or Director will be responsible for the administration of his/her department/program budget. This includes accomplishing the goals and objectives incorporated into the budget and monitoring each department/division budget for compliance with spending limitations
2. All purchases of goods and services must comply with the City's Purchasing Policies, guidelines and procedures and with State laws and regulations.
3. Staff will make every effort to control expenditures to ensure City services and programs provided to its citizens and taxpayers are cost effective and efficient. Expenditures that will reduce future costs will be encouraged.

4. Staff will make every effort to maximize any discounts offered by vendors, and will use competitive bidding and/or the Oregon Cooperative Procurement Program when considering purchases.
5. All compensation planning and collective bargaining will include analyses of total cost of compensation, which includes analysis of salary increases, health benefits, pension contributions, and other fringe benefits. City management will only propose operating personnel costs that can be supported by continuing operating revenues.

IV. Capital Improvement Plan Policy

The goal of this policy is to provide guidelines for annually reviewing and monitoring the City's Capital Improvement Plan, and monitoring the state of the City's capital equipment and infrastructure, and setting priorities for its replacement and renovation based on needs, funding alternatives, and availability of resources.

1. The City will complete a Capital Improvement Plan (CIP) for capital improvements, update it annually and will use the CIP as a planning tool for capital improvements to be programmed into the annual budget.
2. The CIP will be used as a financial planning tool to fund future capital projects, improvements and purchases.
3. Each project will include the need, scope of work, total cost estimates, and future operating and maintenance costs (if applicable and available).
4. The City will maintain its physical assets at a level adequate to protect the City's capital investment and to minimize future maintenance and replacements costs.
5. Each year, an internal CIP committee will evaluate the list of proposed CIP projects and determine which projects to recommend to the City Manager and Finance Department for inclusion in the annual budget.

V. Investment Policy

The purpose of this policy is to guide the investment of the City's operating cash to ensure its legality, safety, provide for necessary liquidity, avoid imprudent risk, and optimize yield, while meeting the requirements of Oregon Revised Statutes (ORS) 294.035.

1. The Finance Director shall serve as the investment officer of the City. The investment officer is responsible for ensuring the funds are invested so as to make necessary cash available to meet current obligations and to invest excess cash in accordance with ORS 294.035 through ORS 294.047.

VI. Contingency and Reserve Policy

The purpose of this policy is to ensure that the City maintains a prudent level of financial resources to protect against the need to reduce service levels due to temporary revenue shortfalls or unpredicted one-time expenditures.

1. The City will maintain fund balances of the various operating funds of the City at adequate levels to mitigate current and future risks from revenue shortfalls or unanticipated expenditures and at levels sufficient to protect the City's creditworthiness as well as its financial position from unforeseeable emergencies.
2. The City shall establish a contingency reserve to provide for unanticipated expenditures of a nonrecurring nature to meet unexpected increases in service delivery costs. In accordance with local budget law in the State of Oregon, the contingency reserve must be an appropriated budget item, though funds may not be directly disbursed from the contingency reserve. Amounts must be reclassified into another appropriation of a fund) or a supplemental budget. The City shall maintain minimum contingency amounts for the following funds:
 - a. General Fund – 15% of total appropriations
 - b. Building Fund and all Utility Funds – 15% of operational requirements
 - c. Capital Development Funds – net balance of the fund
3. Unappropriated Fund Balances are amounts that are set aside for future years and cannot be transferred by resolution or appropriated through a supplemental budget, unless necessitated by a qualifying emergency as defined in Oregon Revised Statutes (ORS) 294.481. Reserves for Future Expenditure are amounts that are planned to be saved for use in future fiscal years. If the need arises during the fiscal year to spend reserves, a supplemental budget may be adopted to appropriate the expenditure, as defined in ORS 294.471. The City should maintain the following as either Unappropriated Fund Balances or Reserves for Future Expenditures:
 - a. General Fund – 10% of total appropriations to provide the City with the necessary working capital until property tax receipts are received from the County Treasurer in November.
 - b. Building Fund – net balance of building related fees, as per ORS 455.210
 - c. Utility Funds – net balance of fund
4. Other individual funds may have contingency or reserve requirements set by the Tualatin Municipal Code, State Statutes, Bond Covenants or other legally binding documents.

The amounts recommended above may be exceeded as circumstances warrant due to special operational or capital project needs, but the City will adhere to the policy that expenditures which are anticipated, expected to occur during the fiscal year and can reasonably be ascertained and estimated, should be part of the basic budgeted appropriations.

