



City of Tigard

Tigard Business Meeting - Agenda

TIGARD CITY COUNCIL AND LOCAL CONTRACT REVIEW BOARD

MEETING DATE AND TIME: November 9, 2010 - 6:30 p.m. Study Session; 7:30 p.m. Business Meeting

MEETING LOCATION: City of Tigard - Town Hall - 13125 SW Hall Blvd., Tigard, OR 97223

PUBLIC NOTICE:

Anyone wishing to speak on an agenda item should sign on the appropriate sign-up sheet(s). If no sheet is available, ask to be recognized by the Mayor at the beginning of that agenda item. Citizen Communication items are asked to be two minutes or less. Longer matters can be set for a future Agenda by contacting either the Mayor or the City Manager.

Times noted are *estimated*; it is recommended that persons interested in testifying be present by 7:15 p.m. to sign in on the testimony sign-in sheet. *Business agenda items can be heard in any order after 7:30 p.m.*

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting by calling: 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

VIEW LIVE VIDEO STREAMING ONLINE:

<http://www.tvctv.org/government-programming/government-meetings/tigard>

CABLE VIEWERS: The regular City Council meeting is shown live on Channel 28 at 7:30 p.m. The meeting will be rebroadcast at the following times on Channel 28:

Thursday	6:00 p.m.	Sunday	11:00 a.m.
Friday	10:00 p.m.	Monday	6:00 a.m.



City of Tigard
Tigard Business Meeting - Agenda

TIGARD CITY COUNCIL AND LOCAL CONTRACT REVIEW BOARD

MEETING DATE AND TIME: November 9, 2010 - 6:30 p.m. Study Session; 7:30 p.m. Business Meeting

MEETING LOCATION: City of Tigard - Town Hall - 13125 SW Hall Blvd., Tigard, OR 97223

6:30 PM

- **STUDY SESSION**

- A. DISCUSS URBAN FORESTRY PROGRAM FUNDING
- B. UPDATE ON THE TREE GROVE PRESERVATION PROGRAM OPEN HOUSE
- C. DISCUSS THE PRELIMINARY NOVEMBER 2, 2010 ELECTION RESULTS
- D. ADMINISTRATIVE ITEMS

- **EXECUTIVE SESSION:** The Tigard City Council will go into Executive Session to discuss real property transaction negotiations, under ORS 192.660(2) (e). All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public. (Estimated time: 15 min.)



City of Tigard
Tigard Business Meeting - Agenda

7:30 PM

1. BUSINESS MEETING
 - A. Call to Order
 - B. Roll Call
 - C. Pledge of Allegiance
 - D. Council Communications & Liaison Reports
 - E. Call to Council and Staff for Non-Agenda Items

2. CITIZEN COMMUNICATION (Two Minutes or Less, Please)
7:35 p.m. (time is estimated)
 - A. Follow-up to Previous Citizen Communication
 - B. Tigard High School Student Envoy
 - C. Tigard Area Chamber of Commerce
 - D. Citizen Communication – Sign Up Sheet

3. CONSENT AGENDA: **7:45 p.m. (time is estimated)** (Tigard City Council and Local Contract Review Board) These items are considered routine and may be enacted in one motion without separate discussion. Anyone may request that an item be removed by motion for discussion and separate action. Motion to:
 - A.
 1. August 10, 2010
 2. September 14, 2010
 3. September 28, 2010
 - B.
 1. Tentative Agenda
 2. Council Calendar
 - C. Approve Submittal of Oregon Department of Transportation Flexible Funds Application for Improvements to 121st Avenue

D. Local Contract Review Board:

1. Award Contract for Street Sweeping Services to Water Truck Services, Inc.

- *Consent Agenda - Items Removed for Separate Discussion: Any items requested to be removed from the Consent Agenda for separate discussion will be considered immediately after the Council/City Center Development Agency has voted on those items which do not need discussion.*

4. PROCLAIM DECEMBER 6-12, 2010 HUMAN RIGHTS WEEK AND DECEMBER 10, 2010 HUMAN RIGHTS DAY
7:50 p.m. (time is estimated)

5. INFORMATIONAL PUBLIC HEARING TO CONSIDER A RESOLUTION ESTABLISHING CANTERBURY SANITARY SEWER REIMBURSEMENT DISTRICT NO. 50
7:55 p.m. (time is estimated)

- Open Public Hearing
- Hearing Procedures
- Staff Report: Community Development Department
- Public Testimony
- Staff Recommendation
- Council Discussion
- Close Public Hearing
- City Council Consideration: Resolution No. _____

6. INFORMATIONAL PUBLIC HEARING TO CONSIDER A RESOLUTION ADOPTING THE WATER RATE STUDY
8:15 p.m. (time is estimated)

- Open Public Hearing
- Hearing Procedures
- Staff Report: Community Development Department
- Public Testimony
- Staff Recommendation
- Council Discussion
- Close Public Hearing
- City Council Consideration: Resolution No. _____

7. CONSIDER A RESOLUTION AMENDING THE MASTER FEES AND CHARGES SCHEDULE TO INCREASE WATER RATES
8:30 p.m. (time is estimated)

- Staff Report
- Council Discussion
- Council Consideration: Resolution No. _____

8. REVIEW AND DISCUSS LEGISLATIVE AGENDA FOR 2011 OREGON LEGISLATIVE SESSION
8:40 p.m. (time is estimated)
 - Staff Report
 - Council Discussion

9. CONSIDER AMENDMENTS TO COUNCIL GROUNDRULES (RESOLUTION) AND CODE OF CONDUCT FOR APPOINTED BOARDS AND COMMITTEES (ORDINANCE AND RESOLUTION) - CONTINUED FROM THE OCTOBER 26, 2010 CITY COUNCIL MEETING
8:50 p.m. (time is estimated)
 - Staff Report - Council Groundrules
 - Council Discussion
 - Council Consideration - Resolution No. 10-____

 - Staff Report - Code of Conduct for Appointed Boards and Committees
 - Council Discussion
 - Council Consideration: Ordinance No. 10-____ and Resolution No. 10-____

10. UPDATE ON 3RD QUARTER COUNCIL GOAL STATUS
9:10 p.m. (time is estimated)
 - Staff Report
 - Council Discussion

11. COUNCIL LIAISON REPORTS
9:15 p.m. (time is estimated)

12. NON AGENDA ITEMS

13. EXECUTIVE SESSION: The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

14. ADJOURNMENT
9:20 p.m. (time is estimated)

AIS-210

Item #: A.

Business Meeting

Date: 11/09/2010

Length (in minutes): 20 Minutes

Agenda Title: Discuss Urban Forestry Program Funding

Prepared By: Todd Prager, Community Development

Item Type: Update, Discussion, Direct Staff

Meeting Type: Council Business Mtg - Study Sess.

Information

ISSUE

At its November 16, 2010 joint meeting with Council, the Tree Board wants to discuss the prospect of developing a comprehensive urban forestry funding proposal as part of their 2011 goals.

Staff wishes to provide background on the Tree Board's proposal in advance of the meeting, explain how it relates to the funding discussions that are part of the Urban Forestry Code Revisions project, and clarify whether Council is comfortable with the approach.

STAFF RECOMMENDATION / ACTION REQUEST

Receive briefing from staff in advance of the joint meeting with the Tree Board. Clarify for staff whether Council is comfortable with the approach to the upcoming urban forestry program funding projects.

KEY FACTS AND INFORMATION SUMMARY

The Tree Board is currently involved in two projects related to funding Tigard's urban forestry program.

The first funding project is the clarification and programming of the City's existing Tree Replacement Fund. On February 16, 2010 Council directed staff to work with the Urban Forestry Code Revisions Citizen Advisory Committee (which includes Tree Board representatives) to determine how the funds collected from developers as mitigation for tree removal over the past 15 years should be utilized (The Tree Replacement Fund balance is in excess of \$1.1 million and may reach \$2 million in the next fiscal year). The Tree Board developed a preliminary recommendation to expand the allowed uses of the Tree Replacement Fund for the Citizen Advisory Committee's consideration at their October 13, 2010 meeting. The Citizen Advisory Committee reviewed and discussed the Tree Board's recommendation and is formulating their recommendation. Staff recommends that the Tree Board carry forward the final proposal based on the consensus of the Citizen Advisory Committee to Council in February 2011.

The second funding project will be proposed to Council by the Tree Board during a joint meeting on November 16, 2010. The Tree Board will be seeking approval to work on implementation item 1.2.b in the Urban Forestry Master Plan (accepted by Council on November 10, 2009) as part of their goals for 2011. Implementation item 1.2.b says beginning in 2011 and ending in 2012, the City will "Investigate possible funding mechanisms to help support an ongoing tree and urban forest enhancement program." If Council approves this project, the Tree Board will work with staff to:

- Evaluate how the various components of the City's urban forestry program are funded,
- Identify funding gaps, and develop a proposal to Council on how to fill the funding gaps, and
- Develop a sustainable and ongoing urban forest enhancement program.

Staff recommends the proposal for this second funding project be reviewed and discussed by the Citizen Advisory Committee in May to June of 2011 before a final proposal is presented by the Tree Board for Council's consideration in September or October of 2011 in time for incorporation in the 2012-2013 budget.

The first funding project could result in an expansion of the allowed uses of the existing Tree Replacement Fund for

items such as preservation, education/outreach, and restoration in addition to its current use for tree planting. This will influence the available funding sources for the proposed second funding project, which is more comprehensive and is geared towards developing a sustainable and ongoing urban forest enhancement program (as opposed to simply a mitigation program).

Staff proposes to coordinate both funding efforts as follows:

- **October 2010** - Urban Forestry Code Revisions Citizen Advisory Committee discusses Tree Board recommendation on the allowed uses of the existing Tree Replacement Fund.
- **November 2010** - City Council/Tree Board joint meeting to review the Tree Board's 2010 work program, establish a work program for 2011, and introduce the Tree Board's draft principles for developing a sustainable and ongoing urban forest enhancement program.
- **December 2010 to February 2011** - Tree Board reviews Citizen Advisory Committee input on allowed uses of the existing Tree Replacement Fund, and prepares a recommendation to Council.
- **February 2011** - Joint City Council/Tree Board meeting to discuss recommendation regarding use of the existing Tree Replacement Fund and any budget outcomes for FY2011-2012.
- **March 2011 to April 2011** - Tree Board finalizes principles and drafts recommendations for a sustainable and ongoing urban forest enhancement program.
- **May 2011 to June 2011** - Citizen Advisory Committee reviews Tree Board's recommendations for a sustainable and ongoing urban forest enhancement program.
- **July 2011 to August 2011** - Tree Board discusses Citizen Advisory Committee feedback and finalizes their recommendations for a sustainable and ongoing urban forest enhancement program.
- **September or October 2011** - Joint City Council/Tree Board meeting to discuss recommendations for a sustainable and ongoing urban forest enhancement program.

This information is intended to provide Council more background on both urban forestry funding projects in advance of their joint meeting with the Tree Board. Staff would like Council to clarify whether they are comfortable with this approach, or if they would like to see a greater or lesser role of either the Citizen Advisory Committee or Tree Board in either of these projects.

OTHER ALTERNATIVES

N/A - Council discussion item with direction to staff requested.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

Council Goal 1.b - Update Tree Code

Urban Forestry Master Plan Implementation Item 1.2.b

DATES OF PREVIOUS COUNCIL CONSIDERATION

February 16, 2010 - Council directed staff to work with the Urban Forestry Code Revisions Citizen Advisory Committee on the clarification and programming of the Tree Replacement Fund.

November 10, 2009 - Council accepted the Urban Forestry Master Plan which states the City will investigate funding for an ongoing tree and urban forest enhancement program.

Attachments

Draft Guiding Principles for Funding Tigard's Urban Forestry Program



City of Tigard

Guiding Principles for Funding Tigard's Urban Forestry Program

Guiding Principles

The City of Tigard's urban forestry program shall be informed by the following guiding principles:

1. Funding for urban forestry needs to come from multiple sources, not just the Tree Fund.
2. A comprehensive urban forestry program includes preservation, planting, maintenance, education/outreach, planning, and enforcement whether for public or private property.
3. Funding for urban forestry needs to be consistent with the legal requirements of the funding source, and appropriate for the components it is supporting.
4. City Council decision making should be informed by the spectrum of community interests and City Departments that have an interest in urban forestry funding.

AIS-215

Item #: B.

Business Meeting

Date: 11/09/2010

Length (in minutes): 10 Minutes

Agenda Title: Update on the Tree Grove Preservation Program Open House

Prepared By: Darren Wyss, Community Development

Item Type: Update, Discussion, Direct Staff

Meeting Type: Council Business Mtg - Study Sess.

Information

ISSUE

The City held an open house on October 6, 2010 to receive public input on the tree grove preservation program element of the Urban Forestry Code Revision project. City staff will present what was heard from the public at the open house.

STAFF RECOMMENDATION / ACTION REQUEST

Receive update and provide input.

KEY FACTS AND INFORMATION SUMMARY

In the fall of 2009 Council accepted the City's first Urban Forestry Master Plan (UFMP). One of the community's top priorities identified in the UFMP is preservation of Tigard's remaining native tree groves through a flexible and incentive based program. Development of this program is underway as one component of the larger effort to update the City's approach to urban forestry regulations through the Urban Forestry Code Revisions project.

The City has contracted with Winterbrook Planning to assist with developing a tree grove preservation program under the rules of Statewide Planning Goal 5. Winterbrook completed the first step of the process, an inventory of tree groves, based on direction given by Council at its joint meeting with the Planning Commission on July 20, 2010. Goal 5 rules require notification of property owners that fall within the inventory boundaries and Winterbrook's approach is to invite the property owners to an open house for distributing information to them and answering property owner questions.

The open house was held on October 6, 2010 in the Tigard Library Community Room to receive public input on the tree grove preservation element of the Urban Forestry Code Revision project. A total of 663 property owners were mailed notice that a portion of an identified tree grove was on their property and invited to the event. The community at large was also invited to attend through press release, Cityscape article, interested parties list, and direct staff contact.

A total of 58 community members signed in at the open house but the total estimated attendance is closer to 80 because only one person from many multiple person groups signed in. Staff from the City and Winterbrook Planning were available for questions and discussion. Based on responses (Attachment 1) to the comment card (Attachment 2), conversations with attendees, and phone calls prior to the open house, staff feels the support of the community is positive and consistent with the UFMP recommendation of developing a tree grove preservation program.

The two biggest concerns raised by the community to this point is the ability to remove hazard trees and retaining the ability to develop the property if they choose to do so in the future. The message from staff has been consistent, that hazard trees within a tree grove will be treated the same as outside a tree grove. Regarding development of property, the message has been the tree grove preservation program is intended to be flexible and incentive based and, through this process, the City is looking for ways to provide options to property owners who would like to retain the tree groves on their property but would be limited in their choices by the current development code.

At this point, staff does not feel there is a sentiment among property owners that would result in a wholesale

removal of trees before a program could be established. Staffs' messages of flexibility and incentives have been consistent and received favorably and interim regulations should not be necessary at this time. If, as the project progresses, a shift toward a more regulatory approach were to emerge, the subject of interim regulations should be revisited.

Additionally, based on Council feedback, the project will now be titled the Tigard Tree Grove Preservation Program as opposed to the original title including the term protection.

OTHER ALTERNATIVES

N/A

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

1b. Update Tree Code

Tigard Urban Forestry Master Plan

DATES OF PREVIOUS COUNCIL CONSIDERATION

July 20, 2010 - Joint Meeting with Planning Commission - Tree Grove Inventory Discussion

Attachments

Attachment 1: Comment Card Results

Attachment 2: Comment Card

Tree Grove Preservation Program
Open House
October 6, 2010
Tigard Library Community Room



Attendance: 58 people signed in

Comment Card Results:

7 People own property with an inventoried tree grove and support the City's effort to protect tree groves

Additional Comments:

Bob Gordon

- Why was a senior Tigard Exec. Or Councilperson not in attendance?
- How can this program truly succeed without legislative change, rather than "voluntary compliance?"
- Will This Just be another example of City Council "lip service," or will we finally show real commitment to quality of life in Tigard?

The Brandon Family

- (Do you support the City's effort to protect tree groves?) and I also support the continued strong input of land-owners. Thank you for keeping that alive! (and in the public, open)
- I am hesitant to blanket support these (incentive-based regulations). Would depend on the code, wording, case-by-case for each revision. So, maybe.
- Recognition and tax incentives are the best.
- We deeply appreciate the City's efforts to protect trees and groves in Tigard. Thank you!
- This evening has been helpful, and we made a couple of useful networking connections.... And learned a few things.
- Thank you also for mailing us a postcard of the event, invitation. Deeply appreciated!
- P.S. The plant-and-it-grows handout is awesome. And shows respect for trees. (Wish all the paper had been ☺)

Terri Kennett

- We bought our home because of the tree grove and the fact it was in Tigard's City limits. We love this idea.
- Love to hear how it goes along and if you have a good response.
- We want to save as much for trees for all generations.

Margaret Harber

- We wish to maintain the beauty of the land and enjoy the quality of life a forested living environment provides. It promotes long term, committed residents who want to see these spaces preserved.

Linda K. Steiner

- There are only a few areas left that have significant habitat for wildlife – Tigard must take a stand and preserve what is left as developers don't care about habitat – they come into a beautiful green area and destroy what was valuable to the aesthetics of our City, our neighborhoods.
- Let's work together to keep what's left in Tigard.

Anonymous

- (Which options for protection would you support?) Don't know without details.

3 People own property with an inventoried tree grove and do not support the City's effort to protect tree groves

Additional Comments:

Bob Ludlum

- Would prefer the property be preserved but am retired so will probably sell acreage to developer if not government entity or NGO purchases it.

3 People own property with an inventoried tree grove and don't know if they support the City's effort to protect tree groves

Additional Comments:

Dave/Cathy Leary

- (Do you support the City's effort to protect tree groves?) It depends.
- (Which options for protection would you support?) Do not know yet.

Kathy Baxter

- (Incentive-based code revisions) Depending on what they are.
- It was very hard to get an ear to ask a question. I gave up. Maybe a meeting where a question asked by one individual could be heard by all and the answer could be heard by the whole group would be better.
- I would rather my tax money not be spent on free food for all attendants. We came for info, not treats.

Bill Finck

- In regards to item 3c:
 - The City, some years back, asked us to develop/build within the City limits and not build outside the City limits. Therefore the "Urban City Development Growth" was a city law or standard. Now you asked us to "Protect the tree groves." Now we cannot build on our own property because of the protected trees. This sounds like a double standard???Please respond.
- In addition, our taxes should be lowered or "stopped increases" if you tell us to protect our tree groves and we cannot build.
- Please respond

7 People do not own property with an inventoried tree grove and support the City's effort to protect tree groves

Additional Comments:

John Frewing (by email dated October 7, 2010)

Darren,

I didn't have time to complete my 'comment card' at the open house last evening, and wanted to add my two bits to the discussion. I have followed the questions on the comment card.

1. I don't own property with and inventoried tree grove.
2. I support the city's effort to protect tree groves.
3. I think all three options for protection can and should be used, depending on the details of each.
4. Heard about open house via the Tree Code Revision CAC
5. John Frewing jfrewing@teleport.com

Additional comments:

A The city effort to preserve tree groves should include some consideration of what might be a tree grove or an extension of an existing tree grove maybe 20 years into the future. If an empty site has good soil or can be successfully planted, it should get SOME kind of protection as a future tree grove, so as to avoid development right next to a present-day tree grove. This is particularly important because of the odd-shaped identification of tree groves presented last night – there are narrow peninsulas of unidentified tree grove property.

B The city should immediately list the significant tree grove (valley ponderosa pines) south of Tiedeman and between the two railroad tracks (one being abandoned for city linear park). It exists because it was between railroad tracks and not very developable, but with adjacent city park, it makes sense to protect it officially.

Thanks for considering this input. John Frewing

Anonymous

- Remove damaged diseased tree with new replacement health trees

Holly Lacomette

- (Which options for protection would you support?) Anything that works.

Dave and Mel

- I hope that open space and nature parks will be preserved before it becomes too late.

One person does not own property with an inventoried tree grove and does not support the City's efforts.

"I live near a big grove full of trees, and all these people want to tear it apart. I would do anything to protect this forest." (Abraham, age 12)





Tigard Tree Grove Protection Program Comment Card

1. Do you own property with an inventoried tree grove?

Yes

No

2. Do you support the City's effort to protect tree groves?

Yes

No

3. Which options for protection would you support?

- a. Incentive-based code revisions
- b. Purchase/recognition incentives
- c. Tax incentives

Use back for additional comments

4. How did you hear about the open house?

5. To receive updates via the interested parties list, please provide:

Name:

Email:



Tigard Tree Grove Protection Program Comment Card

1. Do you own property with an inventoried tree grove?

Yes

No

2. Do you support the City's effort to protect tree groves?

Yes

No

3. Which options for protection would you support?

- a. Incentive-based code revisions
- b. Purchase/recognition incentives
- c. Tax incentives

Use back for additional comments

4. How did you hear about the open house?

5. To receive updates via the interested parties list, please provide:

Name:

Email:

Business Meeting

Date: 11/09/2010

Length (in minutes): 15 Minutes

Agenda Title: Discuss the Preliminary November 2, 2010 Election Results

Prepared By: Kathy Mollusky, Public Works

Item Type: Update, Discussion, Direct Staff

Meeting Type: Council Business Mtg - Study Sess.

Information

ISSUE

Discuss the preliminary November 2, 2010 election results for the WCCLS Local Option Levy Renewal, the County Public Safety Levy renewal, and the Tigard Parks Bond Measure. What are the next steps given the election results (which are unknown as of this writing)?

STAFF RECOMMENDATION / ACTION REQUEST

There is no staff recommendation.

KEY FACTS AND INFORMATION SUMMARY

There are several local measures on the November 2, 2010 ballot which affect the City. These measures include:

- Measure 34-179 - Renewal of Local Option Levy for Countywide Public Safety
- Measure 34-180 - Renewal of Local Option Levy to Support Countywide Library Services
- Measure 34-181 - Bond to Acquire Open Spaces, Protect Clean Water, Improve Parklands

Although not official, preliminary election results will likely be available by the November 9 meeting. The Council may wish to informally discuss the election outcomes and how these outcomes affect the City.

OTHER ALTERNATIVES

The Council could choose not to discuss election results.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

City Council Goal 1 - "Strategize with Park and Recreation Advisory Board on a 2010 Parks Bond"

City Council Goal 2 - "Support 2010 Washington County Cooperative Library Services (WCCLS) and Washington County Public Safety Levies"

DATES OF PREVIOUS COUNCIL CONSIDERATION

Throughout the past year, the City Council has held several discussions on the various measures and their potential impact on the City and its citizens.

Fiscal Impact

Cost: 0

Budgeted (yes or no): N/A

Where Budgeted (department/program): N/A

Additional Fiscal Notes:

There is no cost associated with this agenda item. However, the outcome of three measures, namely the park bond, library renewal, and public safety renewal, will have a direct impact on City finances.

AIS-263

Item #: 3. A.

Business Meeting

Date: 11/09/2010

Length (in minutes): Consent Item

Agenda Title: Approve City Council Minutes:

Prepared By: Cathy Wheatley, Administration

Item Type: Motion Requested

Meeting Type: Consent Agenda

Information

ISSUE

Approve Council Meeting Minutes

STAFF RECOMMENDATION / ACTION REQUEST

Approve minutes as submitted.

KEY FACTS AND INFORMATION SUMMARY

N/A

OTHER ALTERNATIVES

N/A

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

N/A

DATES OF PREVIOUS COUNCIL CONSIDERATION

N/A

Attachments

August 10, 2010 Council Minutes

September 14, 2010 Council Minutes

September 28, 2010 Council Minutes



City of Tigard
Tigard Business Meeting - Minutes

Agenda Item No. _____ Meeting of _____

TIGARD CITY COUNCIL & LOCAL CONTRACT REVIEW BOARD

MEETING DATE AND TIME: August 10, 2010 - 6:30 p.m. Study Session; 7:30 p.m. Business Meeting

MEETING LOCATION: City of Tigard - Town Hall - 13125 SW Hall Blvd., Tigard, OR 97223

Mayor Dirksen called the meeting to order at 6:30 p.m.

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Mayor Dirksen	✓	
Councilor President Wilson	✓	
Councilor Buehner	✓	
Councilor Henderson	✓	
Councilor Webb	✓	

Staff Present: City Manager Prosser, Public Works Director Koellermeier, Community Development Director Bunch, City Engineer Kyle, Assistant Finance and IT Director Smith-Wagar, Utility Division Manager Goodrich, Senior Project Engineer Murchison, City Recorder Wheatley, City Attorney Ramis

STUDY SESSION

- **PRESENTATION OF THE SANITARY SEWER MASTER PLAN**

City Engineer Kyle presented the staff report and PowerPoint presentation; copies are on file with the packet material. Key points included:

- In February 2007, the Council authorized the preparation of the Sanitary Sewer Master Plan.
- The project was to be integrated with Clean Water Services' update of the District-Wide Sanitary Sewer Master Plan.
- Tigard's master planning project examines the City's system capacity in more detail than the District-wide study.

An Executive Summary was also provided to the City Council.

TIGARD CITY COUNCIL/LCRB MINUTES – August 10, 2010

- PRESENTATION OF THE WATER SYSTEM MASTER PLAN

Senior Project Engineer Murchison presented the staff report and PowerPoint presentation; copies are on file with the packet material.

Tigard's Water System Master Plan is a 20-year plan that examines the water system infrastructure and its ability to deliver water to Tigard Water Service Area customers. This Master Plan analyzes the existing system, forecasts demand projections, and integrates the joint water supply with Lake Oswego. The Master Plan recommends two projects that will integrate the joint water supply with Lake Oswego, one project to extend long-term water supply and one project for fire flow deficiencies in the Canterbury Hill area.

The Sewer and Water System Master Plan, advised City Manager Prosser, are scheduled to come before the City Council on September 14, 2010 on the Consent Agenda for Council approval. After brief discussion, the Mayor and Council directed that these Plans be presented during the main business meeting so the public has an opportunity to view the presentation on these core City services.

- ADMINISTRATIVE ITEMS

- City Manager Prosser reported that Councilor Henderson asked that Item 3.5b be removed from the Consent Agenda for discussion. Part of the issue was that the Agenda Item Summary was incorrect and it has been revised. Council received a revised Agenda Item Summary for Item No. 3.5 b. for the LCRB award of contract for the Pavement Management Program Asphaltic Concrete Overlay to Knife River Corporation. The amount of the award was reduced to a not-to-exceed amount of \$475,000, which includes a small projected contingency of about \$17,000. The project was reduced with the removal of two streets: 98th Avenue from Scott Court to Greenburg Road and North Dakota Street from Greenburg Road to 95th Avenue.

Staff will respond to questions on Item 3.5b. at the time the Consent Agenda is considered during the Business Meeting.

- Council Calendar
August 17, Workshop Meeting - 6:30 p.m.
August 24, Business Meeting - Cancelled

City Manager Prosser read the following citation for the Executive Session:

- EXECUTIVE SESSION: The Tigard City Council went into Executive Session at 7:05 p.m. to review and evaluate the City Manager under ORS 192.660(2) (i).

Executive Session concluded: 7:27 p.m.

TIGARD CITY COUNCIL/LCRB MINUTES – August 10, 2010

1. BUSINESS MEETING

1.1 Mayor Dirksen called the meeting to order at [7:32:34 PM](#)

1.2 Roll Call:

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Mayor Dirksen	✓	
Councilor President Wilson	✓	
Councilor Buehner	✓	
Councilor Henderson	✓	
Councilor Webb	✓	

1.3 Pledge of Allegiance

1.4 Council Communications & Liaison Reports:

Mayor Dirksen reported that the Washington County Coordinating Committee met yesterday. There was discussion of a potential MSTIP 4 (a countywide appropriation for highway and road improvements). This was put on the “back burner” because of the economy and the County had implemented a Transportation Development Tax on new development. When this new tax was imposed, it was with the understanding that “the other leg of the stool” would be MSTIP 4 on existing development. The WCCC will move forward with discussions on how an MSTIP 4 appropriation might be formulated but initiation would not take place for a year or more.

Councilor Buehner reported that the Finance and Taxation Committee had a telephone conference meeting this morning. The League of Oregon Cities Board has voted that “Protect Shared Revenues” is the No. 1 priority. The second priority is to review all of the property tax exemptions that exist statewide to determine if they make sense and if there is a set of criteria that can be used. The third priority is to develop a strategy to educate the public about the long-term impacts of Measure 50 and 55 on local jurisdictions and how it is affecting the state budget.

1.5 Call to Council and Staff for Non-Agenda Items: None

2. CITIZEN COMMUNICATION

2.1 Follow-up to Previous Citizen Communication: None

2.2 Tigard Area Chamber of Commerce Update – Executive Director Mollahan presented an update of current events for the Chamber. A summary of her report is on file with the packet materials.

2.3 Citizen Communication – Sign Up Sheet: None

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[7:39:58 PM](#)

Mayor Dirksen reviewed the Consent Agenda:

3. CONSENT AGENDA: (Tigard City Council & Local Contract Review Board)
 - 3.1 Receive and File:
 - a. Council Calendar
 - b. Tentative Agenda
 - 3.2 Approve Council Minutes:
 - a. May 25, 2010
 - 3.3 Appoint Donald Schmidt, Current Planning Commission Alternate, to the Planning Commission - Resolution No. 10-41

RESOLUTION NO. 10-41 -- A RESOLUTION APPOINTING DONALD SCHMIDT TO THE PLANNING COMMISSION

- 3.4 Approve an Intergovernmental Agreement with the Tigard-Tualatin School District for the City of Tigard's Participation in Year Three of the Safe Schools Grant and Authorize the City Manager to Sign the Agreement
- 3.5 Local Contract Review Board:
 - a. Award Contract for Purchase of Two Chevrolet/Tahoe Police Vehicles through the State of Oregon Contract
 - b. *Award Contract for Pavement Management Program Pavement Overlay to Knife River Corporation – removed for separate consideration*

Motion by Council President Wilson, seconded by Councilor Webb, to approve the Consent Agenda, with Item No. 3.5 b removed for separate discussion.

The motion was approved by a unanimous vote of Council present.

Discussion of Item 3.5b:

Councilor Buehner advised she would recuse herself from discussion of 3.5b because one of the contractors is a family relation. Mayor Dirksen suggested Councilor Buehner recuse herself from the vote on this item, but not the discussion.

Councilor Henderson said there was a revision to the original staff report and he asked staff to explain the changes. Senior Management Analyst Barrett explained that when the original bids were received, they far exceeded the City Engineer's estimate along with what was left of the budget appropriations. After examining all the information for this item, the size of the project needed to be reduced to fit within budget appropriations. Senior Management Analyst Barrett referred to the revised Agenda Item Summary, which reflects

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removal of two of the streets from the original project. Those streets are: 98th Avenue from Scott Court to Greenburg Road and the North Dakota Street from Greenburg Road to 95th Avenue. By removing these two streets, the total contract award is reduced by about \$75,000. The award amount along with a small contingency of \$17,000 equals \$475,000.

In response to a question from Councilor Henderson, Senior Management Analyst Barrett explained they have not talked with the contractor yet. If the Council approves this item, staff can begin the negotiations with the contractor.

In response to a question from Councilor Henderson, Senior Management Analyst Barrett advised this was not a lump sum contract; it is a unit-priced contract. Staff is able to negotiate terms to reduce linear feet/miles.

Senior Management Analyst Barrett commented on the difference between the Engineer's Estimate and the bids received. Since February, asphalt prices have increased about 18.5 percent, which is greater than what staff anticipated.

Councilor Henderson reported his review of this bid. He noted the widespread range in mobilization numbers among the bids received. Senior Management Analyst Barrett said staff often sees varying amounts proposed in mobilization figures, possibly because this is where the contractors place their profit margin for the contract.

Councilor Henderson commented that Senior Management Analyst Barrett and Streets and Transportation Senior Project Engineer McCarthy participated in the bid process; however, he did not see where Senior Management Analyst Barrett also signed off on the staff report. He asked about the staff procedures. Senior Management Analyst Barrett commented on the newness of the agenda management software. Typically, he reviews agenda items proposed for the Local Contract Review Board. For this agenda item, the time schedule was compressed and all the reviews were done in just a few hours. Assistant Finance and IT Director Smith-Wagar also reviewed this agenda item before it went to City Manager Prosser. The City Manager explained that the review process for items created in the new software. The approvals route is from the originator to supervisor, and to the Department Director. If the item has a financial impact, it goes to the Finance Department and if it is an LCRB item, it goes to Senior Management Analyst Barrett before it goes to the Finance Director. The item then goes to the City Recorder before it comes to the City Manager for final sign-off.

Senior Management Analyst Barrett commented on changes to the process where the plan is to request bids much earlier next year than we did this year.

In response to a question from Councilor Henderson about budget appropriations. Assistant Finance and IT Director Smith-Wagar said this item was funded from the Street Maintenance Fee Fund.

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In response to a question from Councilor Henderson about the Garrett slurry pavement overlay commitment for \$335,000, Senior Management Analyst Barrett advised this was two projects. One is the standard Pavement Management Program (a component of the slurry seal program). The other project was for \$10,000 for the Garrett Street overlay. Streets and Transportation Senior Project Engineer McCarthy advised we received a grant to add a sidewalk and those bids were low, so money was left from the grant that was used to pay for most of the Garrett Street overlay, with the remaining costs paid through the Street Maintenance Fee fund. City Manager Prosser explained the accounting procedures; the total appropriation was a combination of Street Maintenance Fee funds and grant funds.

In response to a request for clarification from Councilor Henderson, Mayor Dirksen offered that \$1.2 million is the total revenue within the Street Maintenance Fee. The Pavement Management Program is a component of projects to be funded by the Street Maintenance Fee; another component is the Slurry Seal Program. Streets and Transportation Senior Project Engineer McCarthy added that the Street Maintenance Fee revenues would be increasing this year because of an increase to the fee. For paving projects, the money will not be spent until it is received. The \$1.2 million will be collected over the course of FY 10/11. We are spending this year what was collected in FY 09/10, which is budgeted at \$840,000 and, of that, \$12,000 is marked for right-of-way maintenance. Of the \$827,900 amount allocated for paving, \$315,000 is for the Slurry Seal Program that was on the Consent Agenda two weeks ago. About \$10,000 is for the remainder of the overlay on Garrett Street. Staff is now requesting \$475,000 for the Pavement Overlay Program.

7:51:29

Mayor Dirksen said it is his understanding, from reading the original Agenda Item Summary, that the Engineer's Estimate was \$458,000, which was within the appropriations. But, the lowest bid was \$533,000 and in excess of the available appropriation money. The Mayor said he now understands that with the removal of the two projects (revised Agenda Item Summary), the amount requested is \$475,000. Is this within the limit of the appropriation for the year? Senior Management Analyst Barrett responded, "Yes, it is."

Councilor Henderson said that after the Council considers this item and at a later time, he would like to review information to determine what the Street Maintenance Fee looks like. He added that he hoped staff was working with the contractor to make sure he could do the project. In response to a question from Councilor Henderson, Senior Management Analyst Barrett explained the contingency number was selected to make the project around \$475,000. After this is appropriated, there will be \$25,000 remaining in the Street Maintenance Fee Fund.

Streets and Transportation Senior Project Engineer McCarthy advised Councilor Henderson that the contract documents were prepared in-house. Senior Management Analyst Barrett advised there are budget appropriations in the Fund for staff time.

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Motion by Mayor Dirksen, seconded by Councilor Webb, to approve the contract award for the Pavement Management Program Pavement Overlay to Knife River Corporation.

The motion passed by a majority vote of Council present. Councilor Buehner did not participate in the discussion nor did she vote on this item.

Mayor Dirksen	Yes
Council President Wilson	Yes
Councilor Buehner	Abstained
Councilor Henderson	Yes
Councilor Webb	Yes

[7:54:38 PM](#)

4. LEGISLATIVE PUBLIC HEARING TO CONSIDER ADOPTION OF REVISED FINDINGS FOR THE URBAN FORESTRY COMPREHENSIVE PLAN AMENDMENT - CPA2008-00002

APPLICANT: City of Tigard, 13125 SW Hall Boulevard, Tigard, OR 97223

REQUEST:

To re-adopt the Comprehensive Plan Amendment pertaining to Tigard's Urban Forest, subject to new findings of fact.

LOCATION: Citywide

ZONE: All City zoning districts

APPLICABLE REVIEW CRITERIA:

Community Development Code Chapters 18.380 and 18.390; Comprehensive Plan Chapters Citizen Involvement, Land Use Planning, Natural Resources and Historic Areas, Environmental Quality; Hazards, Parks, Recreation, Trails & Open Space; Economic Development, Housing, Public Facilities and Services; Metro Functional Plan Titles 3 and 13; and Statewide Planning Goals 1, 2, 4, 5, 6, 7, 9, 10, 11 and 13.

- Mayor Dirksen opened the public hearing.
- Review Hearing Procedures: City Attorney Ramis reviewed the hearing procedures.
- Declarations: Does any Council member wish to declare or discuss a conflict of interest or abstention. None.
- Staff Report: Associate Planner Floyd gave the staff report and a copy of the written report is on file with the packet materials. [7:58:50 PM](#)
- Public Testimony
 - John Frewing, 7110 SW Lola Lane, Tigard, Oregon testified. His testimony included the following:

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- Concerned that there has been a two-year hiatus on this section of the Comprehensive Plan update and, as a citizen, he does not know what has transpired during that time.
- He does not know what the stipulated agreements are as referenced in the Agenda Item Summary. The public ought to be able to review these agreements before this item is considered by the City Council.
- He asked if the Council has reviewed the stipulated agreements.
- He was concerned about what was decided for the Homebuilders and asked how the HBA issues were settled.
- While the Comprehensive Plan language has not been changed, the findings are amended. He pointed out that the findings author the intent and because the findings support the policies, they can be used to argue a land use case to support the policy. He does not have a copy of the old findings vs. the new findings. These should be available for comparison.

Council President Wilson said Mr. Frewing’s concerns are valid and he had similar questions for staff. He said he wants to confirm with staff that the Homebuilders took issue with the Goal 5 language, with particular interest in the first paragraph, Page 4 of the findings, where it says:

The proposed Urban Forest Policy does not amend the City’s acknowledged Goal 5 Program or inventories. The Urban Forest Policy is aspirational and descriptive in nature in intent and effect...

These conflicts are historical and the discussions revolved around whether some of the Comprehensive Plan language is regulatory. Council President Wilson said he sees the proposed changes as “housekeeping” to avoid litigation and our intent is unchanged.

Associate Planner Floyd said the intent has not changed and these are housekeeping measures. The Homebuilders saw weaknesses in the previous findings; these updated findings are intended to avert litigation.

Associate Planner Floyd referred to Mr. Frewing’s testimony about the stipulated agreements. These agreements are in the file and are basically for extensions of time to file the record, which never occurred. City Attorney Ramis further explained that there was a criticism leveled by the Homebuilders that the findings did not explain clearly the intentions with respect to aspirational and regulatory aspects. The findings lay that out. The Homebuilders made the point that they understood the staff’s intention, but the language of the findings was not clear enough. These findings are an attempt to clarify.

City Attorney Ramis referred to the stipulations and agreements and confirmed that staff is correct. There are some stipulations by which we extended the time so that the Homebuilders and the staff could continue to have their conversations. Later, there was a stipulation whereby the City remanded the decision so the jurisdiction was back before the City Council. The idea was to address the litigation through conversation and exchange and

TIGARD CITY COUNCIL/LCRB MINUTES – August 10, 2010

then bring the issue before the City Council rather than to spend the money and time on litigation.

Mr. Frewing referred to Associate Planner Floyd's comment that there were findings on four of the statewide goals and now there are findings on six or eight; there are findings on some new goals. Mr. Frewing said he does not oppose this, but the wording gives a lot to the Homebuilders and not much to the citizens of Tigard. As an example, he referred to Statewide Planning Goal 10 (Page 6 of 19):

These goals and policies do not reduce the amount of buildable lands available nor require a lowering of allowable densities.

Mr. Frewing said there might be some forested lands or groves of trees, where the Code does not allow development. He said it looks to him as if the Homebuilders have tried to tighten up the provisions that favor their interest in getting the highest number of houses on a piece of land.

Mr. Frewing noted that Goal No. 9, Economic Development, says *this new policy calls for flexibility in development standards and appropriate tree planting requirements to ensure that the urban forest is sustained and in a manner that does not discourage investment or economic activity.* Mr. Frewing said that he thinks that saving trees in Tigard might, in fact, inhibit some particular development or economic activity. He said, "This is just another case where I think the HBA has squeezed in words here so that when we get down to an argument on some development years from now – if we're still alive – they will point to these words for support."

City Attorney Ramis said he wanted to be very clear on one point. This language was not vetted with the HBA; they did not offer this language. This is our staff's description of their intention that backs up the language of the Comprehensive Plan.

Councilor Buehner said it was important to recognize that these comments were made in other chapters of the Comprehensive Plan. Staff has reiterated the language that was included in other chapters and included that language in these findings.

In response to a question from Mr. Frewing whether staff agrees with Councilor Buehner's statement above, Associate Planner Floyd said these are broad aspirational goals and they do link into other goals and policies in the Comprehensive Plan. Mr. Frewing asked if these words were in the Comprehensive Plan in the findings under Goals 9 and 10 noting that 9 and 10 do not relate to trees. Mr. Floyd said that specific references to other sections of the Comprehensive Plan come later in the findings. In terms of what is before the Council tonight, these findings are bolstered by the annotated bibliography, which was also linked in support of the proposed revised findings. The language is broadly linking to the themes of the Comprehensive Plan in other areas.

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[8:16:32 PM](#)

- Staff Recommendation: Associate Planner Floyd said the staff recommends Council readopt the Urban Forest Comprehensive Plan text amendment as previously approved under Ordinance No. 08-08, subject to new findings contained in the Staff Report, Exhibit A, with any alterations that may be determined necessary through the public hearing process.
- Council Discussion

8:17:07

Councilor Webb supports the language as proposed by staff; noting similarities to what had been approved in 2008.

Councilor Buehner said she sees this predominately as a housekeeping item to avoid the expense of a LUBA process. The changes to the findings are de minimis and will save the public the cost of a LUBA appeal and take care of the HBA concerns.

Councilor Henderson asked if this had become a bottleneck in the Comprehensive Plan implementation. Associate Planner Floyd characterized this item as a “hanger on” where we needed to establish a firm legislative foundation for urban forestry. The Urban Forestry Program Development Code amendments are underway with discussions now at the Citizens Advisory Commission, so it is important to take care of this matter in a timely fashion. Mayor Dirksen said this is a good point. We have a task force in place that is looking at potential code amendments and they cannot fully address the matter until this legislative basis is in place.

Council President Wilson agreed this matter was essentially a housekeeping item. He said he appreciated Mr. Frewing’s comments to assure open and honest governance. He said he supported the recommendation of staff.

8:20:12

- Council Consideration: Ordinance No. 10-11

Motion by Councilor Webb, seconded by Council President Wilson to adopt Ordinance No. 10-11.

ORDINANCE NO. 10-11 -- AN ORDINANCE READOPTING COMPREHENSIVE PLAN AMENDMENT CPA 2008-00002 TO ADD GOALS, POLICIES, AND RECOMMENDED ACTION MEASURES PERTAINING TO STATEWIDE PLANNING GOAL 2, AS ORIGINALLY ADOPTED IN ORDINANCE 08-08

The motion was approved by a unanimous vote of Council.

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Mayor Dirksen	Yes
Council President Wilson	Yes
Councilor Buehner	Yes
Councilor Henderson	Yes
Councilor Webb	Yes

[8:21:41 PM](#)

5. RECEIVE COMPREHENSIVE PLAN PERIODIC REVIEW UPDATE

- Staff Report was presented by Senior Planner Wyss. A copy of the staff report is on file in the meeting packet material. The work program for the periodic review was approved by the Department of Land Conservation and Development on April 15, 2010. Per the ORS the City now has three years to complete the work program (April 15, 2013). He reviewed the tasks included in the work program and the schedule to complete the review.

The Planning Commission will be acting as the Advisory Committee for the periodic review. The Commission has already reviewed the materials for Task 1 and will meet in September to review Tasks 2 and 3 and the initial analysis of Task 4. The Commission will meet at their regular monthly meetings with the periodic review on their agenda throughout the remainder of the process with the goal to come up with an Economic Opportunities Analysis that suits the City's needs.

Senior Planner Wyss said he would return to the City Council in a few months for an update on the process.

8:27:45

- Council Discussion

Councilor Buehner asked when the remaining tasks would be undertaken as part of the Periodic Review. Senior Planner Wyss responded with the following timeline:

- Population and Housing Review – will be done this autumn and anticipates that it will be submitted by the end of the calendar year.
- Downtown Development Standards – will be done in the next couple of weeks.
- Economic Opportunities Analysis – will be submitted upon its completion around next May or June.
- Public Facility Plan – referred to the recent update of the Water and Sewer Master Plans as well as a scheduled update on the Transportation System Plan (to be submitted as a task by the end of this calendar year). All the information for these Plans along with the Storm Water Master Plan will be compiled and scheduled for completion by December 2012.
- Population Forecast and Coordination with Metro – is a standard work task that is identified for all Metro jurisdictions and assures that Metro is given information to assure that all jurisdictions are working under the same forecasting.

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Councilor Buehner noted that when working on the Urban and Rural Reserves Process, some parameters were established regarding population projections. She asked if we will have updated projections at the time we work on the Periodic Review, or will we be still be operating on the projections done for the 2009/10 study? Senior Planner Wyss said his understanding was that Metro is just finishing their forecast and starting the next model phase, so we will operate under the *point forecast* during our periodic review.

In response to a question from Councilor Henderson, Senior Planner Wyss advised that Periodic Review is supposed to occur every five-seven years. It has been the early 1990's since Tigard has gone through Periodic Review along with most other jurisdictions because of state funding issues. According to the Oregon Revised Statutes, once the Work Program is approved by the Department of Land Conservation and Development (DLCD), this is when the three-year clock begins. Councilor Henderson asked if the \$35,000 was adequate to fund this program. Senior Planner Wyss advised this amount was adequate; no matching funding was required by the City. The match is for staff and materials. The City will be doing much of the mapping and GIS analysis and because we update the buildable lands inventory every year, we already have that information.

In response to a question from Councilor Henderson about the format of the report, Senior Planner Wyss explained that each task is submitted separately to DLCD for compliance review and, if complete, the task will be removed from the work program.

- Mayor Dirksen asked for a procedural check saying he realized he did not officially close the previous public hearing. City Attorney Ramis advised this did not warrant procedure prejudice and no additional City Council Consideration was necessary.

6. RECEIVE UPDATE ON CAPITAL IMPROVEMENT PROJECTS

Staff presentation was reviewed on the following projects; a copy of the presentation is on file with the Council packet materials.