VII. Capital Asset Management Policy

This policy addresses capital asset planning, acquisition, funding and management in order to ensure fiscally responsible stewardship.

1. The City will maintain its physical assets at a level adequate to protect the city's capital investments and to minimize future operating costs.
2. The City will determine the most cost effective funding method for its capital projects and will obtain grants, contributions and alternative sources of funding when possible.
3. To the extent allowed by law, system development charges will be designed to recapture from new private development the full cost of community assets in place at the time for the development and the necessary expansion of those systems caused by increased demand on those assets.
4. The capitalization threshold used in determining if a given asset qualifies for capitalization is \$5,000 per item.
5. The Finance Department will maintain a capital asset inventory.
6. Adequate insurance shall be maintained on all capital assets.

VIII. Accounting, Auditing & Financial Reporting Policy

The City shall comply with federal, state, and local statutes and regulations and conform to generally accepted accounting practices as promulgated by the Governmental Accounting Standards Board (GASB), The American Institute of Certified Public Accountants (AICPA), and the Government Finance Officers Association (GFOA).

1. The Finance Director and staff will prepare and present regular reports that analyze, evaluate, and forecast the City's financial and economic conditions.
2. Monthly financial statements will be provided to all departments for their review.
3. Internal controls and procedures will be maintained.
4. An annual audit shall be performed by an independent public accounting firm, which will issue an opinion on the Comprehensive Annual Financial Report (CAFR), along with a management letter identifying areas needing improvement, if necessary.
5. The City will submit the CAFR to the GFOA for its "Certificate of Achievement for Excellence in Financial Reporting" program.
6. The City will issue annual financial reports in accordance with generally accepted accounting principles (GAAP) as outlined in the Governmental Accounting, Auditing of Financial Reporting (GAAFR) publication.

IX. Debt Policy

This policy establishes guidelines for debt financing that will provide needed capital equipment and infrastructure improvements while minimizing the impact of debt payments on current revenues.

1. The Finance Director will structure all debt issuances and oversee the on-going management of all City debt. Debt includes general obligation bonds, lease purchase obligations, revenue bonds, special assessment obligations, promissory notes, equipment financing agreements and any other contractual agreements that obligate the City to make future principal and interest payments.
2. Capital projects financed through the issuance of bonds shall not be financed for a period which exceeds the useful life of the project.
3. The City will strive to maintain its high bond rating, and will receive credit ratings on all its bond issues.
4. No debt shall be issued for which the City has not identified specific revenue sources sufficient for repayment. The Finance Director shall prepare an analysis of the source of repayment prior to issuance of any debt.
5. The City will not use long-term debt to fund current operations, to balance the budget or to fund projects that can be funded from current resources, unless the debt is otherwise determined to be in the best interest of the City.
6. The City may utilize short-term debt or inter-fund loans as permitted, to cover temporary cash flow deficiencies due to timing of cash flows.
7. The City shall ensure that its debt margins are within the 3% RMV (real market value) limitation as set forth in ORS 287A.004§2.

City Council Meeting

Meeting Date: 05/08/2017

SPECIAL REPORTS: Tualatin Chamber of Commerce Special Report

Submitted For: Sherilyn Lombos, City Manager

SPECIAL REPORTS

Tualatin Chamber of Commerce Special Report

SUMMARY

Linda Moholt, CEO of the Tualatin Chamber of Commerce will provide a report to the City Council.



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: 05/08/2017

SUBJECT: Consideration of **Resolution No. 5318-17** Authorizing the City Manager to Sign an Intergovernmental Agreement between Clackamas County, Metro, Lake Oswego, Tualatin and West Linn regarding Stafford Urban Reserve Area

ISSUE BEFORE THE COUNCIL:

Consideration of Resolution No. 5318-17 authorizing the City Manager to execute an Intergovernmental Agreement -(IGA) with Metro, Clackamas County, the City of Lake Oswego and the City of West Linn Relating to Urban Reserves in the Stafford Area.

RECOMMENDATION:

Staff recommends that the City Council authorize the City Manager to execute a 5-party IGA with Metro, Clackamas County, and the Cities of Lake Oswego and West Linn.

EXECUTIVE SUMMARY:

The Metro Council and the Clackamas County Commission are working to finalize the designation of urban and rural reserves; Clackamas County is set to adopt findings on May 11. The cities of Tualatin, Lake Oswego and West Linn have long opposed the designation of the Stafford area as an urban reserve due to concerns regarding infrastructure and whether urban level services can be efficiently and cost-effectively provided by appropriate and financially capable service providers.