- 10 Million Gallon Reservoir Improvement and Transfer Pump Station Project (Presentation by City Engineer Kyle and Senior Project Engineer Murchison)
- Pacific Highway/ Greenburg Road/ Main Street/ and Hall Blvd intersection upgrade (Presentation by Streets and Transportation Senior Project Engineer McCarthy)

[8:55:02 PM](#)

7. CONSIDER AN ORDINANCE AMENDING THE TIGARD MUNICIPAL CODE TO ESTABLISH A PLANNING COMMISSION SUBCOMMITTEE AS THE DOWNTOWN DESIGN REVIEW BOARD AND CONSIDER A RESOLUTION TO APPOINT MEMBERS

Redevelopment Project Manager Farrelly presented the staff report.

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The issue before the Council was: *Shall Council approve an ordinance amending the Tigard Municipal Code Chapter 2.08 to establish a subcommittee of the Planning Commission to serve as the Downtown Design Review Board and approve a resolution appointing Planning Commissioner Karen Ryan and Planning Commission Alternates Donald Schmidt and Richard Shavy as members of the Design Review Board?*

Staff believes only a few applicants would choose the Downtown Review Board process for approval of their projects and most would choose the Type II decision path.

Creating a Downtown Design Review Board is a long-term goal; however, a separate board would have little to do. As an interim measure, staff recommends a subcommittee of the Planning Commission be designated as the Downtown Design Review Board.

Redevelopment Project Manager Farrelly reported there is an error in the staff report. The second paragraph in the Key Facts section of the Agenda Item Summary, it states that the subcommittee would make a recommendation to the Planning Commission but, in fact, the Design Review Board would have the authority to issue final orders. The ordinance contains the correct language.

The Planning Commission reviewed this course of action a couple of months ago and expressed support. Planning Commissioners Karen Ryan, Donald Schmidt along with Alternate Planning Commissioner Richard Shavy have volunteered to serve on this board.

An emergency is being declared for the ordinance should someone decide to use this procedure.

Councilor Buehner asked City Attorney Ramis if specific language was needed in the ordinance regarding the alternate member of the Planning Commission having voting rights on the Board. After discussion, City Attorney Ramis concluded the language as proposed is adequate.

- Council Consideration: Ordinance No. 10-12 and Resolution No. 10-42

Motion by Councilor Webb, seconded by Councilor Buehner, to adopt Ordinance No. 10-12.

ORDINANCE NO. 10-12 -- AN ORDINANCE AMENDING THE TIGARD MUNICIPAL CODE CHAPTER 2.08 AUTHORIZING THE TIGARD CITY COUNCIL TO APPOINT A SUBCOMMITTEE OF THE PLANNING COMMISSION TO SERVE AS THE DOWNTOWN DESIGN REVIEW BOARD FOR THE OPTIONAL TYPE III-C DISCRETIONARY DESIGN REVIEW PROCEDURE AS SPECIFIED IN THE TIGARD DEVELOPMENT CODE AND DECLARING AN EMERGENCY

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The motion was approved by a unanimous vote of City Council present.

Mayor Dirksen	Yes
Council President Wilson	Yes
Councilor Buehner	Yes
Councilor Henderson	Yes
Councilor Webb	Yes

Before consideration of Resolution No. 10-42 Councilor Buehner noted the language in the resolution title should be revised to identify Donald Schmidt as a Planning Commission member and not an alternate. Mr. Schmidt was appointed to the Planning Commission earlier this evening.

Motion by Councilor Buehner, seconded by Council President Wilson appointing Planning Commissioners Karen Ryan and Donald Schmidt and Planning Commissioner Alternate Richard Shavy as members of the Downtown Design Review Board.

RESOLUTION NO. 10-42 -- A RESOLUTION APPOINTING PLANNING COMMISSIONER KAREN RYAN AND DONALD SCHMIDT AND PLANNING COMMISSION ALTERNATES RICHARD SHAVEY AS MEMBERS OF THE DOWNTOWN DESIGN REVIEW BOARD

The motion was adopted by a unanimous vote of Council present.

Mayor Dirksen	Yes
Council President Wilson	Yes
Councilor Buehner	Yes
Councilor Henderson	Yes
Councilor Webb	Yes

9:04:18

8. CONSIDER WHETHER TO CALL A PUBLIC HEARING ON SEPTEMBER 14, 2010, FOR BOUNDARY CLARIFICATION BETWEEN THE CITY OF TIGARD AND THE TUALATIN VALLEY WATER DISTRICT

- Utility Division Manager Goodrich presented this agenda item. This is before the City Council to consider whether to call a public hearing for a boundary clarification. In November 2009 and December 2009 the Council reviewed and approved the withdrawal of territory from the Tualatin Valley Water District. One property, however, was omitted from the prior process, which must be redone to include the property. Staff is requesting to schedule a public hearing on September 14.

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Motion by Mayor Dirksen, seconded by Councilor Buehner, to set a public hearing to consider the proposed ordinance to withdraw territory from the Tualatin Valley Water District.

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Council President Wilson	Yes
Councilor Buehner	Yes
Councilor Henderson	Yes
Councilor Webb	Yes

9. COUNCIL LIAISON REPORTS: None

10. NON AGENDA ITEMS: None

11. EXECUTIVE SESSION: Not held

[9:06:44 PM](#)

12. ADJOURNMENT

Motion by Council President Wilson, seconded Councilor Webb, to adjourn the meeting.

The motion was approved by a unanimous vote of City Council present.

Mayor Dirksen	Yes
Council President Wilson	Yes
Councilor Buehner	Yes
Councilor Henderson	Yes
Councilor Webb	Yes

Catherine Wheatley, City Recorder

Attest:

Mayor, City of Tigard

Date: _____

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City of Tigard Tigard Business Meeting - Minutes

TIGARD CITY COUNCIL & LOCAL CONTRACT REVIEW BOARD (LCRB)

MEETING DATE: September 14, 2010
MEETING LOCATION: City of Tigard – Town Hall, 13125 SW Hall Blvd., Tigard, OR 97223
6:30 PM

STUDY SESSION

Council Present: Councilor Webb, Council President Wilson, Councilor Buehner, Councilor Henderson and Mayor Dirksen

Staff Present: City Manager Prosser, Assistant City Manager Newton, Public Works Director Koellermeier, Streets and Transportation Senior Project Engineer McCarthy, City Engineer Kyle, Assistant Community Development Director Hartnett, Deputy City Recorder Krager and City Attorney Hall

Mayor Dirksen called the Study Session to order at 6:31 p.m.

1. Discuss Selection of a Project for Metropolitan Transportation Improvement Program (MTIP) Funding

Public Works Director Koellermeier introduced this item and said the City had MTIP funds available for a project and asked Council for their direction on which of three top projects to pursue. He said Streets & Transportation Project Engineer McCarthy would describe each project.

Streets & Transportation Project Engineer McCarthy said all three were great projects that would be a good use of public funds. He distributed a matrix comparing the projects.

- A. Main Street/Green Streets Phase 2 – Tigard already has funding from Metro for Phase 1 which covers Main Street from the South end of the railroad tracks to Pacific Highway. Phase 2 would finish Main from Scoffins Street to the Main Street/Greenburg/Pacific Highway project.
- B. Pacific Highway/Gaarde /McDonald Street Intersection Improvements – This is a sequel to the Pacific Highway/Hall/Greenburg project and would be a significant intersection improvement. Total cost is \$7 million and could involve a third lane on Pacific Highway through the intersection and additional turn lanes. ODOT budgeted \$1 million to begin

conceptual design which is currently underway to examine the best place to add lanes. Another \$3 million is tentatively available in the 2012-13 biennium budget. He said ODOT is looking for a local commitment and as Tigard doesn't have a lot of money to put towards this project at this point, the MTIP funds could become part of a local match.

- C. Walnut Street from Tiedeman to 116th Street – This project finishes Walnut Street past Fowler Middle School, adding parking strips, sidewalks and bike lanes. He suggested keeping Walnut as a two-lane road except to add a center turn lane at the school driveway.

Councilor Webb asked if the City had already purchased the right of way for the Walnut Project. Streets & Transportation Project Engineer McCarthy said the City had bought right of way from Tiedeman to at least 116th which covers this entire project. Councilor Buehner said she was not convinced that it makes sense to put in parking strips just for four blocks. Streets & Transportation Project Engineer McCarthy said that could be worked out in the design process. He suggested that in places constrained by trees or front yards, the sidewalk could be made curb-tight. Councilor Henderson asked if the bike lane would be kept in and Streets & Transportation Project Engineer McCarthy said it would. Mayor Dirksen suggested asking the neighborhood association (not just those who live along Walnut) if they would rather have a left-turn lane or parking strips.

Streets & Transportation Project Engineer McCarthy said this MTIP funding was originally dedicated several years ago to widening Greenburg Road from Tiedeman to Highway 217 but the design process determined that the significant bridge widening required made this project impractical. He noted that Metro's purpose for this funding is to improve access for roads other than for cars, to a Regional or Town Center.

He said staff took this to the Tigard Transportation Advisory Committee who discussed at length the project alternatives to the Greenburg Road widening. He said their votes put the Walnut Street Project slightly ahead of the Pacific Highway/Gaarde/McDonald Intersection, and the Main Street/Green Street Project was a distant third.

Streets & Transportation Project Engineer McCarthy said he talked with Metro and ODOT representatives to find out which, if any of these projects have their support. He said they would likely support the Walnut Street Project but not as much as Main Street/Green Streets. However, they saw finishing Walnut Street as something they could fund because it provides safer pedestrian and cyclist access to both Tiedeman and the downtown area.

Streets & Transportation Project Engineer McCarthy said the Pacific Highway/Gaarde/McDonald Intersection has the most accidents and is also predicted to become the major pinch point on Pacific Highway once the Hall and Greenburg intersection projects are completed. He said a drawback is that the MTIP funding would only cover a portion of what is needed for the project.

In response to a question from Councilor Henderson, Streets & Transportation Project Engineer McCarthy said the Walnut Street Project would be significantly covered by this money. Councilor Buehner commented that the Walnut Street Project used to be the No. 1 priority prior to starting the downtown design. Streets & Transportation Project Engineer

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McCarthy said staff thought the Pacific/Gaarde/McDonald Intersection would be a significant benefit but there are issues with the funding. They noted that the Walnut Street Project has been a priority for a long time.

Councilor Buehner added that a few downtown business owners did not want Phase 2 of the Main Street/Green Street project.

In response to Councilor Webb's question about when the gas tax would be available for another intersection project, City Manager Prosser estimated it wouldn't be for eight or nine years.

Council discussed the dangers to pedestrians along the stretch of Walnut Street near Fowler Middle School. Council President Wilson commented that using safety as a qualifier; the statistics show more accidents in the Pacific/Gaarde/McDonald Intersection. He said if no local commitment is shown to that project, other funding sources may not be available for it in the future.

Councilor Buehner recommended choosing Project C - Walnut Street. Councilor Henderson said it appealed to him because there was enough money to get it done. Mayor Dirksen said the top two projects were equal in importance and he had mixed feelings. He noted that the whole region is looking at Pacific Highway and there is a greater chance that outside money could be found for Project B, than for Project C. He said that tended to tip his vote towards Walnut Street. He asked Streets & Transportation Project Engineer McCarthy if this perception was accurate. Streets & Transportation Project Engineer McCarthy agreed that it was.

Public Works Director Koellermeier asked if there was enough of a consensus to go forward with a recommendation for Project C – Walnut Street. Mayor Dirksen said he didn't hear a consensus but he did hear a majority for applying the MTIP funding to the Walnut Street Project.

2. Draft Letter to the Homebuilders Association

Mayor Dirksen asked Assistant Community Development Director Hartnett if the letter was drafted by County staff and directed at City staff rather than Council members. She said her understanding was that this was coming from Hillsboro and Tualatin Planning Departments with the support of their mayors. She said one concern is that if HBA pursues this appeal, there could be a lengthy time of uncertainty and the cities and county would suffer as a result. She said the intent was that a letter such as this from the mayors would stop that process. She said Metro was aware of the letter.

Mayor Dirksen asked Council for their recommendation on whether or not to sign this letter. Assistant Community Development Director Hartnett suggested an alternative would be to craft our own letter that suggested that the Construction Excise Tax not be tied up in a lengthy litigation; let's sit down and get this worked out. She said part of Metro's charge is to bring the jurisdictions together around these issues.

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Councilor Buehner and Council President Wilson were in favor of signing the letter. Councilor Henderson said he needed time to consider this. Assistant Community Development Director Hartnett said this information was sent out September 10, 2010. Mayor Dirksen suggested tabling it to give Council time to consider the letter and discuss it at next week's meeting.

Other Business:

- A. The date of November 8, 2010 was chosen for the Joint Meeting with Lake Oswego City Council.
- B. ODOT's Jason Tell is not available until the November 16, 2010 Council Workshop Meeting.
- C. City Manager Prosser said that Fred Fields has permits to cut trees on his land on Hunziker Street. Mayor Dirksen asked about mitigation and City Manager Prosser said Mr. Fields isn't required to do any. He cautioned Council to discuss this only in the most general terms to avoid legal issues.
- D. Town Hall – Mayor Dirksen reminded Council about the Town Hall on October 5 and said staff cannot be directed to create any materials for it regarding the parks bond measure because they are prohibited from promoting political causes while at work. Council has no such restriction.
- E. Fanno Creek House Consent Agenda Item – Councilor Henderson asked if this was in the Capital Improvement Plan (CIP) and City Engineer Kyle replied that it was. Mayor Dirksen expressed concerns that any improvements be architecturally appropriate for the style of the house. Engineer Kyle assured Council that the architect and staff share his concerns and they will make sure improvements look appropriate. Mayor Dirksen said this answered his questions so this item no longer needed to be pulled from the Consent Agenda for separate consideration.

The Study Session was adjourned at 7:21 PM.

1. BUSINESS MEETING

- A. 7:30:16 PM Mayor Dirksen called the meeting of the Tigard City Council to order.
- B. Deputy City Recorder Krager called the roll:

	Present	Absent
Councilor Buehner	x	
Mayor Dirksen	x	
Councilor Henderson	x	
Councilor Webb	x	
Council President Wilson	x	

- C. Pledge of Allegiance

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- D. Council Communications & Liaison Reports – Councilor Buehner said she wanted to give a report at the end of the meeting.
- E. Call to Council and Staff for Non-Agenda Items - None

2. CITIZEN COMMUNICATION

- A. Tigard High School Student Envoy Tracie Tran gave an update on THS activities and upcoming events. A copy of her report is on file in the meeting packet.
- B. Tigard Area Chamber of Commerce Director Debi Mollahan gave a report on the Tigard Chamber activities. She distributed to Council a copy of the 2010-2011 member and Business Directory. A copy of her report and the 2010-2011 Member and Business Directory are in the meeting packet file. Councilor Buehner commented that she attended a Chamber Lunch and Learn event and found it very worthwhile.
- C. Follow-up to Previous Citizen Communication – none
- D. Citizen Communication

Rob Cornilles, candidate for Oregon’s 1st Congressional District spoke. He gave his background and plans, if elected. He said he looks forward to being a good partner with Tigard.

Ellen Witham, a resident of Millen Drive said she wanted to advocate on behalf of urban chickens. She cited other laws in nearby cities. She said there are many reasons citizens want to have chickens in their backyards, noting that many people in Tigard already have chickens. She said she has chickens and wants to have them legally, but she doesn’t meet the code language.

Mayor Dirksen said that in response to her e-mails and others received, Community Development staff is working on statutes regarding keeping chickens and the Community Development Director will come up with a Director’s Interpretation of the law for clarification and to decide whether there is a need for modification. He said people are allowed to have chickens in the City of Tigard but there are limitations and restrictions.

- 3. CONSENT AGENDA: Mayor Dirksen read the consent agenda for the Tigard City Council and the Local Contract Review Board.
 - A. Approve Council Meeting Minutes:
 - 1. June 8, 2010
 - 2. June 22, 2010

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B. Appoint Members to the Parks and Recreation Advisory Board - Resolution 10-45 -

A RESOLUTION APPOINTING MARSHALL HENRY AND TROY MEARS AS MEMBERS TO THE PARK AND RECREATION ADVISORY BOARD

Mayor Dirksen recognized Mr. Henry in the audience.

C. Approve Memorandum of Understanding between Metro and Tigard for Washington Square Regional Center Trail

D. Local Contract Review Board:

1. Award Contract for Structural Repairs of the Fanno Creek House

Councilor Webb corrected a date on the minutes as stated by Mayor Dirksen when reading the Consent Agenda and then moved to approve it. Council President Wilson seconded the motion. Councilor Henderson recused himself from voting on Item 3.D due to a conflict of interest.

	Yes	No
Councilor Buehner	x	
Mayor Dirksen	x	
Councilor Henderson	x	
Councilor Webb	x	
Council President Wilson	x	

4. PROCLAMATIONS – Mayor Dirksen made the following proclamations:

- A. Proclaim September 18, 2010 Family Day, A Day to Eat Dinner with your Children
- B. Proclaim September 2010 National Alcohol & Drug Addiction Recovery Month
- C. Proclaim the 223rd Anniversary of the US Constitution on Constitution Week, September 17-23, 2010

5. RECEIVE RECOGNITION FOR PARTICIPATION IN 2010 CENSUS

7:49:34 PM Associate Planner Daniels presented Council with the plaque and certificate of appreciation from the U. S. Census in recognition of the City of Tigard's service and support. She read a letter highlighting the importance of the census and gave a brief history of Tigard's participation in the 2010 census. She said the Committee for Citizen Involvement (CCI) created a Complete Count Committee Work Plan and participated in census training, handed out census information at the Tigard Farmers Market and sent a mailing to multifamily housing units within hard-to-count areas in order to increase response rates. She said the CCI also

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received an award. Mayor Dirksen said that an accurate census is very important for communities to function and for governments to govern well. Councilor Webb mentioned the coordinated and broad effort made to include homeless people in the census this year.

6. PRESENTATION AND REQUEST TO APPROVE A RESOLUTION SUPPORTING THE WASHINGTON COUNTY COOPERATIVE LIBRARY SERVICES LEVY

7:53:24 PM Rob Drake and Kathy Fastenau of the People for Libraries Campaign presented this item. Mr. Drake gave background on the levy renewal for countywide library services and distributed a handout. He encouraged everyone to also support the Public Safety Levy. Councilor Webb said she applauded the county for making sure the rates stayed the same which showed sensitivity to the current economic situation. Mayor Dirksen noted that a recent library audit showed for every tax dollar spent on Tigard's library, the City receives back four dollars.

Councilor Buehner moved to approve Resolution No. 10-45 and the motion was seconded by Council President Wilson.

Resolution No. 10-45 - SUPPORTING THE WASHINGTON COUNTY COOPERATIVE LIBRARY SERVICES LOCAL OPTION LEVY MEASURE 34-180 – NOVEMBER 2, 2010

	Yes	No
Councilor Buehner	x	
Mayor Dirksen	x	
Councilor Henderson	x	
Councilor Webb	x	
Council President Wilson	x	

Resolution No. 10-45 passed unanimously.

7. PRESENTATION BY THE WASHINGTON COUNTY PUBLIC SAFETY SYSTEM PARTNERS ON THE PUBLIC SAFETY LOCAL OPTION LEVY

Washington County Sheriff Gordon presented this item on the renewal of the Washington Public Safety levy. Sheriff Gordon said this tax renewal continues services in place since 2000. The rate was 43 cents per thousand and has dropped to 42 cents per thousand. He presented a PowerPoint on the levy describing the services this levy covers. He also offered support for the library levy.

Councilor Webb said this was important to the County and she brought in a Resolution for Council action tonight. Mayor Dirksen read the resolution, assigning it the number 10-47.

Council President Wilson moved to adopt Resolution 10-47. Councilor Webb seconded the motion.

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Resolution No. 10-47 - A RESOLUTION SUPPORTING THE LEVY RENEWAL FOR MAINTAINING PUBLIC SAFETY COUNTYWIDE SERVICES - MEASURE 34-179

	Yes	No
Councilor Buehner	x	
Mayor Dirksen	x	
Councilor Henderson	x	
Councilor Webb	x	
Council President Wilson	x	

Resolution No. 10-47 passed unanimously.

8. LEGISLATIVE PUBLIC HEARING - ADOPT USE CLASSIFICATION DEVELOPMENT CODE AMENDMENT (DCA2010-00004)

At 8:15:22 PM Mayor Dirksen opened the Public Hearing.

City Attorney Hall reviewed the public hearing procedures, a copy of which was also available at the front of the room.

Mayor Dirksen asked Council if there were any Declarations or Challenges and asked if any Council member wished to declare or discuss a conflict of interest or reason for abstention. There were none.

Associate Planner Floyd presented the staff report. He said this is the first major code amendment under the City's regulatory improvement initiative and is a long overdue housekeeping item. He noted that the Chapter has insufficient detail, is inconsistent in the level of detail, and does not address new kinds of land use which have occurred recently. He said this also adds specific seasonal exceptions such as for Christmas tree lots.

8:23:46 PM Associate Planner Floyd said this change alphabetizes the uses, to simplify and make the Code easier to use. He highlighted new information since Council last discussed this in July:

- The number of days allowed in transitional housing was amended to a 45-day maximum rather than the existing 30 days.
- Another change addresses a grammatical error, combining sentences.
- The third change is to correct a typographical error on page 101

He said staff is requesting a continuance to allow time to update the documents and said there was time available on the Council agenda for September 28, 2010.

8:28:15 PM

Public Testimony - Mayor Dirksen noted that no one had signed up to speak. He asked if there was anyone present who wanted to speak. No one did.

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Staff Recommendation - Associate Planner Floyd said staff recommended this matter be continued until September 28, 2010, to allow time to make a few minor modifications.

Council President Wilson moved to continue this item to a future Council Meeting. Councilor Webb seconded the motion.

8:29:29 PM Mayor Dirksen closed the Public Hearing. He said there was a motion on the table for a continuance until the September 28, 2010 Council Meeting. A vote was taken and the motion to continue passed unanimously.

	Yes	No
Councilor Buehner	x	
Mayor Dirksen	x	
Councilor Henderson	x	
Councilor Webb	x	
Council President Wilson	x	

9. QUASI-JUDICIAL PUBLIC HEARING –ADOPT AN ORDINANCE
WITHDRAWING PROPERTY FROM THE TUALATIN WATER DISTRICT

8:30:04 PM City Attorney Hall read the public hearing procedures which were also available at the front of the room.

8:33:18 PM Mayor Dirksen opened the Public Hearing

- He asked if there were any Declarations or Challenges. There were none.
- He asked if any members of Council wishes to report any ex parte contact or information gained outside the hearing, including site visits. Mayor Dirksen stated that he drives through the area. There was no ex parte contact or information.
- He asked if all members of Council had familiarized themselves with the application and they indicated they had.

- He asked if there were any challenges from the audience pertaining to Council's jurisdiction to hear this matter or on the participation of any member of Council.

8:33:54 PM Utility Division Manager Goodrich provided the staff report. He said this boundary clarification was approved by Council on November 17, 2009 but the item is being brought before the Council again because one property was not included in the original map. He said this action will correct the legal description and clarifies the water service boundary. He said the Tualatin Valley Water District Board approved this revision in September 2009. Mayor Dirksen asked if Council had any questions. There were none.

Public Testimony: Mayor Dirksen asked if anyone present wanted to testify on this matter. There was none.

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Utility Division Manager Goodrich said the staff recommended approval of the ordinance.

8:37:32 PM. Mayor Dirksen closed the Public Hearing. He asked if there was any Council discussion.