The IGA language alleviates the concerns of the cities by ensuring that the cities will have control over the planning, process and timing for the urbanization of Stafford. It also ensures that the parties will coordinate with one another and with any affected special districts serving Stafford and that the Stafford area will not be urbanized before the appropriate urban services are available.

The IGA dictates that Stafford will be governed by one or more of the three cities upon expansion of the urban growth boundary and annexation. The governing city will have the authority to decide what land uses would be planned for, and when and how municipal services will be provided. Prior to adding any part of Stafford to the UGB, the city that will be responsible for annexing that part of Stafford must first have developed a concept plan for the area. It is agreed that the cities will coordinate concept planning with one another, the County and special

districts.

It is also agreed that Metro and the County will undertake a transportation planning project to study and plan for transportation and other public infrastructure in the Stafford area, and that the widening of I-205 from Oregon City to Stafford Road will continue to be a top priority.

Attachments: Resolution 5318-17
 Stafford IGA

RESOLUTION NO. 5318-17

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH METRO, CLACKAMAS COUNTY, THE CITY OF LAKE OSWEGO, AND THE CITY OF WEST LINN RELATING TO URBAN RESERVES.

Whereas, this Intergovernmental Agreement (IGA) is made under ORS 195.141 and ORS 190.010 to 190.110.

Whereas, the Metro Council and the Clackamas County Commission are working to finalize the designation of urban and rural reserves by adopting findings in support of the decisions made by the Metro, Clackamas County, Multnomah County, and Washington County in 2010;

Whereas, Tualatin and the cities of Lake Oswego and West Linn opposed the designation of Metro study areas 4A, 4B, 4C and 4D ("Stafford") as urban reserve because of concerns with regard to efficient use of existing and currently planned future public infrastructure investments and whether urban level public services can be efficiently and cost-effectively provide by appropriate and financially capable service providers;

Whereas, the Parties wish to resolve the dispute over the designation of Stafford and enter into this IGA;

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 an IGA with Metro, Clackamas County, Lake Oswego, and West Linn, relating to urban reserves.

Section 2. This resolution is effective upon adoption.

INTRODUCED AND ADOPTED this 8th day of May, 2017.

CITY OF TUALATIN OREGON

BY _____
Mayor

APPROVED AS TO LEGAL FORM:

ATTEST:

BY _____
City Attorney

BY _____
City Recorder

**INTERGOVERNMENTAL AGREEMENT
STAFFORD URBAN RESERVE AREAS**

THIS INTERGOVERNMENTAL AGREEMENT ("Agreement") is made this ____ day of May 2017, by Clackamas County ("County"), Metro, the City of Lake Oswego, the City of Tualatin, and the City of West Linn (individually a "City", collectively the "Cities") (together the "Parties"). This is an addendum to the Intergovernmental Agreement between Metro and Clackamas County To Adopt Urban and Rural Reserves entered into pursuant to ORS 195.141 and ORS 190.010 to 190.110 and dated March 3, 2010 ("Reserves IGA").

RECITALS

1. The Metro Council and the Clackamas County Commission are working together to finalize the designation of urban and rural reserves by adopting findings in support of the decisions made by the Metro, Clackamas County, Multnomah County, and Washington County in 2010;
2. Under state law, Metro and the three counties in the region are tasked with identifying those areas adjacent to the existing urban growth boundary (UGB) that are best suited for providing land to accommodate urban growth in the region over the next 40 to 50 years;
3. The Cities have long opposed the designation of Metro study areas 4A, 4B, 4C and 4D ("Stafford") as urban reserve because of concerns with regard to efficient use of existing and currently planned future public infrastructure investments and whether urban level public services can be efficiently and cost-effectively provide by appropriate and financially capable service providers;
4. The Parties recognize that resolving the dispute over the designation of Stafford will enable the parties to focus collaboratively on planning for and providing urban services and prioritizing the needed regional improvements to the transportation system, such the widening of I-205 from Oregon City to Stafford Road;
5. The Parties enter into this IGA in order to alleviate the concerns of the Cities and better support the designation of Stafford under the Factors by ensuring an orderly process for the urbanization of Stafford where the Cities will have control over the planning, process and timing for the urbanization of Stafford, that the Parties will coordinate with one another and with any affected special districts serving Stafford on the effective date of this Agreement, and that Stafford will not be urbanized before appropriate urban services will be available; and
6. The Parties also desire to recognize that the Stafford Hamlet and surrounding area is a unique enclave in Clackamas County that has a long standing agricultural heritage, significant environmental assets, and valued open space that should be preserved through the concept planning process;