Councilor Buehner raised the issue of a small area of land on the map that was not being included. Mayor Dirksen asked staff if there is a technical reason for this. Utility Division Manager Goodrich said the City initially asked for its inclusion to create a more logical boundary. He said TVWD said they had a certain member that wished to stay within the current boundary. Mayor Dirksen said this is something that could be addressed in the future and suggested moving forward tonight. City Manager Prosser asked if Tigard would have to modify their water infrastructure to serve the neighborhood in question. Utility Division Manager Goodrich indicated that there would just be opening and closing of existing pipes.

Council President Wilson moved for adoption of Ordinance No. 10-13 and Councilor Buehner seconded the motion. Deputy City Recorder Krager took a roll call vote of Council.

ORDINANCE NO. 10-13 - AN ORDINANCE WITHDRAWING TERRITORY FROM THE TUALATIN VALLEY WATER DISTRICT SUBSEQUENT TO ANNEXATION TO THE CITY OF TIGARD

	Yes	No
Councilor Buehner	x	
Mayor Dirksen	x	
Councilor Henderson	x	
Councilor Webb	x	
Council President Wilson	x	

Ordinance No. 10-13 passed unanimously.

10. ADOPT THE WATER SYSTEM MASTER PLAN

8:44:05 PM The Staff Report was given by Senior Project Engineer Murchison who shared a PowerPoint presentation. He asked if Council had any questions.

Council President Wilson asked what the life of an ASR well was. Senior Project Engineer Murchison said, "We are in basalts and our gallons per day are holding steady. But they are young, and as we go further out, it may be something to look at in the future." He said cleaning or flushing the wells may help prevent problems.

Mayor Dirksen asked what will happen after the year 2030. Senior Project Engineer Murchison described the future of ASR wells supplementing what is received from the Lake Oswego partnership. Mayor Dirksen asked if the City would be able to store water for peak usage days. Senior Project Engineer Murchison replied that the City has twice its peak-day storage now.

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Council President Wilson asked if Tigard citizens are overwatering on peak-use days. He asked if conservation during peak days would extend the supply and said there is new technology that uses weather stations to determine irrigation needs. Senior Project Engineer Murchison said the City is trying to educate people on water conservation. He noted that the peak-day use is what determines the size of a system, not the average day use. Mayor Dirksen noted that Tigard’s water usage has gone down even with an increased population.

Councilor Buehner motioned to approve Resolution 10-48 and Councilor Webb seconded the motion.

Resolution No. 10-48 – A RESOLUTION ADOPTING THE CITY OF TIGARD’S WATER SYSTEM MASTER PLAN

	Yes	No
Councilor Buehner	x	
Mayor Dirksen	x	
Councilor Henderson	x	
Councilor Webb	x	
Council President Wilson	x	

The motion passed unanimously.

11. ADOPT THE SANITARY SEWER MASTER PLAN

City Engineer Kyle introduced this item. He said a key part of this system is the City’s relationship with Clean Water Services (CWS). He said Tigard operates the small pipes and CWS operates the big pipes. He said peak use for the sewer system is opposite the peak use time for the water system. Sewer system peak use is when the weather is bad because water intrudes into the sewer pipes. He said CWS will work with the City on this problem. He said City’s sewer system is doing quite well with only four areas that have capacity concerns. He said a goal is to replace 2% of the system each year and the sewer fund is in good shape to handle this obligation.

Councilor Buehner noted the storm water leakage area along 135th and asked when that would be worked on and if there would be public outreach. City Engineer Kyle said that project needs to be put into the Capital Improvement Plan and first have monitors installed to diagnose the problem. He estimated this wouldn’t happen before next July and said there would be public outreach, especially when the digging starts.

Mayor Dirksen asked if liners can be used to rehabilitate sewer pipes. City Engineer Kyle said he’s been looking at alternative ways to make these repairs.

Mayor Dirksen asked about the sewer reimbursement program. He asked for a rough update on where the City stands, what is left and what the timeline is. He said most areas that can be done have been completed. Three are being pursued now. He said within a few years these areas will all be completed unless there is some new development. He said that to date, one third of the customers who could connect to the sewer system have done so.

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Councilor Henderson asked how much of Durham’s 22 MG of sewage is produced in Tigard. City Engineer Kyle guessed that the answer was one-third, but said he would do some research and get back to Councilor Henderson on that question.

Councilor Webb moved to approve Resolution No. 10-49 and Council President Wilson seconded the motion.

RESOLUTION NO. 10-49 – A RESOLUTION ADOPTING THE CITY OF TIGARD’S SANITARY SEWER MASTER PLAN

	Yes	No
Councilor Buehner	x	
Mayor Dirksen	x	
Councilor Henderson	x	
Councilor Webb	x	
Council President Wilson		

The motion passed unanimously.

12. RECEIVE REPORT ON BURNHAM STREET AND CAPITAL IMPROVEMENT PROGRAM PROJECTS

9:20 PM Engineer Kyle reviewed completed projects over the last year, including:

- Woodruff Bridge at Fanno Creek
- Hall Boulevard Crosswalk
- Hall & Bonita sidewalk
- Garrett Street paving overlay and sidewalks
- Barrows Road Sidewalk
- Skate Park Restrooms
- 72nd and Baylor sewer
- Hoodview and Kable sewer
- Hunziker sewer
- Steve Street Water Quality Project

City Engineer Kyle said these are small projects that may not be noticed unless people live next to them but they add value to the entire community. He said Engineering Manager McMillan will give Council an update on Burnham Street construction. Mayor Dirksen said people have given him very positive comments about Burnham Street.

Engineering Manager McMillan reported on the sidewalk stamp design contest and the ceremony for the winners. She said all four of the winning designs are in the sidewalk between the Public Works building and the fire station. She also called attention to the boulders which have been placed around for seating.

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9:27:13 PM Engineering Manager McMillan discussed gateways, noting that this project has gone through six years of design review and planning. She showed slides of the gateway locations and an artist's rendering. She said there would be four downtown gateways - Hall and Burnham, Hall and Pacific Highway Main and Pacific (south) and Main and Pacific (north). Ideas were discussed with downtown business owners as well as with the CCAC as to what the lettering says. Their suggestion to Council is that they say Welcome to Downtown Tigard.

Mayor Dirksen suggested that simply, "Downtown Tigard" is adequate. Council President Wilson agreed and said the phrase "Welcome to Downtown Tigard" would require smaller letters. Mayor Dirksen said studies show that the word, "Downtown" needs to be featured prominently. Engineering Manager McMillan said the gateways will have real stone with colored letters. Mayor Dirksen suggested green. Anodized bronze was also suggested. Engineer McMillan asked if she could have latitude about font. Council suggested she use the font that is on the entry signs. Engineering Manager McMillan will ask Parks Manager Martin what font was used for the entry into Tigard signs. She asked if the Tigard logo needed to be on the downtown gateways and Council said it did not. All agreed that capital letters would be best.

Councilor Henderson asked if the gateways will all be the same size and City Manager Prosser said the gateways could be sized to the area. Councilor Henderson asked what the CCAC consensus was and Engineering Manager McMillan said there was none. It was noted as a side issue that the City Hall sign is very hard to read at night.

13. NON AGENDA ITEMS

14. COUNCIL LIAISON REPORTS – Councilor Buehner gave an update on the Transportation Summit she attended with Council President Wilson. She said panel discussions reflected similar discussions that Tigard's Council has held. She offered to share her notes and handouts if there was interest.

Council President Wilson said he attended the Practical Design session where several representatives of transportation agencies from around the country attended and discussed public relations.

Mayor Dirksen said he attended a Conference about the need for rebuilding America's infrastructure. He said most of the time was spent discussing the Columbia River Crossing.

15. ADJOURNMENT

Councilor Henderson moved for adjournment and Council President Wilson seconded. All voted in favor and the meeting was adjourned at 9:51:31 PM.

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	Yes	No
Councilor Buehner	x	
Mayor Dirksen	x	
Councilor Henderson	x	
Councilor Webb	x	
Council President Wilson	x	

Carol A. Krager, Deputy City Recorder

Attest:

Mayor, City of Tigard

Date

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TIGARD CITY COUNCIL MINUTES – September 14, 2010



City of Tigard

Tigard Business Meeting - Minutes

Agenda Item No. _____
 Meeting of _____

TIGARD CITY COUNCIL

MEETING DATE AND TIME: September 28, 2010 - 6:30 p.m. Study Session; 7:30 p.m. Business Meeting

MEETING LOCATION: City of Tigard - Town Hall - 13125 SW Hall Blvd., Tigard, OR 97223

◆ STUDY SESSION

Mayor Dirksen called the meeting to order at 6:31 p.m.:

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Mayor Dirksen	✓	
Council President Wilson		✓
Councilor Buehner	✓	
Councilor Henderson	✓	
Councilor Webb	✓	

Staff Present: City Manager Prosser, Assistant City Manager Newton, Public Works Director Koellermeier, Finance and Information Services Department Director LaFrance, Parks Facilities Manager Martin, Community Development Director Bunch, City Attorney Hall

- Discuss Intergovernmental Water Board Intergovernmental Agreement

Public Works Director Koellermeier reviewed this agenda item and historical background on this agenda item with the City Council. Key points included:

- The original Intergovernmental Agreements (IGA) between Tigard and the cities of Durham, King City and the Tigard Water District were executed January 1994 and amended June 2006. The Durham IGA was also amended December 1999. Tigard has an agreement with each city individually.
- This IGA addresses all the operational issues between the parties that compose the IWB.
- The Intergovernmental Water Board (IWB) proposes to update the IGA and combine all the agreements into one agreement between the City of Tigard and the other Parties.
- The IWB has discussed the IGA extensively and submitted the amended and restated IGA to Tigard staff.
- Tigard staff and the City Attorney have suggested further revisions dealing with operational issues, policy issues previously considered by the Tigard City Council, and management of the future debt to be issued by Tigard.
- The IWB will discuss the Tigard staff revisions at their October 13 meeting.

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- This will be coming back to the City Council for further review and consideration.

Public Works Director Koellermeier led the City Council members through a review of the draft of the Intergovernmental Agreement and pointed out substantive issues. The draft Intergovernmental Agreement is on file in the meeting packet materials.

Council and staff discussion included the following:

- Council President Wilson was unable to be at tonight's meeting, so Public Works Director Koellermeier relayed Council President Wilson's comments to the City Council:
 - Tigard needed "...for a good reason an exit clause, other than perpetual."
 - Questioned the payments, but Public Works Director Koellermeier explained the surcharge concept, and this appeared to be satisfactory to Council President Wilson.
 - Council President Wilson told Public Works Director Koellermeier that whatever changes were made, that Tigard's position would not be diminished for annexations. The City Attorney and Community Development Director Bunch have worked on this area of the Intergovernmental Agreement to develop language.
 - City Manager Prosser noted that Exhibit 1 will need clarification language regarding boundaries, which are subject to change in the future.
 - An outstanding issue, per Public Works Director Koellermeier, is how will the improvements that Tigard will be developing in its partnership with Lake Oswego be handled. The issue is that since ratepayers outside of the City of Tigard will be contributing revenue, the thought is by the other partners of the IWB that the improvements should become system assets. Tigard staff members note that those parties are not taking any of the risk. Public Works Director Koellermeier said that is why the current boundary language is explicit to note that any improvements that happen outside the current boundary (most of the Lake Oswego improvements) will not automatically become system assets. City Manager Prosser added that Lake Oswego has made it clear that they want the partnership with the City of Tigard and not with the IWB. There was discussion on this language. Public Works Director Koellermeier clarified that in the new agreement Tigard staff suggested that each party would pay for their share even though the bonds are secured by the rates. This is still an issue under negotiation.
 - Mayor Dirksen said he wished the other parties were reviewing this at the same time as the City Council so the City Council could hear of any concerns they might have. Public Works Director Koellermeier said the next step is to bring back any strong points the City Council might have as the discussion goes forward to the IWB with the most recent changes. This matter will likely be before the City Council another couple of times.
- Administrative Items
 - Reviewed December Council meeting schedule:
 - December 14 - Business Meeting
 - December 21 - Workshop Meeting

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- December 24 - Friday - Christmas Holiday Observed (City Hall offices closed)
- December 28 - Business Meeting

At this time, City Council preference is to keep the Council schedule and hold all three meetings in December. If an agenda has only a few items, City Council might consider combining a meeting and cancelling one meeting.

- Poll Council for preference for receipt of monthly board and committee meeting minutes -- online or paper copy?

Staff will check feasibility of adding board and committee meeting minutes to the council packet disk(s) or sending City Council members an email with a link to the meeting minutes on the City’s website. Councilor Buehner prefers paper copy for review.

- Council Calendar
 - October 5 - Town Hall Meeting - 7 p.m. – Per City Attorney Ramis’ recommendation and because a quorum could be present at this meeting, Councilor Webb advised she would take meeting notes for the record.
 - October 12 - Business Meeting (6:30 Study Session; 7:30 Business Meeting)
 - October 19 - Workshop Meeting (6:30 p.m.)
 - October 26 - Business Meeting

City Manager Prosser stated the reason for the Executive Session as noted below:

◆ EXECUTIVE SESSION: The Tigard City Council went into Executive Session at 6:54 p.m. to discuss real property transaction negotiations and for consultation with legal counsel regarding potential litigation under ORS 192.660(2) e and h.

Executive Session concluded at 7:28 p.m.

1. BUSINESS MEETING

A. Mayor Dirksen called the meeting to order at [7:33:30 PM](#)

B. Roll Call

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Mayor Dirksen	✓	
Council President Wilson		✓
Councilor Buehner	✓	
Councilor Henderson	✓	
Councilor Webb	✓	

C. Pledge of Allegiance

TIGARD CITY COUNCIL MINUTES – September 28, 2010

D. Council Communications & Liaison Reports: Councilor Henderson advised he would have a report at the end of the meeting.

E. Call to Council and Staff for Non-Agenda Items: None

[7:34:41 PM](#)

2. CITIZEN COMMUNICATION: None

A. Follow-up to Previous Citizen Communication:

On September 14, 2010, Ellen Witham requested clarification regarding the City's regulations about having chickens in the City of Tigard; she has chickens on her property and wants to keep them. City Manager Prosser reported Community Development Department staff is working with the City Attorney's office to review language in the Code to determine if there appears to be a need to clear up ambiguity with regard to livestock regulations. The question of urban chickens will be presented to the Neighborhood Networks for their input. Chickens are allowed with restrictions.

[7:35:19 PM](#)

B. Citizen Communication – Sign Up Sheet – None

[7:39:15 PM](#)

Mayor Dirksen reviewed the Consent Agenda:

3. CONSENT AGENDA: (Tigard City Council) These items are considered routine and may be enacted in one motion without separate discussion. Anyone may request that an item be removed by motion for discussion and separate action.

- A. Approve Submittal of an Application for Community Development Block Grant Funds to Finance Sidewalk Improvements on Frewing Street - Resolution No. 10-50
- B. Amend the Master Fees and Charges Schedule to Adopt a Flat Fee for the Installation of Prescriptive Solar Photo-Voltaic Systems - Resolution No. 10-51

Motion by Councilor Webb, seconded by Councilor Buehner, to approve the Consent Agenda.

The motion was approved by a unanimous vote of City Council present.

Mayor Dirksen	Yes
Council President Wilson	Absent
Councilor Buehner	Yes
Councilor Henderson	Yes
Councilor Webb	Yes

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[7:40:11 PM](#)

4. PUBLIC HEARING - SUPPLEMENTAL APPROPRIATION AMENDMENT TO FY 2011 BUDGET: FORWARD FROM PRIOR FISCAL YEAR AND RECOGNIZE REVENUE FROM AMERICAN RECOVERY AND REINVESTMENT ACT

Finance and Information Services Department Director LaFrance presented the staff report. The issue before the Council was:

Supplemental appropriation to amend the FY 2011 Adopted Budget including the carry forward of items from the prior year that need to be appropriated this fiscal year. In addition, the city needs to recognize revenue provided by the American Recovery & Reinvestment Act (ARRA) to be utilized in the Capital Improvement Program (CIP).

Details of the proposal are contained in the Agenda Item Summary and resolution submitted to the City Council.

The public hearing was conducted. There was no public testimony.

City Council considered Resolution No. 10-52.

Motion by Councilor Webb, seconded by Councilor Buehner, to adopt Resolution No. 10-52.

The motion was approved by a unanimous vote of City Council present.

Mayor Dirksen	Yes
Council President Wilson	Absent
Councilor Buehner	Yes
Councilor Henderson	Yes
Councilor Webb	Yes

[7:54:06 PM](#)

5. CONSIDER ORDINANCE ADOPTING TUALATIN VALLEY FIRE & RESCUE ORDINANCE NO. 10-02 ADOPTING THE OREGON FIRE CODE AND REPEALING CITY OF TIGARD ORDINANCE NO. 07-18

Building Official VanDomelen and TVF&R Staff Liaison to the City of Tigard John Dalby presented the staff report information to the City Council, which is summarized in the Agenda Item Summary for this agenda item.

The issue before the City Council was:

Consider approving an ordinance to adopt Tualatin Valley Fire and Rescue (TVF&R) Ordinance 10-02 adopting the 2010 Oregon Fire Code and repeal City of Tigard Ordinance 07-18.

TIGARD CITY COUNCIL MINUTES – September 28, 2010

City Council considered Ordinance No. 10-14.

Motion by Councilor Buehner, seconded by Councilor Webb, to adopt Ordinance No. 10-14.

The motion was approved by a unanimous vote of City Council present.

Mayor Dirksen	Yes
Council President Wilson	Absent
Councilor Buehner	Yes
Councilor Henderson	Yes
Councilor Webb	Yes

8:00:53 PM

6. LEGISLATIVE PUBLIC HEARING CONTINUED FROM SEPTEMBER 14, 2010 - CONSIDER ADOPTING USE CLASSIFICATION DEVELOPMENT CODE AMENDMENT (DCA2010-00004)

REQUEST: The City of Tigard proposes to amend Community Development Code Chapter 18.130 in a manner that redistributes and clarifies the descriptive nature of each use classification. Allowed, restricted, or non-allowed uses are not being substantially affected with the exception of uses categorized as Personal Services and Repair-Oriented-Retail. Proposed changes will also clarify the distinction between primary and accessory uses. LOCATION: Citywide. ZONE: Citywide. APPLICABLE REVIEW CRITERIA: Community Development Code Chapters 18.130, 18.380 and 18.390; Comprehensive Plan Goals 1, Public Involvement; Goal 2, Land Use Planning; Goal 9, Economic Development; Goal 10, Housing; and Statewide Planning Goals 1, 2, 9 and 10. The proposed amendments are available for review at http://www.tigardor.gov/city_hall/departments/cd/code_amendment.asp.

8:03:05 PM

The hearing was convened by Mayor Dirksen. No additional public testimony was received as this portion of the hearing concluded on September 14, 2010. Associate Planner Floyd presented the three changes as discussed by the City Council on September 14, 2010, which are summarized in the Agenda Item Summary submitted to the City Council. City Council considered Ordinance No. 10-15.

Motion by Councilor Webb, seconded by Councilor Buehner, to adopt Ordinance No. 10-15.

The motion was approved by a unanimous vote of City Council present.

Mayor Dirksen	Yes
Council President Wilson	Absent
Councilor Buehner	Yes
Councilor Henderson	Yes
Councilor Webb	Yes

TIGARD CITY COUNCIL MINUTES – September 28, 2010

7. COUNCIL LIAISON REPORTS

Councilor Henderson presented a report on activities at the recent League of Oregon Cities conference. Items he reviewed included the governor’s debate, upcoming legislative issues, new rules on urban renewal formation, and sustainability.

8. EXECUTIVE SESSION: Not held.

9. NON AGENDA ITEMS: None

8:11:50 PM

10. ADJOURNMENT:

Motion by Councilor Webb, seconded by Councilor Buehner, to adjourn the meeting.

The motion was approved by a unanimous vote of City Council present.

Mayor Dirksen	Yes
Council President Wilson	Absent
Councilor Buehner	Yes
Councilor Henderson	Yes
Councilor Webb	Yes

Catherine Wheatley, City Recorder

Attest:

Mayor, City of Tigard

Date:_____

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TIGARD CITY COUNCIL MINUTES – September 28, 2010

AIS-264

Item #: 3. B.

Business Meeting

Date: 11/09/2010

Length (in minutes): Consent Item

Agenda Title: Receive and File:

Prepared By: Cathy Wheatley, Administration

Item Type: Receive and File

Meeting Type: Consent Agenda

Information

ISSUE

Receive and File the Council Tentative Agenda Calendar and the City Council Calendar

STAFF RECOMMENDATION / ACTION REQUEST

Receive and File - No action requested.

KEY FACTS AND INFORMATION SUMMARY

N/A

OTHER ALTERNATIVES

N/A

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

N/A

DATES OF PREVIOUS COUNCIL CONSIDERATION

N/A

Attachments

Council Calendar

Tentative Agenda



MEMORANDUM

TO: Honorable Mayor & City Council

FROM: Cathy Wheatley, City Recorder

RE: Three-Month Council Meeting Calendar

DATE: November 9, 2010

Regularly scheduled Council meetings are marked with an asterisk (*).

November

8	Monday	Joint Meeting with Lake Oswego City Council -7:00 Lake Oswego West End Bldg.
9*	Tuesday	Council Business Meeting – 6:30 pm, Town Hall
11	Thursday	Veterans Day Holiday – City Hall Closed
16*	Tuesday	Council Workshop Meeting -- 6:30 pm, Town Hall
23*	Tuesday	Council Business Meeting – 6:30 pm, Town Hall
25&26	Thurs/Fri	Thanksgiving Holiday – City Hall Closed

December

14*	Tuesday	Council Business Meeting – 6:30 pm, Town Hall
21*	Tuesday	Council Workshop Meeting -- 6:30 pm, Town Hall
24	Friday	Christmas Holiday, City Hall Closed
28*	Tuesday	Council Business Meeting – 6:30 pm, Town Hall
31	Friday	New Years Day Holiday – City Hall Closed

January

11*	Tuesday	Council Business Meeting – 6:30 pm, Town Hall
17	Monday	Dr. Martin Luther King, Jr. Day Holiday, City Hall Closed
18*	Tuesday	Council Workshop Meeting – 6:30 pm, Town Hall
25*	Tuesday	Council Business Meeting – 6:30 pm, Town Hall

- Key:
- Meeting Banner
 - Study Session
 - Consent Agenda
 - Workshop Meeting
 - Business Meeting
 - Special Meeting
 - Meeting is Full

City Council Tentative Agenda
11/2/2010 12:49 PM

Form #	Meeting Date	Submitted By	Meeting Type	Title	Department	Inbox or Finalized
229	11/08/2010	Carol Krager	CCSPEC	Joint Meeting with Lake Oswego City Council	Administration	10/25/2010
110	11/16/2010	Cathy Wheatley	AAA	11/16/10 Absences to Note: Location: Tigard City Hall		
158	11/16/2010	Todd Prager	CCWKSHOP	Annual Joint Meeting Between the Tree Board and City Council 1	Community Development	Krager C, Deputy City Recorder
165	11/16/2010	Susan Hartnett	CCWKSHOP	Discuss with Oregon Department of Transportation (ODOT) Region 1 Director Jason Tell Upcoming and Ongoing Planning and Construction ODOT/Tigard Projects 2	Public Works	McCarthy M, St/Trans Sr Proj Eng
262	11/16/2010	Louis Sears	CCWKSHOP	Update on Tualatin Valley Cable Television (TVCTV) Public Access 3	Financial and Information Services	Sears L, IT Manager
164	11/16/2010	Susan Hartnett	CCWKSHOP	Discuss Changes to Land Use Decision-Making Process to be Implemented January 1, 2011 4	Community Development	Hartnett S, Asst CD Director
Total Time: 150 of 180 minutes have been scheduled						
111	11/23/2010	Cathy Wheatley	AAA	11/23/10 Absences to Note: Location: Tigard City Hall		
235	11/23/2010	Susan Hartnett	ACCSTUDY	Executive Session - Possible Litigation	Community Development	Hartnett S, Asst CD Director
260	11/23/2010	Dennis Koellermeier	ACCSTUDY	Executive Session - Real Estate Transaction	Public Works	Koellermeier D, Public Works Dir
266	11/23/2010	Marissa Daniels	ACCSTUDY	Briefing on Transportation Growth Management/High Capacity Transit Land Use Plan Citizen Advisory Committee	Community Development	Hartnett S, Asst CD Director
Total Time: 55 of 45 minutes have been scheduled						

Key:
 Meeting Banner Business Meeting
 Study Session Special Meeting
 Consent Agenda Meeting is Full
 Workshop Meeting

**City Council Tentative Agenda
 11/2/2010 12:49 PM**

238	11/23/2010	Julia Wade	CCBSNS	Presentation of Lifesaving Awards 1	Police	Orr A, Chief	
220	11/23/2010	Ted Kyle	CCBSNS	Informational Public Hearing to Consider Finalizing Sewer Reimbursement No. 48, Lower SW Cherry Drive 2	Public Works	Kyle T, City Engineer	
233	11/23/2010	Judith Gray	CCBSNS	Continuation of Legislative Public Hearing - CPA 2010-00001 - to Adopt Tigard 2035 Transportation System Plan Update 3	Community Development	Gray J, Sr Transportation Planner	
255	11/23/2010	Steve Martin	CCBSNS	Approve Intergovernmental Agreements with Washington County, Metro, and OWEB for Partial Funding of the Summer Creek Property Purchase 4	Public Works	Gaston G, Conf Executive Asst	
261	11/23/2010	John Goodrich	CCBSNS	Discuss Updating of TMC Title 12, Water and Sewer; and Corresponding Practices and Procedures 5	Public Works	Goodrich J, Utility Div Manager	
217	11/23/2010	Darren Wyss	CCBSNS	Update on the Tree Grove Protection Element of the Urban Forestry Code Revision Project 6	Community Development	Wyss D, Senior Planner	
				Total Time: 130 of 110 minutes have been scheduled			
112	12/14/2010	Cathy Wheatley	AAA	12/14/10 Absences to Note: Location: Tigard City Hall			
176	12/14/2010	Todd Prager	ACCSTUDY	Pacific Highway Beautification	Community Development	Prager T, Assoc Planner/Arborist	
236	12/14/2010	Susan Hartnett	ACCSTUDY	Executive Session - Possible Litigation	Community Development	Hartnett S, Asst CD Director	
				Total Time: 60 of 45 minutes have been scheduled			
145	12/14/2010	Agustin Duenas	ACONSENT	Approve Hall Blvd. Right-of-Way Dedication Located at the Knoll @ Tigard Project to the Oregon Department of Transportation	Community Development	Duenas G, Development Engr	
157	12/14/2010	Todd Prager	ACONSENT	Appoint Tree Board Members - Resolution	Community Development	Prager T, Assoc Planner/Arborist	
203	12/14/2010	Sean Farrelly	ACONSENT	Appoint City Center Advisory Commission Members- Resolution	Community Development	Farrelly S, Redev Project Manager	

Key:
 Meeting Banner Business Meeting
 Study Session Special Meeting
 Consent Agenda Meeting is Full
 Workshop Meeting

**City Council Tentative Agenda
 11/2/2010 12:49 PM**

237	12/14/2010	Susan Hartnett	ACONSENT	Resolution to Appoint Planning Commissioners	Community Development	Hartnett S, Asst CD Director	
259	12/14/2010	Duane Roberts	ACONSENT	Amend Intergovernmental Agreement for the Knoll at Tigard Community Development Block Grant	Community Development	Roberts D, Project Planner	
267	12/14/2010	Marissa Daniels	ACONSENT	Resolution Creating and Appointing Members to the TGM: HCT Land Use Plan Citizen Advisory Committee	Community Development	Hartnett S, Asst CD Director	
142	12/14/2010	Cheryl Caines	CCBSNS	90 min Quasi-Judicial Hearing -- Approve Comp Plan Amendment and Sensitive Lands Review to Extend Wall St. Across Fanno Creek to Fields Property - Ordinance	Community Development	Caines C, Assoc Planner	
185	12/14/2010		CCBSNS	Consider a Resolution Approving the Supply Facilities Capital Improvement Plan (SFCIP) for the Lake Oswego Tigard Water Partnership	Public Works	Gaston G, Conf Executive Asst	
198	12/14/2010		CCBSNS	Conduct Public Hearing and Consider Ordinance Adopting Water System Development Charge Update	Public Works	Gaston G, Conf Executive Asst	
257	12/14/2010	John Goodrich	CCBSNS	Consider a Resolution to Amending the Master Fees and Charges Schedule to Increase Water System Development Charges	Public Works	Gaston G, Conf Executive Asst	
				Total Time: 130 of 110 minutes have been scheduled			
113	12/21/2010	Cathy Wheatley	AAA	12/21/10 Absences to Note: Location: Tigard City Hall			
221	12/21/2010	Susan Hartnett	CCWKSHOP	60 min Code Compliance Abatement Program Implementation Options 2	Community Development	Hartnett S, Asst CD Director	
228	12/21/2010	Steve Martin	CCWKSHOP	60 min Joint Meeting with the Park and Recreation Advisory Board 1	Public Works	Koellermeier D, Public Works Dir	
265	12/21/2010	Duane Roberts	CCWKSHOP	25 min 2010 Tigard Trail System Update	Community Development	Hartnett S, Asst CD Director	
				Total Time: 145 of 180 minutes have been scheduled			

Key:
 Meeting Banner Business Meeting
 Study Session Special Meeting
 Consent Agenda Meeting is Full
 Workshop Meeting

**City Council Tentative Agenda
 11/2/2010 12:49 PM**

114	12/28/2010	Cathy Wheatley	AAA	12/28/10 Absences to Note: Location: Tigard City Hall		
268	12/28/2010	Liz Lutz	CCBSNS	Approve Budget Committee Appointments (2 vacancies and one alternate vacancy)	Financial and Information Services	LaFrance T, Fin/Info Svcs Director
Total Time: 10 of 110 minutes have been scheduled						
258	01/11/2011	Cathy Wheatley	ACCSTUDY	Council and Executive Staff Photos - 6:30 to 7 p.m. ; reception to follow meeting....	Administration	Wheatley C, City Recorder
89	01/11/2011	Cheryl Caines	ACCSTUDY	09/14/10 101 Executive Session - Potential Litigation (to be rescheduled)	Community Development	Caines C, Assoc Planner
Total Time: 50 of 45 minutes have been scheduled						
205	01/11/2011	Cathy Wheatley	CCBSNS	Administer Oaths of Office - Mayor and Two Council Positions	Administration	Wheatley C, City Recorder
207	01/11/2011	Cathy Wheatley	CCBSNS	Elect Council President to serve January 2011 to December 31, 2012	Administration	Wheatley C, City Recorder
208	01/11/2011	Cathy Wheatley	CCBSNS	State of the City Address	Administration	Wheatley C, City Recorder
Total Time: 55 of 110 minutes have been scheduled						
180	01/18/2011	Liz Lutz	CCWKSHOP	Budget Committee Meeting	Financial and Information Services	LaFrance T, Fin/Info Svcs Director
Total Time: 30 of 180 minutes have been scheduled						
148	01/25/2011	Judith Gray	ACONSENT	Approve Granting a Designated Bus Stop on Commercial Street for Yamhill County Transit Area - Resolution	Community Development	
41	01/25/2011		CCBSNS	Approve an Intergovernmental Agreement between the Cities of Tigard and Sherwood for Joint Funding of Water Supply Improvements - Resolution	Public Works	Gaston G, Conf Executive Asst

Key:
 Meeting Banner Business Meeting
 Study Session Special Meeting
 Consent Agenda Meeting is Full
 Workshop Meeting

**City Council Tentative Agenda
 11/2/2010 12:49 PM**

188	01/25/2011	Ted Kyle	CCBSNS	Consider the Formation of SW 100th Avenue Sewer Reimbursement District No. 42	Public Works	Kyle T, City Engineer
222	01/25/2011	Susan Hartnett	CCBSNS	Public Hearing - Amend the Tigard Municipal Code Abatement Regulations Related to Code Compliance and Amend 2010-11 Master Fee Schedule	Community Development	Hartnett S, Asst CD Director
245	01/25/2011	Joanne Bengtson	CCBSNS	City Council 4th Quarter Goal Update	Administrative Services	Bengtson J, Exec Asst to City Mgr
				Total Time: 85 of 110 minutes have been scheduled		
246	02/08/2011	Carol Krager	AAA	02/08/11 Absences to Note: Location: Tigard City Hall		
200	02/08/2011	Ted Kyle	CCBSNS	CIP Update - Projects in Design	Public Works	Kyle T, City Engineer
				Total Time: 15 Minutes (0 Hours, 15 Minutes)		
247	02/15/2011	Carol Krager	AAA	02/15/11 Absences to Note: Location: Tigard City Hall		
248	02/22/2011	Carol Krager	AAA	02/22/11 Absences to Note: Location: Tigard City Hall		
249	03/08/2011	Carol Krager	AAA	03/08/11 Absences to Note: Location: Tigard City Hall		
201	03/08/2011	Ted Kyle	CCBSNS	CIP Update - Small Projects Update	Public Works	Kyle T, City Engineer
				Total Time: 15 of 110 minutes have been scheduled		
250	03/15/2011	Carol Krager	AAA	03/15/11 Absences to Note: Location: Tigard City Hall		
251	03/22/2011	Carol Krager	AAA	03/22/11 Absences to Note: Location: Tigard City Hall		

Business Meeting

Date: 11/09/2010

Length (in minutes): Consent Item

Agenda Title: Approve Submittal of Oregon Department of Transportation Flexible Funds Application for Improvements to 121st Avenue

Prepared By: Duane Roberts, Community Development

Item Type: Resolution

Meeting Type: Consent Agenda

Information

ISSUE

Should Council approve the submittal of a request for ODOT Flexible Funds to partially finance sidewalk improvements on 121st Avenue?

STAFF RECOMMENDATION / ACTION REQUEST

Staff recommends Council approve the resolution authorizing submittal of the grant application.

KEY FACTS AND INFORMATION SUMMARY

Flexible Funds is a new ODOT grant program that annually will provide funding statewide for transit, bicycle, pedestrian, and transportation demand management projects. In this first application cycle, the program has \$21 million available for eligible projects. The funding source is a portion of the Federal Highway Administration Surface Transportation Program funds provided to the Oregon Department of Transportation (ODOT). The maximum grant amount is \$2.1 million. The program purpose is “. . . to support sustainable non-highway transportation projects, programs, and services that positively impact modal connectivity, the environment, mobility and access, livability, energy use and the overall operation of the transportation system.” The application due date is November 12, 2010.

Tigard’s proposed project would finance curb, sidewalk, and drainage improvements along both sides of 121st Avenue between SW Tippitt Place and SW Whistlers Loop. This older segment of SW 121st Avenue was developed without sidewalks and, as a result, lacks pedestrian connections to services, transit, and school bus stops. Tigard’s grant proposal addresses these needs by infilling the sidewalk gap and installing continuous sidewalk along both sides of the street where none currently exists. New sidewalks would significantly reduce the safety hazards faced by pedestrians on this busy street, which handles more than 6,000 vehicles per day. Currently pedestrians, including school-aged children and older residents with limited mobility, must walk at the edge of the travel lanes.

OTHER ALTERNATIVES

- Do not apply for these grant funds.
- Submit an application for another eligible project.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

SW 121st is identified as substandard and as priority project #34 in the proposed 2010 Tigard Transportation System Plan.

DATES OF PREVIOUS COUNCIL CONSIDERATION

No previous consideration.

Fiscal Impact

Cost: \$2,100,000

Budgeted (yes or no): no

Where budgeted?:

Additional Fiscal Notes:

The City is requesting the maximum grant amount of \$2.1 million to add sidewalks, bike lanes, curbs, and drainage on about 4,000 lineal feet of 121st Ave. Most of the needed right-of-way is owned by the City. However, narrow frontages from three or four privately-owned, residential properties would be needed to provide continuous right-of-way. The required minimum match is 10.3% of the request. The City match would be entirely in-kind, consisting of design and construction management (PW Dept.) and grant administration (CD Dept.) services. No City hard dollars would be involved.

Attachments

Map

Resolution - ODOT Grant

SW 121st Ave Sidewalk Improvements

City of Tigard Oregon

Sidewalks

 Existing

 Proposed

 TriMet Bus Stop

 School Bus Stop

The information represented on this map is current as of October 18, 2010. Revisions will be made as new decisions or amendments occur to alter the content of the map.

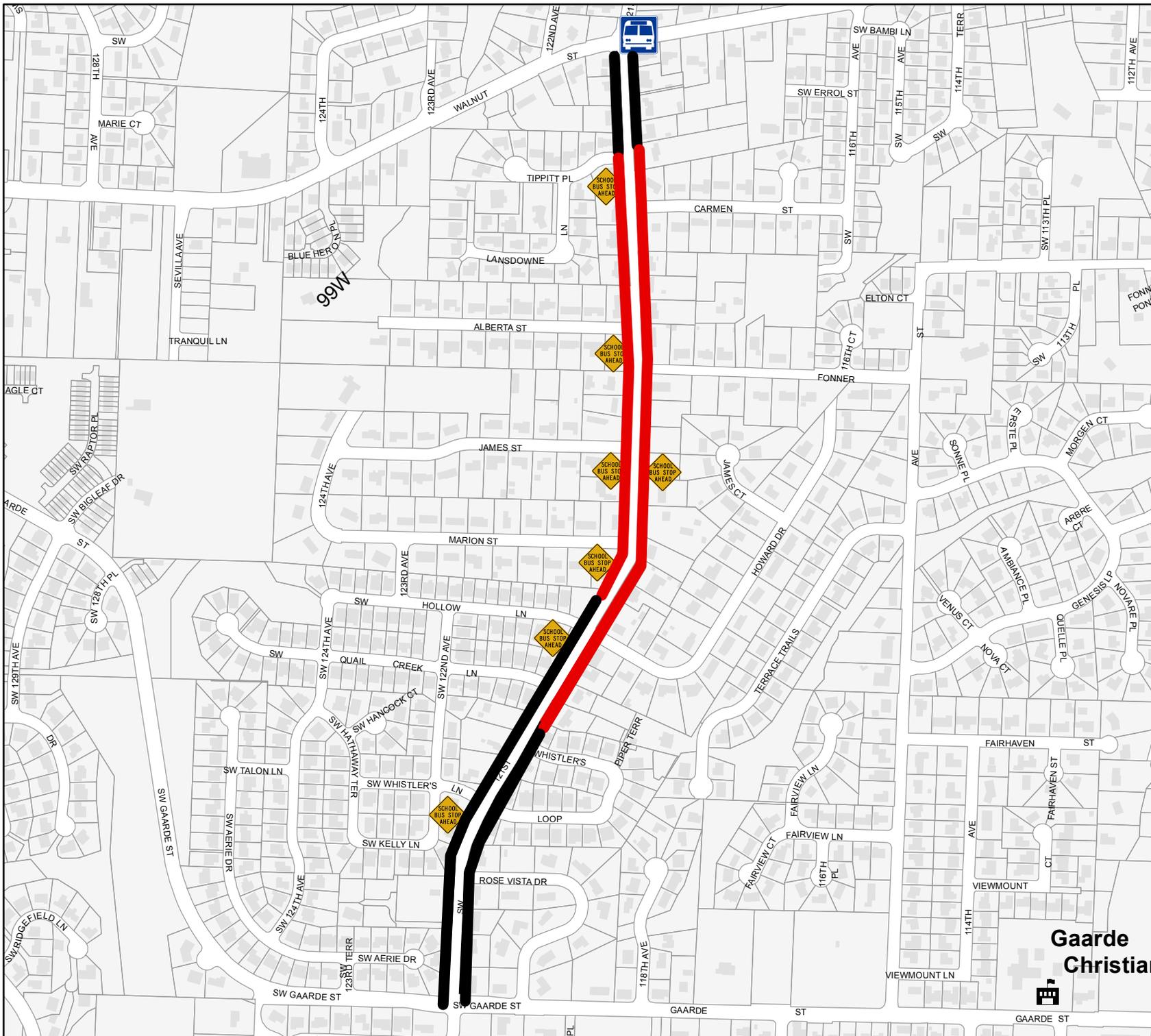


Gaarde Christian



The map was derived from several databases. The City cannot accept responsibility for any errors. Therefore, there are no warranties for this product. However, any notification of errors would be appreciated.

Sources: City of Tigard, Washington County, Metro Date Resource Center



**CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 10-**

RESOLUTION SUPPORTING AN APPLICATION FOR OREGON DEPARTMENT OF TRANSPORTATION FLEXIBLE FUND PROGRAM FUNDS TO FINANCE THE CONSTRUCTION OF SIDEWALK AND RELATED IMPROVEMENTS ALONG PORTIONS OF SW 121ST AVENUE.

WHEREAS, the Oregon Department of Transportation has established a new statewide grant program, called Flexible Fund Program, and

WHEREAS, its purpose is to fund transit, bicycle, pedestrian, and transportation demand management projects for which local jurisdictions and transit agencies will compete for the funding of eligible activities, and

WHEREAS, the installation of sidewalks and associated improvements along 121st Avenue is identified in the Tigard Transportation System Plan as a high priority need, and

WHEREAS, these improvements are identified in an application for Flexible Funds Program grant dollars, and

WHEREAS, the proposed improvements will allow school children to walk more safely to school bus stops within the project area and will provide older residents with limited mobility a safer walking environment than the street.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The City of Tigard hereby expresses its support for making improvements to SW 121st Avenue between SW Tippitt Place and SW Whistlers Loop and authorizes submission of an application for Flexible Funds Program assistance.

SECTION 2: This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2010.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

Business Meeting**Date:** 11/09/2010**Length (in minutes):** Consent Item**Agenda Title:** Award Contract for Street Sweeping Services to Water Truck Services, Inc.**Prepared By:** Joseph Barrett, Financial and Information Services**Item Type:** Motion Requested**Meeting Type:** Consent Agenda - LCRB**Information****ISSUE**

Shall the Local Contract Review Board award a contract to Water Truck Service, Inc., for street sweeping services and authorize the City Manager to take the necessary steps to execute the contract?

STAFF RECOMMENDATION / ACTION REQUEST

Staff recommends that the Local Contract Review Board, by motion, approve the contract award to Water Truck Service, Inc., in the amount not to exceed \$250,500 for the first year of a possible five year contract.

KEY FACTS AND INFORMATION SUMMARY

In late September 2010, the City issued a Request for Proposal for street sweeping services on an as-required basis. Work to be completed under this services includes the following:

- Street sweeping and/or street flushing and removal of debris as required for approximately 280 sweeping miles of Tigard streets (both sides of street). Each street will be swept at least once each month.
- Detailing and sweeping of the City's parking lots each month. A total of 544,800 square feet of parking lot will be swept each month.
- Special sweeps that are outside the regular monthly sweeps. Special sweep may include, but are not necessary limited to, the following:
 - Automobile accidents,
 - Material spills on the roadway,
 - Construction zone cleanup, and
 - Snowfall and subsequent sweep of sand on the roadway
- Street sweeping for business and high traffic main boulevards will be done between the hours of 4:00 am to 7:00 am and residential shall be swept between the hours of 7:00 am and 7:00 pm.

The City received proposals from two contractors, Water Truck Services, Inc. and DeAngelo Brothers Incorporated, on October 5, 2010. Both contractors submitted proposals that demonstrated ability to provide the full range of services requested. A Selection Committee comprised of Public Works staff reviewed the proposals and scored them based on the following criteria:

- Firm Qualifications,
- Project Understanding, Approach, and Proposed Schedule, and
- Cost Proposal

Requests for Proposals (RFPs) are awarded based on the highest scoring proposal on all criteria, unlike an Invitation to Bid (ITB) which is awarded based solely on low cost. Based on the review and scoring from the review by the Selection Committee, staff recommends award of the City's Street Sweeping Services contract to Water Truck Service, Inc. in the amount not exceeding \$250,500 during the first year of a possible five year contract. The total amount over the possible life of the agreement is estimated at \$1,250,000.

OTHER ALTERNATIVES

No other alternatives are recommended by staff. Staff continues to look for alternative solutions for this work including seeking an IGA with a neighboring agency.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

None.

DATES OF PREVIOUS COUNCIL CONSIDERATION

None. This is this items first time before the LCRB.

Fiscal Impact

Cost: \$250,500

Budgeted (yes or no): Yes

Where budgeted?: Stormwater and Gas Tax Fund

Additional Fiscal Notes:

The estimated total for the first year of this contract is not expected to exceed \$250,500. For FY 2010-11, there is \$218,000 budget for the services in the Stormwater Fund and \$32,500 budgeted in the Gas Tax Fund. The total over the life of the contract is estimated not to exceed \$1,250,000.

AIS-244

Item #: 4.

Business Meeting

Date: 11/09/2010

Length (in minutes): 5 Minutes

Agenda Title: Proclaim Human Rights Week & Day

Prepared By: Joanne Bengtson, Administrative Services

Item Type: Receive and File

Meeting Type: Proclamation

Information

ISSUE

Proclaim December 6-12, 2010 Human Rights Week and December 10, 2010 Human Rights Day.

STAFF RECOMMENDATION / ACTION REQUEST

Proclamation will be presented by Mayor Dirksen at the November 9, 2010 Council meeting.

KEY FACTS AND INFORMATION SUMMARY

Proclamation approved by Mayor Dirksen.

OTHER ALTERNATIVES

N/A

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

N/A

DATES OF PREVIOUS COUNCIL CONSIDERATION

N/A

Attachments

Human Rights Proclamation

Proclamation

City of Tigard

Human Rights Proclamation

WHEREAS, on December 10, 1948, the member states of the United Nations signed the Universal Declaration of Human Rights and countries of different political, economic and social systems unanimously agreed upon fundamental rights that all people share solely on the basis of their common humanity; and

WHEREAS, the Universal Declaration asserts recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice, and peace; and

WHEREAS, disregard for human rights have resulted in acts which have offended the conscience of mankind, and the advent of the world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people; and

WHEREAS, the Universal Declaration is referred to as the primary definition of human rights standards and increasingly referred to as customary international law, which all countries should abide; and

WHEREAS, the primary responsibility to promote respect for these rights and freedoms lies within each individual in the City of Tigard, and by supporting the dignity and worth of the human person, residents can promote social progress and better standards of life;

NOW THEREFORE BE IT RESOLVED THAT WE, the City Council of the City of Tigard, Oregon do hereby proclaim

**December 6 – 12, 2010 to be HUMAN RIGHTS WEEK, and
December 10, 2010 as HUMAN RIGHTS DAY,**

and we encourage our residents to study and promote the ideas contained in Universal Declaration of Human Rights to the end that freedom, justice, and equality will flourish and be made available to all.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Tigard to be affixed.