NOW, THEREFORE, it is mutually agreed that the Parties voluntarily enter into this Intergovernmental Agreement addressing issues and concerns raised by the Cities regarding the designation of Stafford as an urban reserve. Specifically, the Parties agree as follows:

1. **City Governance.** The Parties agree that Stafford will be governed by one or more the Cities upon expansion of the urban growth boundary and annexation. The governing City will have the authority to decide what land uses should be planned for, and when and how municipal services will be provided. Notwithstanding anything to the contrary in the Reserves IGA, Exhibit B, Section 4, or Metro Code Sections 3.07.1105 to 3.07.1130 ("Title 11"), Metro and the County will oppose any future effort to incorporate a new city or create service districts to provide water or sanitary sewer services in Stafford outside of a city, unless there is no practicable alternative to creation or expansion of a sewer district in order to remediate a health hazard created by development in existence on the effective date of this IGA.
2. **Completion of a City Concept Plan.**
 - a. The Parties recognize that the Cities will be the public bodies that have the responsibility to plan for any future urbanization of Stafford and that the urbanization of Stafford will only occur upon annexation to one or more of the Cities. Prior to adding any part of Stafford to the UGB, the City that will be responsible for annexing that part of Stafford must first have developed a concept plan for the area describing how the area will be planned and developed after inclusion in the UGB. The timing for commencement and completion of a concept plan will be up to the City.
 - b. The Cities will coordinate concept planning with one another and with the County and special districts serving Stafford on the effective date of this Agreement to determine which City or special district is the appropriate urban services provider for each part of Stafford. The Parties agree to develop a preliminary concept plan to address transportation, density, community character, and infrastructure issues to help ensure that future, more detailed sub-area "concept plans" can be developed and coordinated. The parties agree to participate in good faith in future planning efforts for the Stafford Basin, in coordination with each other and other public, private, and community stakeholders.
 - c. Each governing City will be responsible for determining the pace and timing of future development within an area to be incorporated into the UGB. The form and character of development will be determined through the concept planning process under Title 11 and Section 2 of this Agreement, and will be consistent with community values and environmental requirements.
 - d. The County shall not amend the Comprehensive Plan or Zoning and Development Ordinance or the Comprehensive Plan Map or zoning designations:

in order to help address the significant transportation infrastructure issues related to future urbanization of Stafford as well as other regional transportation needs.

7. **Transportation and Infrastructure Improvements.** Urbanization and urban development will be planned to coincide with transportation and infrastructure improvement necessary to serve such development.
8. **The Findings.** This IGA will be entered into the record of the Metro and Clackamas County proceedings on the remand of the 2010 Stafford urban reserve designation. The Metro and County remand findings will cite this IGA as evidence necessary to meet the designation requirement under ORS 195.145(5)(c) and OAR 660-027-0050(3) that the Stafford area can be served by urban level public facilities and services efficiently and cost-effectively by appropriate and financially capable service providers.
9. **No Appeal by the Cities.** In consideration for the promises and commitments made herein, the Cities agree that the Cities will not challenge the designation of Stafford as Urban Reserve either before the State of Oregon Land Conservation and Development Commission or by appeal to the Oregon Court of Appeals.
10. **Governing Law.** The laws of the State of Oregon will govern this Agreement and the Parties will submit to the jurisdiction of the courts of the State of Oregon.
11. **Amendments.** This Agreement may be amended at any time with the written consent of all Parties.
12. **Severability.** If any covenant or provision of this Agreement is adjudged void, such adjudication will not affect the validity, obligation, or performance of any other covenant or provision which in itself is valid if such remainder would then continue to conform with the terms and requirements of applicable law and the intent of this Agreement.
13. **Term.** This Agreement will terminate on the same date as the Reserves IGA, December 31, 2060, unless terminated earlier by agreement of the Parties. If during the term of this Agreement there is a change in applicable law or other circumstance that materially affects compliance with one or more provisions of this Agreement, the Parties agree to negotiate in a good faith a revision to this Agreement to address such law or circumstance in manner consistent with the intent of this Agreement.

IN WITNESS WHEREOF, each party has caused this Intergovernmental Agreement to be executed by its duly authorized representative on the date first mentioned above.

Metro Council

Dated: April __, 2017

Clackamas County

Dated: April __, 2017

City of Lake Oswego

Dated: April __, 2017

City of Tualatin

Dated: April __, 2017

City of West Linn

Dated: April __, 2017