Craig E. Dirksen, Mayor
City of Tigard

Attest:

City Recorder

Business Meeting**Date:** 11/09/2010**Length (in minutes):** 20 Minutes**Agenda Title:** Informational Public Hearing to Consider a Resolution Establishing Canterbury Sanitary Sewer Reimbursement District No. 50**Prepared By:** Ted Kyle, Public Works**Item Type:** Public Hearing - Informational **Meeting Type:** Council Business Meeting - Main Resolution**Information****ISSUE**

Shall the City Council hold a public hearing and consider a resolution establishing Canterbury Sanitary Sewer Reimbursement District No. 50?

STAFF RECOMMENDATION / ACTION REQUEST

Staff recommends the City Council hold the public hearing and approve the resolution forming the reimbursement district.

KEY FACTS AND INFORMATION SUMMARY

- Under the Citywide Sanitary Sewer Extension Program, the City installs public sewers to each lot within a reimbursement district. At the time of connecting to the public sewer, the property owner:
 - Pays a connection and inspection fee.
 - Reimburses the City for the owner's share of the sewer installation.
 - Assumes responsibility for any plumbing modifications to connect to the public sewer.
 - Assumes responsibility for disconnecting the owner's existing septic system in accordance with county regulations.
- The proposed Canterbury reimbursement district includes a City-owned lot and one residential lot. On October 21, 2010, staff met with the owners of the residential lot to review the project procedure, construction schedule and estimated costs. The owners are supportive of the project and are requesting service to accommodate a proposed addition to their home.
- The owners of the residential lot were notified of the hearing. The notice and mailing list are attached.
- If the Council approves the resolution to form the reimbursement district, the City will solicit bids from contractors to construct the public sewer line.
- When the project is complete, the Council will be asked to take action on another resolution. This resolution will finalize the reimbursement district and adjust the reimbursement fee based on actual project costs.
- Attached is a letter from property owners Paul E. and Judith A. Miller in support of the sewer reimbursement district.

OTHER ALTERNATIVES

The Council could choose not to establish the reimbursement district, and construction of the public sewer line would likely be abandoned.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

The proposed reimbursement district meets Goal No.1, "Implement Comprehensive Plan," by furthering Comprehensive Goal 11.3, "Develop and maintain a wastewater collection system that meets the existing and future needs of the community."

DATES OF PREVIOUS COUNCIL CONSIDERATION

This is the first time the Canterbury reimbursement district has come before the Council.

Fiscal Impact

Cost: Estimated \$125,663

Budgeted (yes or no): Yes

Where Budgeted (department/program): Capital Improvement Plan (CIP) - Sanitary Sewer

Additional Fiscal Notes:

This project is part of the Citywide Sanitary Sewer Extension Program. There are adequate funds to pay for this project within the CIP Sanitary Sewer Fund.

Attachments

Resolution

Exhibit A - City Engineer's Report

Exhibit B - Property Map

Letter of Support from Property Owners

Vicinity Map

Cover Letter to Property Owners for Hearing Notice

Notice to Property Owners of Hearing

Mailing List for Hearing Notice

Resolution No. 01-46 Setting Up the Early Connection Incentive

Resolution No. 03-55 Modifying the Early Connection Incentive

**CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 10-**

A RESOLUTION ESTABLISHING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 50 (SW CANTERBURY LANE).

WHEREAS, the City has initiated the Citywide Sanitary Sewer Extension Program to extend public sewers and recover costs through reimbursement districts in accordance with TMC Chapter 13.09; and

WHEREAS, the property owners of proposed Sanitary Sewer Reimbursement District No. 50 (SW Canterbury lane) have been notified of a public hearing in accordance with TMC 13.09.060 and a public hearing was conducted in accordance with TMC 13.09.050; and

WHEREAS, the City Engineer has submitted a report describing the improvements, the area to be included in the reimbursement district, the estimated costs, a method for spreading the cost among the parcels within the district, and a recommendation for an annual fee adjustment; and

WHEREAS, the City Council has determined that the formation of a reimbursement district as recommended by the City Engineer is appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

- SECTION 1: The City Engineer's report titled "Sanitary Sewer Reimbursement District No. 50," attached hereto as Exhibit A, is hereby approved.
- SECTION 2: A reimbursement district is hereby established in accordance with TMC Chapter 13.09. The district shall be the area shown and described in Exhibit B. The district shall be known as "Sanitary Sewer Reimbursement District No. 50."
- SECTION 3: Payment of the reimbursement fee, as shown in Exhibit A, is a precondition of receiving City permits applicable to development of each parcel within the reimbursement district as provided for in TMC 13.09.110.
- SECTION 4: An annual fee adjustment, at a rate recommended by the Finance Director, shall be applied to the reimbursement fee.
- SECTION 5: The City Recorder shall cause a copy of this resolution to be filed in the office of the County Recorder and shall mail a copy of this resolution to all affected property owners at their last known address, in accordance with TMC 13.09.090.
- SECTION 6: This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2010.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

Exhibit A
City Engineer's Report
Sanitary Sewer Reimbursement District No. 50
(SW Canterbury Lane)

Background

This project will be constructed and funded under the Citywide Sanitary Sewer Extension Program. Under the program, the City of Tigard installs public sewers to each lot within an established reimbursement district. At the time of connecting to the public sewer, the property owner:

- Pays a connection and inspection fee, currently \$4,135.
- Reimburses the City for the owner's share of the sewer installation.
- Assumes responsibility for any plumbing modifications necessary to connect to the public sewer.
- Assumes responsibility for disconnecting the owner's existing septic system in accordance with Washington County regulations.

There is no requirement to connect to the sewer or pay any fee until connection is made.

Project Area - Zone of Benefit

Serving the two lots in the following table will require extending an existing sewer in SW Inez Street. No further extension of this line will be required. The surrounding area is completely served with sewer.

The owner of 10380 SW Canterbury Lane is requesting sewer service to accommodate a proposed addition to his home. The City is the owner of the adjacent lot at 10310 SW Canterbury Lane. This lot is a City park and the site of the John Tigard House managed by the Tigard Area Historical and Preservation Association. The association has expressed an interest in constructing a restroom to the south of the house. The proposed sewer would provide service to this restroom.

The proposed project would provide sewer service to a total of two lots within the proposed reimbursement district as shown on Exhibit B to the proposed resolution.

Cost

The estimated construction cost to provide sanitary sewer service to the two lots is \$110,716. Engineering and inspection fees amount to \$14,947 (13.5%) as defined in TMC 13.09.040(1). The estimated total project cost is \$125,663. This is the estimated amount that would be reimbursed to the sanitary sewer fund as property owners connect to the sewer and pay their share of the project costs. However, the actual amount each property owner pays may be affected by the owner's participation in the City's early connection incentive program.

In addition to sharing the cost of the public sewer, each property owner will be required to pay a connection and inspection fee, currently \$4,135, upon connection to the public line.

All owners will be responsible for all plumbing costs required for work done on private property.

Reimbursement Rate

The two lots are dissimilar but are receiving the same benefit. Therefore, it is recommended that the total cost of the project be divided equally between the two properties.

Other reimbursement methods include dividing the cost proportional to lot area or by the length of frontage of each property. These methods are not recommended because there is no correlation between these methods and the cost of providing service to each lot or the benefit to each lot.

Each property owner's estimated fair share of the public sewer is \$62,831. In accordance with Resolution No. 01-46, owners who complete their connection within three years of City Council approval of the final City Engineer's Report are eligible for incentives. Under these incentives, each owner's share would be limited to \$6,000, to the extent that this share does not exceed \$15,000. In addition to paying for the first \$6,000, owners will remain responsible for paying all actual costs that exceed \$15,000. Upon request, payment of costs that exceed \$15,000 may be deferred until the lot is developed, as provided by Resolution No. 03-55.

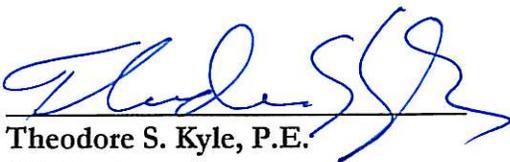
Annual Fee Adjustment

TMC 13.09.115 states that an annual percentage rate shall be applied to each property owner's share of the public sewer costs on the anniversary date of the reimbursement agreement. The Finance Director has set the annual interest rate at 6.05% as stated in Resolution No. 98-22.

Recommendation

It is recommended that a reimbursement district be formed with an annual fee increase as indicated above and that the reimbursement district continue for fifteen years as provided in Tigard Municipal Code (TMC) 13.09.110(5). Fifteen years after the formation of the reimbursement district, properties connecting to the public sewer would no longer be required to pay the reimbursement fee.

Submitted October 26, 2010


Theodore S. Kyle, P.E.
City Engineer

I:\ENG\1 - Active Projects\Canterbury Ln-103rd Ave San Sewer Reimbursement Dist. xx IFAS 930xx Key\Council\Formation\11-9-10 Canterbury Reim Dist 50 Report Ex A.doc

CANTERBURY LANE
FY 2010-11 Sanitary Sewer Extension Program

Estimated Cost to Property Owners

Summary

Monday, October 18, 2010

Estimated Construction Costs	\$96,275
15.00% contingency (construction)	\$14,441
Estimated construction subtotal	\$110,716
13.50% Administration & Engineering	\$14,947
total project costs	\$125,663
total lots to be served	2
total cost per lot	\$62,831.47

CANTERBURY LANE
FY 2010-11 Sanitary Sewer Extension Program
Estimated Cost to Property Owners
Monday, October 18, 2010

Owner	Site Address	Tax Lot ID	Estimated Reimbursement Fee	Amount to be Paid by Owner	Amount to be Paid by City	Amount that can be Deferred by Owner
1 Miller, Paul E & Judith A	10380 SE Canterbury Ln	2S111BC02700	\$ 62,831	\$ 53,831	\$ 9,000	\$ 47,831
2 City of Tigard	10310 SW Canterbury Ln	2S111BC02603	\$ 62,831	\$ 53,831	\$ 9,000	\$ 47,831
Totals			\$ 125,663	\$ 107,663	\$ 18,000	\$ 95,663

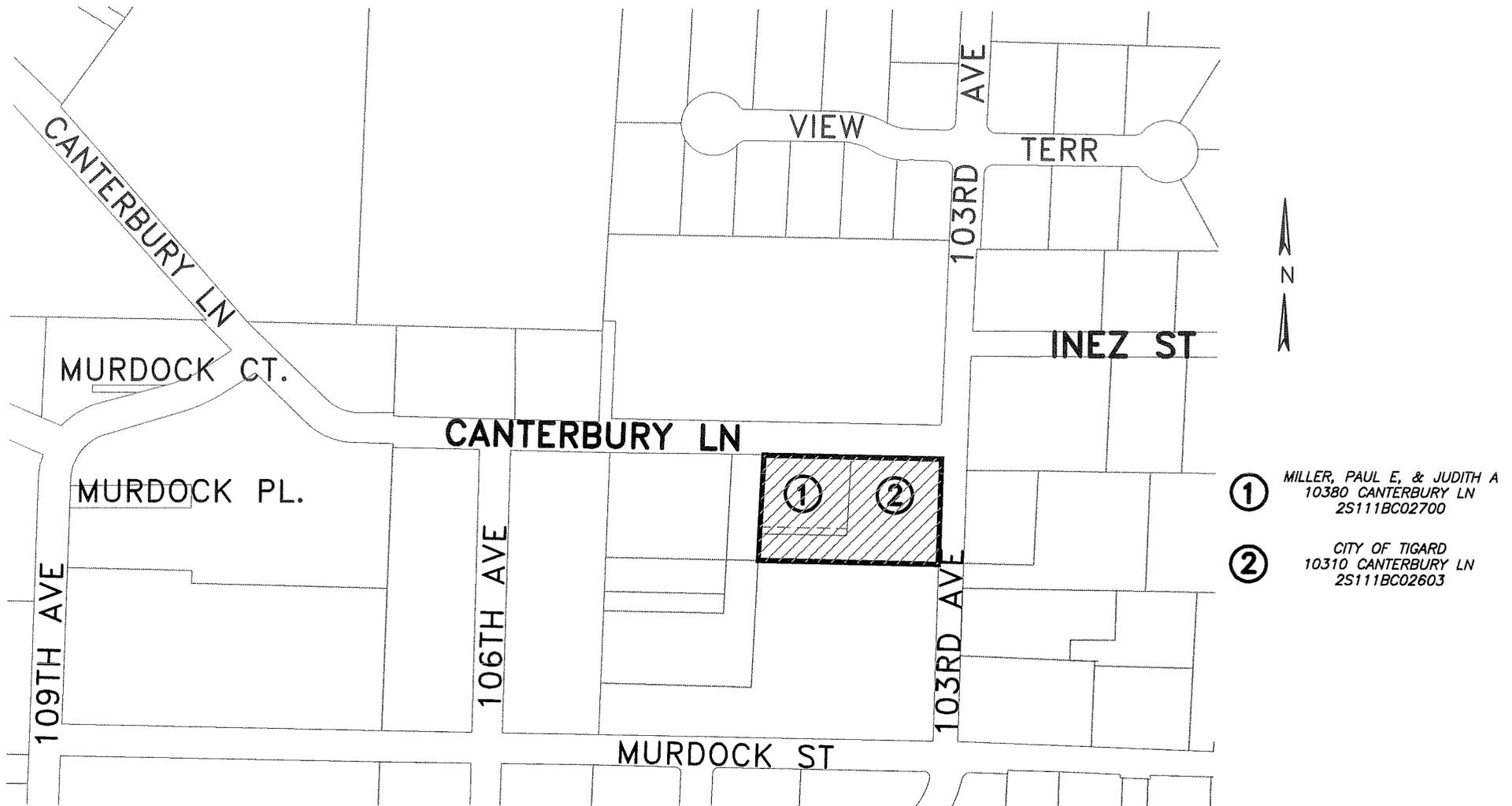
The "ESTIMATED REIMBURSEMENT FEE" column shows the estimated reimbursement fee for each lot. There are no requirements to connect to the sewer or pay any fees until the owner decides to connect to the sewer. The final reimbursement fee will be determined once construction is complete and final costs are determined.

In accordance with Resolution No. 01-46, each property owner will be required to pay the first \$6,000 of the final reimbursement fee for connections completed within the first three years of City Council's approval of the final City Engineer's Report following construction. The "AMOUNT TO BE PAID BY CITY" column shows that portion of the reimbursement fee that the owners will not be required to pay if they connect to the sewer during this three year period.

This resolution also requires owners to pay any fair share amount that exceed \$15,000. Consequently, if the final fair share for an owner exceeds \$15,000, the owner would be required to pay \$6,000 plus that amount of the fair share that exceeds \$15,000. Under Resolution No. 03-55, payment of the amount in excess of \$15,000 may be deferred until the owner's lot is developed. This amount is shown in the AMOUNT THAT CAN BE DEFERRED BY OWNER" column.

In addition to the reimbursement fee, the owners will also be required to pay a connection fee, currently \$4,135 at the time of connection to the sewer. In addition, property owners are responsible for disconnecting their existing septic system according to Washington County rules and for any other modifications necessary to connect to the public sewer.

CANTERBURY LANE—REIMBURSEMENT DIST NO. 50
FY 2010–11 SANITARY SEWER EXTENSION PROGRAM
A PORTION OF THE NW 1/4 SECTION 11 T2S R1W W.M.



NOTE:

All properties in the reimbursement district are zoned R3.5

EXHIBIT B
NTS

**Paul and Judith Miller
10380 SW Canterbury Lane
Tigard, Oregon 97224-4810**

RECEIVED
OCT 24 2010
CITY OF TIGARD

October 21, 2010

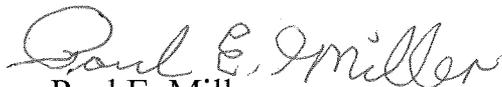
City Council
City of Tigard
13125 SW Hall Blvd.
Tigard, OR 97223

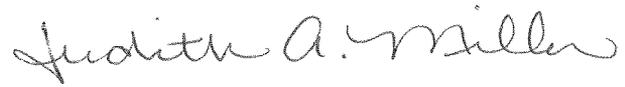
Subject: Canterbury Lane Sanitary Sewer Reimbursement District No. 50

Dear Ladies and Gentlemen:

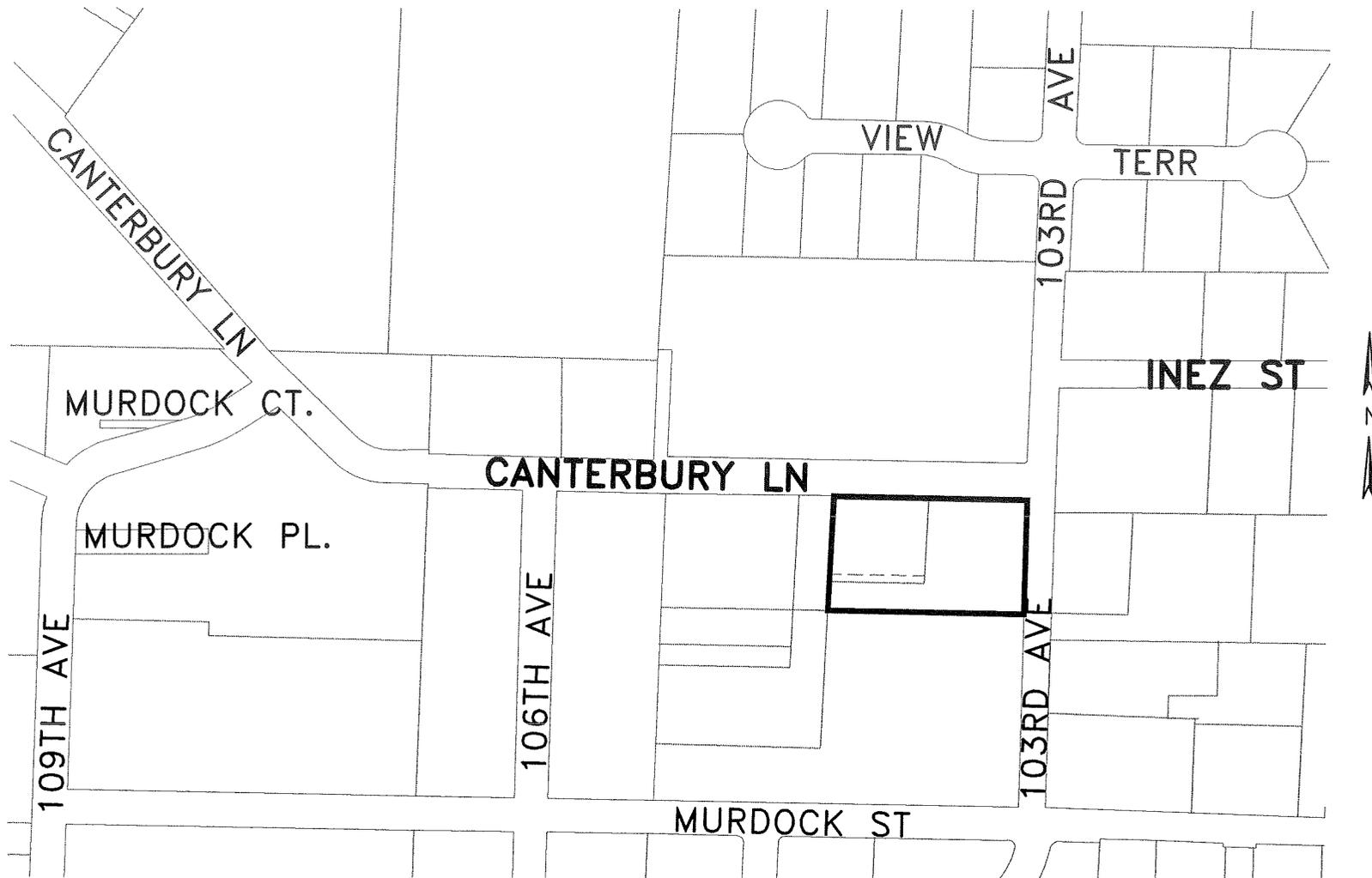
We endorse construction of the Canterbury Lane Sanitary Sewer Reimbursement District No. 50. We urge you to approve it and to begin building the sewer very soon.

Sincerely,


Paul E. Miller


Judith A. Miller

CANTERBURY LANE—REIMBURSEMENT DIST NO. 50
FY 2010–11 SANITARY SEWER EXTENSION PROGRAM
A PORTION OF THE NW 1/4 SECTION 11 T2S R1W W.M.



VICINITY MAP
NTS

October 29, 2010

**Proposed Sanitary Sewer Reimbursement District No. 50
(SW Canterbury Lane)**

At this meeting, City Council will be requested to form a sewer reimbursement district to provide you and the adjacent City lot with sewer service as discussed on October 21, 2010. There is no requirement to connect to the sewer or pay any fee until connection is made. Each property owner's estimated fair share is summarized in the attached tables.

As discussed, the amount each property owner will be required to pay will be limited to \$6,000 for connections completed within three years of City Council approval of the final City Engineer's Report following construction, in accordance with Resolution No. 01-46. Please note that this resolution also requires the owner to pay any fair share amounts that exceed \$15,000. Under Resolution No. 03-55, payment of the amount in excess of \$15,000 may be deferred until the owner's lot is developed.

In addition, the owner would be required to pay a connection fee, currently \$4,135, at the time of connection to the sewer. Also, property owners are responsible for disconnecting their existing septic system according to Washington County rules and for any other modifications necessary to connect to the public sewer.

October 22, 2010

NOTICE

Informational Hearing

NOTICE IS HEREBY GIVEN
THAT THE **TIGARD CITY COUNCIL**
AT A MEETING ON
TUESDAY, November 9, 2010 AT 7:30 PM
IN THE **TOWN HALL OF THE TIGARD CIVIC CENTER**
13125 SW HALL BLVD
TIGARD OR 97223

WILL CONSIDER THE FOLLOWING:

Proposed Sanitary Sewer Reimbursement District No. 50 (SW Canterbury Lane)

The Tigard City Council will conduct an informational public hearing to hear testimony on the proposed Reimbursement District formed to install sewers in SW Canterbury Lane.

Both public oral and written testimony is invited.

The public hearing on this matter will be conducted as required by Section 13.09.060 of the Tigard Municipal Code.

Further information and the scheduled time for this item during the Council meeting may be obtained from the Engineering Department, 13125 SW Hall Blvd. Tigard, Oregon 97223, by calling 503-718-2468 or at www.tigard-or.gov.

2S111BC02700
MILLER, PAUL E & JUDITH A
10380 SW CANTERBURY
TIGARD, OR 97224

CITY OF TIGARD, OREGON

RESOLUTION NO. 01-46

A RESOLUTION REPEALING RESOLUTION NO. 98-51 AND ESTABLISHING A REVISED AND ENHANCED NEIGHBORHOOD SEWER REIMBURSEMENT DISTRICT INCENTIVE PROGRAM

WHEREAS, the City Council has initiated the Neighborhood Sewer Extension Program to extend public sewers through Reimbursement Districts in accordance with TMC Chapter 13.09; and

WHEREAS, on October 13, 1998, the City Council established The Neighborhood Sewer Reimbursement District Incentive Program through Resolution No. 98-51 to encourage owners to connect to public sewer. The program was offered for a two-year period after which the program would be evaluated for continuation; and

WHEREAS, on September 26, 2000, the City Council extended The Neighborhood Sewer Reimbursement District Incentive Program an additional two years through Resolution No. 00-60; and

WHEREAS, City Council finds that residential areas that remain without sewer service should be provided with service within five years; and

WHEREAS, Council has directed that additional incentives should be made available to encourage owners to promptly connect to sewers once service is available and that owners who have paid for service provided by previously established districts of the Neighborhood Sewer Extension Program should receive the benefits of the additional incentives.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: Resolution No. 98-51 establishing the Neighborhood Sewer Reimbursement District Incentive Program is hereby repealed.

SECTION 2: A revised incentive program is hereby established for the Neighborhood Sewer Extension Program. This incentive program shall apply to sewer connections provided through the sewer reimbursement districts shown on the attached Table 1 or established thereafter. All connections qualifying under this program must be completed within **three years** after Council approval of the final City Engineer's Report following a public hearing conducted in accordance with TMC Section 13.09.105 or by **two years** from the date this resolution is passed, which ever is later, as shown on the attached Table 1.

SECTION 3: To the extent that the reimbursement fee determined in accordance with Section 13.09.040 does not exceed \$15,000, the amount to be reimbursed by an owner of a lot zoned single family residential shall not exceed \$6,000 per connection, provided that the lot owner complies with the provisions of Section 2. Any amount over \$15,000 shall be reimbursed by the owner. This applies only to the reimbursement fee for the sewer installation and not to the connection fee, which is still payable upon application for

sewer connection.

SECTION 4: The City Engineer's Report required by TMC Chapter 13.09 shall apply the provisions of this incentive program. Residential lot owners who do not connect to sewer in accordance with Section 2 shall pay the full reimbursement amount as determined by the final City Engineer's Report.

SECTION 5: Any person who has paid a reimbursement fee in excess of the fee required herein is entitled to reimbursement from the City. The amounts to be reimbursed and the persons to be paid shall be determined by the Finance Director and approved by the City Manager. There shall be a full explanation of any circumstances that require payment to any person who is not an original payer. The Finance Director shall make payment to all persons entitled to the refund no later than August 31, 2001.

SECTION 6: The Sanitary Sewer Fund, which is the funding source for the Neighborhood Sewer Reimbursement District Program, shall provide the funding for the installation costs over \$6,000 up to a maximum of \$15,000 per connection.

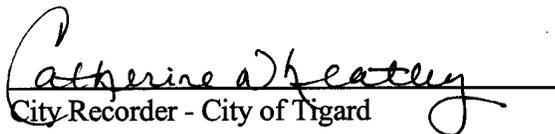
EFFECTIVE DATE: July 10, 2001

PASSED: This 10th day of July 2001.



Mayor - City of Tigard

ATTEST:



City Recorder - City of Tigard

I:\Citywide\Res\Resolution Revising the Neighborhood Sewer Incentive Program

TABLE 1
Reimbursement Districts with Refunds Available

DISTRICT	FEE PER LOT	REIMBURSEMENT AVAILABLE	INCENTIVE PERIOD ENDS
TIGARD ST.No.8	5,193	No reimbursement available	
FAIRHAVEN ST/WYNo.9	4,506	No reimbursement available	
HILLVIEW ST No.11	8,000		July 11, 2003
106 TH & JOHNSON No.12	5,598	No reimbursement available	
100 TH & INEZ No.13	8,000		July 11,2003
WALNUT & TIEDEMAN No.14	8,000		July 11,2003
BEVELAND&HERMOSA No.15	5,036	No reimbursement available	
DELMONTE No.16	8,000		July 11,2003
O'MARA No.17	8,000		July 11,2003
WALNUT & 121 ST No.18	-	Amount to be reimbursed will be	Three years from service availability
ROSE VISTA No.20	-	determined once final costs are determined.	

* Currently being constructed

CITY OF TIGARD, OREGON

RESOLUTION NO. 03- 55

A RESOLUTION PROVIDING ADDITIONAL INCENTIVES TO THE NEIGHBORHOOD SEWER REIMBURSEMENT DISTRICT INCENTIVE PROGRAM (RESOLUTION NO. 01 – 46).

WHEREAS, the City Council has initiated the Neighborhood Sewer Extension Program to extend public sewers through Reimbursement Districts in accordance with TMC Chapter 13.09; and

WHEREAS, on July 10, 2001, the City Council established the Revised and Enhanced Neighborhood Sewer Reimbursement District Incentive Program through Resolution No. 01-46 to encourage owners to connect to public sewer within three-years following construction of sewers; and

WHEREAS, Council has directed that additional incentives should be made available to encourage owners of large lots to promptly connect to sewers once service is available.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: In addition to the incentives provided by Resolution No. 01-46, any person whose reimbursement fee exceeds \$15,000 and wishes to connect a single family home or duplex to a sewer constructed through a reimbursement district may defer payment of the portion of the reimbursement fee that exceeds \$15,000, as required by Section 3 of Resolution No. 01-46, until the lot is partitioned or otherwise developed in accordance with a land use permit. The land use permit shall not be issued until payment of the deferred amount is made. The Annual Fee Adjustment required by TMC Section 13.09.115 shall not apply to payment of this deferred amount.

SECTION 2: Lots that qualify under Section 1, within reimbursement districts that have exceeded the three-year period for connection, and have not connected to sewer can connect the existing structure, pay a reimbursement fee of \$6,000, and defer payment of the portion of the reimbursement fee that exceeds \$15,000 if connection to the sewer is completed within one year after the effective date of this resolution.

SECTION 3: Vacant lots improved with a single family home or duplex during the term of the reimbursement district shall qualify for the provisions of Resolution No. 01-46, pay \$6,000 if the fee exceeds that amount, and may defer payment of the portion of the reimbursement fee that exceeds \$15,000 as provided by Section 1.

SECTION 4: Vacant lots that are partitioned, subdivided, or otherwise developed during the life of the reimbursement district shall qualify for the provisions of Resolution No. 01-46, shall pay a reimbursement fee of \$6,000, and shall pay any amount due over \$15,000 at the time of development. The Annual Fee Adjustment required by TMC Section 13.09.115 shall not apply to payments made under this section.

SECTION 5: The owner of any lot for which deferred payment is requested must enter into an agreement with the City, on a form prepared by the City Engineer, acknowledging the

owner's and owner's successors obligation to pay the deferred amount as described in Section 1. The City Recorder shall cause the agreement to be filed in the office of the County Recorder to provide notice to potential purchasers of the lot. The recording will not create a lien. Failure to make such a recording shall not affect the obligation to pay the deferred amount.

SECTION 6: Any person who qualifies under Section 1 and has paid a reimbursement fee for the portion of the reimbursement fee in excess of \$15,000 is entitled to reimbursement for that amount from the City upon request. The amounts to be reimbursed and the persons to be paid shall be determined by the Finance Director and approved by the City Manager. There shall be a full explanation of any circumstances that require payment to any person who is not an original payer. Any person requesting a refund must sign an agreement similar to that described in Section 5 acknowledging the obligation to pay the refunded amount upon partitioning or developing the lot.

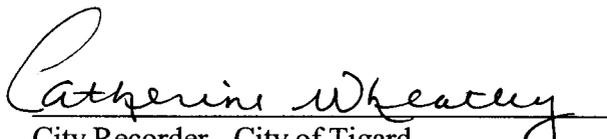
SECTION 7: The Sanitary Sewer Fund continues to remain the funding source for the Neighborhood Sewer Reimbursement District Program and shall provide the funding for the installation costs over \$6,000 up to a maximum of \$15,000 per connection and for any deferred payment permitted by this resolution.

SECTION 8: This resolution is effective immediately upon passage.

PASSED: This 14th day of October 2003.


~~Mayor - City of Tigard~~
Craig E. Dirksen, Council President

ATTEST:


Catherine Wheately
City Recorder - City of Tigard

i:\eng\greg\reimbursement districts\revisions res 01-46 aug 26 03\oct 14 03 council\10-14-03 addition to res 1-46 res.doc

Business Meeting**Date:** 11/09/2010**Length (in minutes):** 15 Minutes**Agenda Title:** Informational Public Hearing to Consider a Resolution Adopting the Water Rate Study**Prepared By:** Kathy Mollusky, Public Works**Item Type:** Public Hearing - Informational **Meeting Type:** Council Business Meeting - Main Resolution**Information****ISSUE**

Shall the City Council hold a public hearing and consider a resolution adopting the Water Rate Study?

STAFF RECOMMENDATION / ACTION REQUEST

Staff recommends the Council hold the public hearing and adopt the resolution.

KEY FACTS AND INFORMATION SUMMARY

The City's consultant has completed a comprehensive water financial plan which included a Water Rate Study and Water System Development Charge (SDC) Update.

The study identifies a financing strategy which includes revenue requirements and water rate increases by fiscal year. It provides Council with five major rate design recommendations to improve revenue stability, provide equity among ratepayers, and continue water conservation efforts. These recommendations are:

- Increase fees based on increasing meter size.
- Enhance water conservation by using a three-tiered inclining block rate.
- Enhance water conservation by increasing the uniform water rates for industrial and irrigation users.
- Implement monthly billing.

In accordance with the Water Rate Study, rate increases are spread over a five-year period. These increases will provide revenues for water-related operation and maintenance costs, and for projects associated with the Lake Oswego-Tigard Water Partnership and other capital improvements.

The Intergovernmental Water Board approved the summary findings of the Water Rate Study on October 13, 2010. The Board also recommended the Council adopt the corresponding water rate increases as outlined in the study.

This resolution adopts the Water Rate Study. A subsequent resolution, also before Council on November 9, 2010, will incorporate recommended water rate increases into the 2010-2011 Master Fees and Charges Schedule.

OTHER ALTERNATIVES

Council could decide not to adopt the Water Rate Study. Should Council not adopt the Water Rate Study, the City may be unable to fund the Lake Oswego Tigard Water Partnership. This partnership funding is dependent on the ability of the City to generate the necessary revenues to secure bonds over the next 5-7 year period.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

City Council Long Term Goal: "Continue to monitor the Tigard/Lake Oswego Water Partnership."

DATES OF PREVIOUS COUNCIL CONSIDERATION

This topic has come before the Council on the following dates:

- June 15, 2010 - Introduction to the water financial plan project - Water Rate Study and Water SDC Update.
- July 20, 2010 - Presentation on water revenue requirements pertaining to the Lake Oswego-Tigard Water Partnership and funding mechanisms available and water rate revenue increases needed to provide this additional funding.
- September 21, 2010 - Presentation on water rate design and water rate increases necessary to meet the challenges in providing adequate funding for the Lake Oswego-Tigard Water Partnership.
- October 19, 2010 - Discussion regarding water utility financial aid for Tigard Water Service Area regarding ratepayer economic hardship.

Fiscal Impact

Cost: See narrative

Budgeted (yes or no): No

Where Budgeted (department/program): N/A

Additional Fiscal Notes:

This is a revenue generating action before the Council. There is no cost in adopting the Water Rate Study.

The Water Rate Study provides a ten-year financial plan based on estimated revenue requirements of the utility, and recommends water rate increases to generate more revenue during this period. The study includes a water rate design model that provides revenue stability, equity and fairness among ratepayers, and continues to support water conservation.

The study identifies the necessary water rate increases for the next ten years to meet the requirements as enumerated. Council is being asked to consider a five-year water rate increase schedule to ensure adequate revenues to meet the obligations of the Lake Oswego Tigard Water Partnership. By 2016 the study findings indicate that revenues will need to be approximately \$15 million per annum to meet debt service and operational requirements. In fiscal year 2011, water revenues are budgeted at approximately \$8.5 million.

This document will provide the basis for Council action to cause water rates to increase for most customers. Water rates will increase 34.5 percent the first year, generating an additional \$2.76 million for the water utility. This revenue is needed to provide coverage requirements and service debt which will be initially issued in 2011.

Attachments

[Resolution](#)

[Exhibit A - Water Rate Study](#)

[PowerPoint](#)

**CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 10-**

A RESOLUTION ADOPTING THE WATER RATE STUDY WHICH PROVIDES A LONG-TERM FINANCING STRATEGY TO FUND THE LAKE OSWEGO-TIGARD WATER PARTNERSHIP AND OTHER WATER CAPITAL IMPROVEMENTS

WHEREAS, the City of Tigard is the managing authority and water provider for the Tigard Water Service Area (TWSA). The TWSA includes the residents of Durham, King City, two-thirds of Tigard, and the Tigard Water District; and

WHEREAS, the Tigard Municipal Code, Chapter 12.10, defines the authority of the City to operate and maintain water utility services within the Tigard Water Service Area; and

WHEREAS, the Intergovernmental Agreements for Delivery of Water Service, Sections 8.B., state that Tigard City Council has the authority to modify, alter or repeal the Rules, Rates and Regulations for Water Service within the Tigard Water Service Area; and

WHEREAS, on October 13, 2010, the Intergovernmental Water Board recommended the Tigard City Council approve the Water Rate Study and the corresponding adjustments to water fees and charges; and

WHEREAS, on August 6, 2008, following extensive analysis of various long-term water supply options, the City Council entered into the Lake Oswego-Tigard Water Partnership whereby the cities would jointly develop a shared water system; and

WHEREAS, the Council may approve the use of bonds, secured with water utility revenues, as funding source for water partnership projects and other capital improvements; and

WHEREAS, a water rate study was necessary to support the issuance of bonds for the Lake Oswego Tigard Water Partnership; and

WHEREAS, the City's consultant completed a comprehensive water financial plan which included a Water Rate Study and Water System Development Charge Update. The report provides an analysis of the additional revenue requirements needed for water-related operation and maintenance costs, and for projects associated with the Lake Oswego-Tigard Water Partnership and other capital improvements; and

WHEREAS, the City's financial planner has reviewed the findings from the Water Rate Study and provided approval of recommended revenue bond strategy contained therein; and

WHEREAS, the Water Rate Study provides Council with five major recommendations to improve revenue stability, provide equity among ratepayers, and continue water conservation efforts. These recommendations are:

1. Increase fixed rates based on increasing meter size.
2. Enhance water conservation by using a three-tiered inclining block rate.
3. Enhance water conservation by increasing the uniform water rates for industrial and irrigation users.
4. Implement monthly billing.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The City Council hereby adopts the Water Rate Study, Exhibit A, dated October 25, 2010.

SECTION 2: This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2010.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

**MEMORANDUM**

To: John Goodrich, City of Tigard **Date:** October 25, 2010

From: Joe Healy, Red Oak Consulting

Re: **Water Rate Study Executive Summary**

Introduction

The City of Tigard engaged Red Oak Consulting to update the City's water user charges. Among other goals, the City desired that fees encourage conservation while meeting the needs of its capital improvement plan.

In August 2008, the cities of Lake Oswego and Tigard formally endorsed a partnership agreement for sharing drinking water resources and costs. Lake Oswego's water supply system is near capacity, and key facilities need expansion and upgrades. Tigard residents need a secure, dependable water source. Both cities want to keep water affordable for their customers and sharing the cost of new infrastructure to serve both communities does that.¹

The Lake Oswego – Tigard Water Partnership (Partnership) is expanding the City of Lake Oswego's existing water infrastructure to serve both the City of Lake Oswego and the City of Tigard. The Partnership will upgrade, upsize, and expand six existing facilities:

1. Raw Water Intake
2. Raw Water Pipeline
3. Water Treatment Plant
4. Treated Water Pipeline(s)
5. Treated Water Reservoir
6. Bonita Road Pump Station

Given the size and scope of Partnership project costs, the City of Tigard (City) engaged Red Oak to complete a comprehensive financial planning and water rate study. Red Oak assisted the City in four main tasks, or phases, described below:

- Phase 1. Develop the City's revenue requirements for the next ten years using a formal financial planning model.

¹ "Introducing the Partnership"; Lake Oswego-Tigard Water Partnership; <http://www.lotigardwater.org/?p=project-information>; accessed 10/20/2010.

- Phase 2. Analyze the costs of service that will ensure the City collects its required revenues and meets the needs of stakeholders.
- Phase 3. Analyze alternative conservation-oriented rate structures and provide the City with the right information to select the best rate structure for the City. Once the rate structure alternative is selected, conduct an affordability analysis to highlight the impact on customers.
- Phase 4. Conduct an analysis of the City's non-recurring water charges, specifically fire line fees and charges.

The results for each phase are provided below. Also attached to this Executive Summary memorandum are select results of Red Oak's analyses that have been delivered to the City throughout the execution of the water rate study. The attachments include:

- A – Financial Planning Technical Memorandum
- B – Financial Planning Summary Information
- C – Water Financial Plan Detailed Results

For this study, generally accepted industry standards were followed in conducting the analyses. These industry standards were developed so that the results are proportionate to the cost the City incurs to serve its customers.

Financial Plan Development

Financial planning is an integral part of a comprehensive process of establishing the cost of service for a utility that incorporates a longer term perspective. A finance plan looks at a utility's long-term capital needs, typically from a master plan or similar document, along with other assumptions to calculate an overall level of rate adjustments and additional debt requirements for a five- to ten-year period.

The portion of annual system revenue requirements to be recovered through rates is referred to as a utility's user charge revenue requirements (UCRR). The determination of a utility's UCRR depends on its financing policy and its other sources of income.

Financial Planning Cost Components

All of the City's expenditures can be classified as one of the following three cost components:

- Capital Improvements
- Debt Service
- Operations and Maintenance (O&M) Costs

Each is briefly described below

Capital Improvements

Capital improvements consist of those large and costly additions to utility facilities that oftentimes occur infrequently and at irregular intervals. Capital improvement projects are designed to fulfill a range of needs including:

- Compliance with new state and federal regulations,
- Enhancement of the level and reliability of the service provided,
- Meet ongoing demands of system growth and economic development, and
- Replacement and refurbishment of existing system infrastructure.

Debt Service Costs

Utilities frequently finance major capital improvements by issuing long-term financial instruments for two primary reasons. First, the financial resources required for these types of projects typically exceed the utility's available resources from the normal operation of its system. Second, spreading the debt service costs for the project over the repayment period effectively spreads the financial burden of financing large improvements to both existing and future users of the system. This burden sharing allows the utility to better match the cost of improvements with those customers using the improvements.

Operations and Maintenance Costs

O&M costs account for most of the day-to-day expenditures for operating a water utility. O&M costs include, for example, labor, benefits, insurance, utilities, etc.

Financial Policies

Provisions of the City's bond covenants will require it to maintain minimum ratios for debt service coverage and meet other coverage requirements before it can issue additional debt.

Debt Service Coverage

Debt service coverage (DSC) is the ratio of the City's net revenues to its annual debt service subject to coverage requirements. With input from the City's financial advisor, Red Oak assumed that the City must maintain a minimum 1.15 DSC ratio if SDCs are included in the calculation of net revenues.² In other words, the City's net revenue³ must, at a minimum, exceed its annual debt service by 15%.

² If SDCs are excluded from the calculation of net revenue, a 1.05 DSC ratio is required.

³ Net revenue is gross revenues *less* operating expenses. Operating expenses do not include depreciation expense.

Based on recommendations from Red Oak and the City's financial advisor, the City chose to set its minimum debt ratio targets higher than the minimum required. This is a matter of prudent financial policy, in which the City will strive to achieve a higher standard than the minimum requirements set forth in its bond covenants.

Utilities commonly adopt higher standards to achieve better financial performance, and thereby, a higher bond rating. Additionally, by achieving target net revenue higher than its minimum requirements, the City will provide itself a degree of safety from technical default on its bonds in the case of unforeseen expenditures or revenue shortfalls in the future.

For the purposes of this analysis, the target DSC ratio is 1.35 for all years if SDCs are included in the calculation of net revenues.⁴

Additional Bonds Test

Similar to the DSC ratio requirements described above, the additional bonds test (ABT) is the ratio of the City's net revenues to its additional annual debt service for future bond issues after the initial projected issue in FY2012. With input from the City's financial advisor, Red Oak assumed that the City must maintain a minimum 1.15 ABT ratio. In other words, the City's net revenue⁵ must, at a minimum, exceed its additional total debt service by 15%. For the purposes of this analysis, the target ABT ratio is 1.25 for all years.

Overview of Selected Financial Planning Alternative

Red Oak developed several alternative financial plan scenarios for review by the City. Based on guidance from the City, the scenario presented in this report provides the City with a projection of the optimal mix of rate adjustments and additional debt financing to meet its capital requirements.

The first annual rate increase under the selected scenario is scheduled to be completely effective in January 2011. This rate increase is based on need by utility, and will provide sufficient rate revenue for the remainder of FY2011 and half of FY2012. Beginning in January 2012 and every January thereafter, additional rate adjustments are projected dependent on need.

Capital Improvements

Table 1 presents individual examples of the City's largest planned capital expenditure projects over the course of the ten-year projection period used in this analysis (inflation included).

⁴ If SDCs are excluded from the calculation of net revenue, a DSC ratio of 1.25 is targeted.

⁵ Net revenue is gross revenues *less* operating expenses. Operating expenses do not include depreciation expense.

Table 1: Largest Planned Capital Expenditures

Description	Year	Totals
ASR Well 3 – Design & Equip	Multiple	\$2,736,000
ASR Well 4 – Siting Study	FY2011	30,000
ASR Well 4 – Design; Drill & Equip Year 1 (50%)	FY2017	2,284,810
ASR Well 4 – Drill & Equip Year 2 (50%)	Multiple	1,425,210
Pipeline connecting 550G and 530 Zones - Design	FY2017	242,124
Pipeline connecting 550G and 530 Zones - Construction	Multiple	2,262,442
PS8 - Construction	Multiple	2,428,610
550-6270-755827 - 550' Zone 10Mil	Multiple	3,769,043
Willamette Sherwood Pipeline	Multiple	4,400,000
Joint Water Supply Projects*	Multiple	112,057,883

Total		\$131,636,121

*Note: Joint Water Supply total does not include \$6 million already spent.

The total cost for *Joint Water Supply Projects* shown in Table 1 is a summary project cost estimate for all projects included in the Lake Oswego – Tigard Water Partnership (Partnership). The Partnership will upgrade, upsize, and expand six existing facilities:

1. Raw Water Intake
2. Raw Water Pipeline
3. Water Treatment Plant
4. Treated Water Pipeline(s)
5. Treated Water Reservoir
6. Bonita Road Pump Station

Table 2 presents a summary of the City’s annual capital program costs used in this analysis (inflation included).

Table 2: Annual Capital Program Costs

Year	Annual CIP
FY2011	\$9,911,141
FY2012	16,242,522
FY2013	23,865,900
FY2014	43,447,985
FY2015	304,490
FY2016	325,416
FY2017	49,066,585
FY2018	6,935,477
FY2019	862,835
FY2020	909,012

Totals	\$151,871,363

Funding Sources

Under this scenario, Red Oak's analysis assumes that the City will finance these improvements with a combination of cash from rate adjustments and by issuing over \$125 million of additional long-term debt through FY2017. The sizing and timing of the projected long-term debt issues is shown in Table 3 below.⁶

Table 3: Projected Bond Issues

Fiscal Year	Type	Long-Term Financing (millions)
2012	Revenue Bonds	\$44.15
2014	Revenue Bonds	40.00
2015	Bond Anticipation Notes	-
2016	Bond Anticipation Notes	-
2017	Revenue Bonds	41.34

	Total Long-Term Debt	\$125.49

Projected Revenue Requirements

In this scenario, the majority of the City's revenue requirement is related to O&M and capital. Debt service for Lake Oswego Partnership capital is projected to represent a majority of the City's revenue requirement in the future. The projected annual debt service associated with the proposed bonds present an increasing percentage of the revenue requirements.

Projected Revenues

The first proposed annual rate increase is projected to be completely effective January 2011 (FY2011).⁷ Based on this increase, the average residential customer's water bill would increase by \$9.50 per month beginning in January 2011, when compared to bills prior to October 2010. The next rate adjustment would not be effective until January 2012. At that time, the next adjustment is estimated to increase the average bill by \$5.19 per month. Rate adjustments would continue to occur in January for each of the remaining projected years. The projected annual rate adjustments are summarized in

⁶ The projected annual bond issues include estimates for issuance costs and the funding of reserve requirements. Issuance costs were assumed to be 2% of proceeds, and the reserve requirement is 10%. All projected bonds are assumed as 25-year term. FY2012 revenue bonds projected interest rate of 5.5%. All other bonds projected with 6.0% interest rate.

⁷ The City implemented a 7.0% rate adjustment in October 2010. The remainder of the proposed FY2011 rate increase will be implemented January 2011.

Table 4 below. Projected annual rate adjustments, debt service coverage ratios, and additional long-term debt are summarized in Appendix B.⁸

Table 4: Total Annual Rate Adjustments

Year	Rate Change	Year	Rate Change
FY2011	34.5%	FY2016	4.3%
FY2012	14.0%	FY2017	4.3%
FY2013	14.0%	FY2018	4.3%
FY2014	14.0%	FY2019	0.0%
FY2015	4.3%	FY2020	0.0%

Impact on Fund Balances

Typical financial management strategies include the maintenance of a minimum cash balance large enough to provide adequate working capital and meet future contingencies. The selected scenario maintains a minimum of 3 months of O&M in the operating fund balance, along with other minimum fund balance requirements related to future bond issues. By incorporating these fund balance requirements into the financial plan, the impacts of inflation are mitigated.

Financial Planning Summary

Conclusions

The City is in a large investment cycle, and will need to fund large portions of its capital improvements with a combination of rate increases and long-term debt. The balance between rate increases and long-term debt protect the financial health of the City while maintaining the lowest possible user charges. Also, the use of long-term debt improves the equity among current and future rate payers since the improvements, specifically the Partnership projects, being constructed and financed by debt will provide service for more than 25 years.

Findings and Recommendations

Key findings of the financial planning analysis include:

1. The projections presented in this section are based on many assumptions that will inevitably vary over time. Red Oak recommends the City closely monitor its revenues and expenses and make necessary adjustments to its rates in the future.
2. Additionally, an increasing reliance on debt will require the City to closely examine its future financial performance. Specifically, the City's ending cash

⁸ The actual rate increases required to properly fund the City will likely vary from the estimates presented here. Future capital requirements, O&M expenditures, customer demands, etc., will impact the accuracy of the estimates. The City should regularly review its revenue and expenses and recommend adjustments as necessary.

balances may need adjustment to account for the natural fluctuations in revenue that are not controllable by the City.

3. Given that the projected Partnership costs are estimates, Red Oak recommends that the City conduct an additional rate study three years from now. By FY2014, the City will have a record of Partnership expenditures to that point, and a much clearer forecast of remaining costs. An additional financial planning analysis and rate study will ensure that the City's rate revenue collections meet its requirements.

Cost-of-Service Methodology

The water cost-of-service (COS) methodology used in this study follows the industry standard approach called the base/extra-capacity approach described by the American Water Works Association (AWWA) in its *Manual of Water Supply Practices: Principles of Water Rates, Fees, and Charges*. This approach includes the following basic steps:

1. Establish customer characteristics.
2. Calculate revenue requirements.
3. Allocate costs.
4. Design rates.

Each is briefly described below.

Customer Characteristics

Customers of a water utility are often identified according to customer class. Each customer class has unique water demand and usage characteristics. Because cost-of-service is based on the concept of proportionality, customer service characteristics for each customer class must be analyzed to allocate the system revenue requirements equitably.

Revenue Requirements

The portion of annual system revenue requirements to be recovered through rates depends on a utility's financing policy and its other sources of income. To determine the amount of revenue that rates must generate annually, the total revenue requirements must be reduced by non-rate or other system revenues. These non-rate revenues may include, but are not limited to, miscellaneous charges and interest earnings on unrestricted fund balances. Capital reserve funds may also provide revenue to offset costs of capital improvements.

Cost Allocations

This study relies on the base/extra-capacity cost allocation methodology to allocate costs among customer classes. This methodology is more fully described in the AWWA Manual M1.

Water systems are designed to meet both the average and peak demands of their customers. Therefore, data on total annual consumption and contributions to system peak demands, as mentioned in the section on customer characteristics, are needed to allocate costs fairly among customer classes. Data on the number of customers with meters of various sizes must also be available to allocate customer-related and meter-related costs.

Rate Design

Red Oak developed a rate design model (RDM) for the City that allowed it to measure the likely conservation and revenue impacts of various increasing block rate designs. Based on direction from the City, Red Oak developed a number of alternative rate analyses using the RDM. After discussions with the City, Red Oak identified a proposed solution which is presented below.

Proposed Rate Design

During the water rate study process, the City identified three primary goals for its new rate design and rate revenue collections. The goals are:

1. Equity,
2. Conservation, and
3. Financial Stability.

Red Oak conducted a rate design workshop at the City's offices to develop a new rate design alternative for recommendation to the City Council and Intergovernmental Water Board (IWB). During the workshop, Red Oak and City Staff used Red Oak's RDM to run multiple scenarios and quickly assess alternative results.

Source of Data

The City provided its billing data for the study. The billing data consisted of individual customer accounts for the utility from FY2005 through FY2009. The FY2005 data had significant data deficiencies, but the other four historical years were sufficient for the analysis.

Historically, the City's customers were billed a fixed bi-monthly charge and a uniform volume rate which varied by customer class. Currently, the City's fixed charge does not vary by meter size, and therefore does not accurately reflect the cost of maintenance system capacity for larger meters. Various meter equivalency schedules are published by the American Water Works Association (AWWA). Additionally, Red Oak calculated a meter equivalency schedule for the City based on actual use data developed using the

City's customer billing database. A summary of the meter equivalency schedules used in this analysis is provided in Table 5 below.

Table 5: Meter Equivalency Schedules

Meter Size	AWWA M1	Tigard Actual Use
5/8" X 3/4"	1.00	1.00
1"	1.40	2.67
1 1/2"	1.80	8.00
2"	2.90	12.99
3"	11.00	22.90
4"	14.00	46.97
6"	21.00	50.00
8"	29.00	80.00
10"	36.25	156.30
12"	43.50	225.07

The AWWA M1 schedule in Table 5 represents the average cost to maintain meters of varying sizes by comparison to the smallest meter size shown. As an example to interpret the numbers provided in Table 5, AWWA estimates it costs a utility approximately 1.8-times as much to maintain a 1½-inch meter versus a 5/8 x 3/4-inch meter. Additionally, the City's actual billing data shows that customers with 1½-inch meters use eight-times as much water, on average, as customers with 5/8 x 3/4-inch meters. These two equivalency schedules were applied to different components of the City's costs to develop alternative fixed charges as part of this analysis.

Limitations

Many assumptions, including price elasticity assumptions, are employed in an analysis like this. For this reason, results are not concrete in nature but are necessarily estimates. Red Oak assumes that the customer data it received from the City is accurate and representative of the number and types of customers that are actually in the City's service areas. Due to all of the variables involved when changing rates, it will likely take a significant amount of time to get a reliable projection of the results (i.e., more than 3 years).

Fixed Charges

Currently, the City's fixed bi-monthly charge is \$6.86 regardless of meter size. The City also assesses a booster charge to customers in higher elevations that require additional pumping. Red Oak recommends a COS-based rate structure for two reasons:

1. Fixed charges that accurately reflect costs associated with larger meters will enhance *equity* among the City's customers, and ensure that customers with larger meters are paying their fair share of the water system's costs.

2. Increasing the revenue collected from fixed charges will improve the City's *financial stability*, as the City will be less dependent on volume rate revenues which vary due to weather, rate adjustments, and conservation efforts, among other reasons.

Based on the needs identified in the financial planning phase of the water rate study, the City may choose to implement the fixed monthly charges shown in Table 6 and Table 7 in January of FY2011. The proposed fixed charges include two or three components, depending on the amount of pumping required to serve a customer.

Table 6: Proposed Fixed Charges - Non-Boosted Customers

Meter	Mtr & Acct Charge	Demand Charge	Total Monthly
5/8" x 3/4"	\$5.28	\$10.50	\$15.78
1"	7.39	28.01	35.40
1 1/2"	9.50	83.98	93.49
2"	15.31	136.37	151.68
3"	58.08	240.48	298.56
4"	73.92	493.19	567.12
6"	110.88	525.00	635.88
8"	153.12	840.00	993.12
10"	191.40	1,641.15	1,832.55
12"	229.69	2,363.26	2,592.94

Table 7: Proposed Fixed Charges - Boosted Customers

Meter	Mtr & Acct Charge	Demand Charge	Booster Charge	Total Monthly
5/8" x 3/4"	\$5.28	\$10.50	\$4.08	\$19.86
1"	7.39	28.01	10.87	46.27
1 1/2"	9.50	83.98	32.60	126.08
2"	15.31	136.37	52.93	204.61
3"	58.08	240.48	93.33	391.89

3-Tier Volume Rates

Currently, the City charges a uniform volume rate that varies by customer class. In other words, customers are charged the same unit rate regardless of the amount of water consumed. Using the RDM, Red Oak and City Staff developed an increasing 3-tier volume rate structure for recommendation to the City Council.⁹

⁹ The 3-tier rate structure is proposed for the City's residential, multi-family, and commercial customers. Industrial and irrigation customers will maintain a uniform volume rate structure.

The RDM was designed to propose volume rates and tier thresholds for an increasing tier rate structure. Table 8 contains the proposed tier thresholds, per equivalent dwelling unit (EDU)¹⁰, used in the analysis.

Table 8: Proposed Tier Thresholds per EDU

Rate Tier	Monthly Thresholds (CCF)
Tier 1	0 - 6
Tier 2	7 - 15
Tier 3	Over 15

The upper limits for Tier 1 and Tier 2 are based on the City's billing data. On a per-EDU basis, 6 CCF represents average winter monthly consumption. Similarly, 15 CCF represents average peak-season monthly consumption per EDU.

Similar to the way the proposed fixed charges for larger meter sizes are increased by the City's actual use equivalency schedule, the proposed tier thresholds for larger meter sizes are increased using the same equivalency ratios. For volume rate billing, the tier thresholds are multiplied by the number of EDUs each meter size represents to establish the amount of water each customer will be charged for at each tier. Table 9 presents the proposed tier thresholds for all meter sizes.

Table 9: Proposed Tier Thresholds (CCF)

Meter	Tier 1	Tier 2	Tier 3
5/8" x 3/4"	0 - 6	7 - 15	Over 15
1"	0 - 16	17 - 40	Over 40
1 1/2"	0 - 48	49 - 120	Over 120
2"	0 - 78	79 - 195	Over 195
3"	0 - 137	138 - 344	Over 344
4"	0 - 282	283 - 705	Over 705
6"	0 - 300	301 - 750	Over 750
8"	0 - 480	481 - 1,200	Over 1,200
10"	0 - 938	939 - 2,345	Over 2,345
12"	0 - 1,350	1,351 - 3,376	Over 3,376

These thresholds represent a shift towards *conservation*-oriented rates from the City's current uniform rate structure. The proposed tier thresholds are based on meter size only. These thresholds apply to residential, multi-family, and commercial customers uniformly.

¹⁰ A 5/8 x 3/4-inch meter represents one EDU. EDUs for larger meter sizes are assessed based on the City's actual use equivalency schedule shown in Table 5.

The proposed 3-tier volume rates from the RDM are shown in Table 10. Table 11 presents the uniform volume rates for the City's industrial and irrigation customer classes.

Table 10: Proposed 3-Tier Volume Rates (per CCF)

Class	Tier 1	Tier 2	Tier 3
Residential	\$2.04	\$2.98	\$3.41
Multi-Family	1.70	2.48	2.84
Commercial	2.32	3.38	3.87

Table 11: Proposed Uniform Volume Rates

Class	Rate per CCF
Industrial	\$3.23
Irrigation	4.59

The volume rates presented above are based on the results of the COS analysis. As a starting point, Red Oak used the average cost of water by class, as calculated in the COS analysis, to establish the Tier 2 rates and uniform volume rates. The RDM set the Tier 1 and Tier 3 rates, and adjusted the meter and account component of the fixed charge as necessary to meet the City's overall revenue requirement.

Cost-of-Service Rate Design Conclusions

Calculating cost-of-service rates requires that both the use of the system and the cost of operations be estimated. In ratemaking, the costs of operating the utility are referred to as the utility's revenue requirements.

Customer Demands

One of the key elements to any cost-of-service analysis is an estimate of the likely customer demands. Estimating these demands, and subsequently, rates, is complex and subject to uncertainty. The forecast of demands in this analysis is based on recent water sales trends that may change due to external factors. External factors that impact water demands for the City include weather, economic growth or recession, and public attitudes.

Rate Design Findings and Recommendations

Key findings from the RDM include:

1. Due to the nature of the revenue adjustments proposed in this study, the City will need to closely watch its revenues from year to year. Many variables can alter a utility's revenue stream, including changes in weather, the local and regional economy, and customers' reaction to rate adjustments.
2. One of the challenges in adjusting rates is accurately predicting a revenue neutral rate design, where revenues earned after a rate adjustment equal those prior to the

rate adjustment. Without a precise count of customers and EDUs, it is more difficult to project a utility's total revenues.

Although the City appears to have a solution for conservation-oriented residential rates, the City should take great care to mitigate risk by following prudent management practices. This includes reviewing rates and revenues at least annually to see if additional adjustments are necessary.



City of Tigard
Water Rate Study Executive Summary

SECTION

A

**Financial Planning Technical
Memorandum**



To: John Goodrich, City of Tigard **Date:** September 28, 2010

From: Joe Healy, Red Oak Consulting

Re: **Summary of Recommended Financial Planning Scenario**

Introduction

The cost of service for the City includes both near-term and long-term capital expenditures. Financial planning is an integral part of a comprehensive process of establishing the cost of service for a utility that incorporates a longer term perspective. A finance plan looks at a utility's long-term capital needs, typically from a master plan or similar document, along with other assumptions to calculate an overall level of rate adjustments and additional debt requirements for a five- to ten-year period.

Broad Overview of Financial Planning

The financial plan is a useful tool. Actually, it may be described as four tools in one. The four main functions that a financial plan serves are for the following:

1. Planning
2. Communication
3. Information
4. Policy Assessment

As relevant for the purposes of this memo, the policy assessment aspect of financial planning is described more fully below.

Financial Plan as a Policy Assessment Tool

Policy assessment means a wide-variety of things to different people. A utility's stakeholders may use financial plan results to assess how its policies and goals for the utility stand the tests of time. A utility's management may use financial plan information to assess the cost effectiveness of operations or infrastructure replacement.

First and foremost, a utility may use the plan to assess the long-term implications of capital decisions. Topics related to capital decisions include:

- Scenario analysis,
- Sensitivity analysis,
- Financing options,
- Operating costs,
- Matching revenues with expenditures, and

- Managing rate adjustments over time.

As mentioned above, a financial plan is a tool used for alternatives analysis. Regarding its financing options, a utility can use the financial plan to assess its plans for the use of additional long-term debt and capital reserves. Questions surrounding this issue include:

- What is an appropriate level of debt?
- How much can we afford?
- Should we accumulate and use capital reserves to mitigate the need for debt in the future?
- Will certain capital additions also affect our O&M projections?
- How will we best match our need to recover costs with the available revenue sources?
- How can we avoid rate shock to our customers or send them price signals to influence conservation goals?

Along with all of these questions, the financial plan can be used to assess the impacts of legal, institutional, and regulatory requirements. The lists of questions above reinforce the idea of a financial plan as a broadly focused planning tool. If it were designed to meet more narrowly focused needs, such as budgeting or auditing, it would lose its ability to capture and address these wide-ranging issues. Side effects of a utility's failure to plan properly may include system deterioration or failure, higher financing costs, rate and revenue instability, limited choices, rate shock, and unhappy customers.

Summary of Assumptions for Recommended Financial Planning Scenario

Red Oak analyzed alternative financial planning scenarios. The results were presented to the City in a previous technical memorandum. Presented below are the assumptions underlying the financial planning scenario selected by City Staff for recommendation to the City Council.

Table 1: Recommended Financial Plan Scenario - General Assumptions

Assumptions	Description
Financing Schedule <i>by fiscal year</i>	2012 Revenue Bonds
	2014 Revenue Bonds
	2015 Bond Anticipation Notes
	2016 Bond Anticipation Notes
	2017 Revenue Bonds
Target Ratios	Total Debt Service Coverage = 1.50x
Min. Required Ratios	Additional Bonds Test = 1.25x for 2012 Revenue Bonds
	Additional Bonds Test = 1.15x for all other Revenue Bonds
	Total Debt Service = 1.10x
Interest Rates	5.5% for 2012 Revenue Bonds; 6.0% for all other financing
Term	25-year term for all financing

Summary of Results

Presented below are the summary results of the recommended financial planning scenario.

Table 2: Recommended Financial Plan Scenario - Summary Results

Period	Example Monthly Bills*	Annual Rate Revenue Increases	Debt Financing Schedule
Current	\$27.55		
FY2011	37.05	34.5%	\$2,097,054
FY2012	42.24	14.0%	44,147,727
FY2013	48.16	14.0%	0
FY2014	54.90	14.0%	40,000,000
FY2015	57.26	4.3%	0
FY2016	59.72	4.3%	0
FY2017	62.29	4.3%	41,341,374
FY2018	64.97	4.3%	0
FY2019	64.97	0.0%	0
FY2020	64.97	0.0%	0
Total			\$127,586,155

* Residential example monthly bill. Monthly use assumed at 9 CCF.



City of Tigard
Water Rate Study Executive Summary

SECTION

B

**Financial Planning Summary
Information**

B. Financial Planning Summary
Information



Water Financial Plan

City of Tigard
Water Financial Plan Results - Summary of Financial Metrics

Description	Current	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016
Increased Revenues Required		34.5%	14.0%	14.0%	14.0%	4.3%	4.3%
Financial Ratios							
DSC (w/ SDCs)		40.30	3.35	2.22	1.79	1.49	1.56
Add'l Bonds Test (w/ SDCs)		20.15	1.75	2.22	1.36	1.49	1.56
DSC (w/o SDCs)		40.30	3.03	2.04	1.67	1.40	1.45
Add'l Bonds Test (w/o SDCs)		20.15	1.59	2.04	1.27	1.40	1.45
Additional Long-Term Debt (millions)		\$2.10	\$44.15	\$0.00	\$40.00	\$0.00	\$0.00
Annual Debt Service (millions)		\$0.08	\$1.80	\$3.45	\$5.01	\$6.58	\$6.58
Year-End Reserves (millions)							
Water Fund		\$1.46	\$4.64	\$7.60	\$3.81	\$5.96	\$8.46
Debt Service Fund		0.22	4.62	4.62	8.62	8.62	8.62
Totals		\$1.68	\$9.26	\$12.22	\$12.43	\$14.59	\$17.09



City of Tigard
Water Rate Study Executive Summary

SECTION

C

**Water Financial Plan Detailed
Results**

C. Water Financial Plan Detailed
Results



Water Financial Plan

Table 1
City of Tigard
Water Financial Plan
Tigard CIP

Description	Line	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020	Total FY2011-20
ASR Well 3 – Design & Equip	1		\$259,804	\$2,304,397	\$45,761							\$2,609,963
ASR Well 4 – Siting Study	2	30,000										30,000
ASR Well 4 – Design; Drill & Equip Year 1 (50%)	3							1,859,000				1,859,000
ASR Well 4 – Drill & Equip Year 2 (50%)	4								1,115,000			1,115,000
New Pump Station - Siting Study	5		50,000									50,000
New Pump Station - Design	6			255,000								255,000
New Pump Station - Construction Year 1 (67%)	7				963,000							963,000
New Pump Station - Construction Year 2 (33%)	8					481,000						481,000
New PRV from 550G to 410 Zone	9	105,000										105,000
Pipeline connecting 550G and 530 Zones - Design	10							197,000				197,000
Pipeline connecting 550G and 530 Zones - Constructic	11								1,770,000			1,770,000
Annual Fire Flow Improvement Allocation	12				100,000	100,000	100,000	200,000	200,000	200,000	200,000	1,100,000
Pipeline for installing PRV 550G-4	13	17,000										17,000
Pipeline in Main St. & Tigard Ave.	14	101,000										101,000
Water Master Plan Update	15						140,000					140,000
Asset Management Program	16				100,000							100,000
Res. Seismic & Condition Assessment	17					100,000						100,000
PS8 - Design	18							210,000				210,000
PS8 - Construction	19								1,900,000			1,900,000
550-6270-755827 - 550' Zone 10Mil	20	3,543,043	221,569									3,764,612
Joint Water Supply Projects	21	4,347,998	5,245,436	17,424,543	33,012,465	27,522,199	1,288,111	458,407				89,299,160
Willamette Sherwood Pipeline	22	1,000,000	3,333,333									4,333,333
Repayment of Prior LOC	23	225,000	5,936,275									6,161,275
SDC Methodology Update	24	25,000										25,000
Water Main Line Oversizing	25	100,000	98,039	142,776	137,284	132,004	150,000	150,000	150,000	150,000	150,000	1,360,103
BANs Adjustments - L.O. Projects	26					(27,522,199)	(1,288,111)	28,810,310				0
BANs Adjustments - Other	27					(813,004)	(390,000)	1,203,004				0
Unfunded CIP Adjustment	28	0	0	0	0	0	0	0	0	0	0	0
Total (w/o Inflation)		\$9,494,041	\$15,144,456	\$20,126,716	\$34,358,511	\$0	\$0	\$33,087,721	\$5,135,000	\$350,000	\$350,000	\$118,046,445
Expected Expenditure Rates		100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	
Inflation Factor 1 - All other projects												
Expected Inflation Rate		0.0%	2.0%	3.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	
Inflation Factor		1.000	1.020	1.051	1.093	1.136	1.182	1.229	1.278	1.329	1.383	
Inflation Factor 2 - Joint Water Supply Projects												
Expected Inflation Rate - Joint Water Supply Projects		0.0%	12.4%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	
Inflation Factor - Joint Water Supply Projects		1.000	1.124	1.191	1.263	1.339	1.419	1.504	1.594	1.690	1.791	
Capital Outlays		\$417,100	\$249,652	\$266,699	\$284,949	\$304,490	\$325,416	\$347,830	\$371,840	\$397,565	\$425,131	\$3,390,671
Expected Capital Expenditures w/Inflation		\$9,911,141	\$16,242,522	\$23,865,900	\$43,447,985	\$304,490	\$325,416	\$49,066,585	\$6,935,477	\$862,835	\$909,012	\$151,871,363
Total Growth-Related CIP		\$5,684,928	\$2,824,739	\$8,891,595	\$17,519,817	\$15,190,361	\$739,386	\$2,592,653	\$1,744,667	\$0	\$0	\$55,188,146

Water Financial Plan

Table 2
 City of Tigard
 Water Financial Plan
 Capital Improvement Plan (With Inflation)

Description	Line	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020	Total
ASR Well 3 – Design & Equip	1	\$0	\$265,000	\$2,421,000	\$50,000	\$0	\$0	\$0	\$0	\$0	\$0	\$2,736,000
ASR Well 4 – Siting Study	2	30,000	0	0	0	0	0	0	0	0	0	30,000
ASR Well 4 – Design; Drill & Equip Year 1 (50%)	3	0	0	0	0	0	0	2,284,810	0	0	0	2,284,810
ASR Well 4 – Drill & Equip Year 2 (50%)	4	0	0	0	0	0	0	0	1,425,210	0	0	1,425,210
New Pump Station - Siting Study	5	0	51,000	0	0	0	0	0	0	0	0	51,000
New Pump Station - Design	6	0	0	267,903	0	0	0	0	0	0	0	267,903
New Pump Station - Construction Year 1 (67%)	7	0	0	0	1,052,197	0	0	0	0	0	0	1,052,197
New Pump Station - Construction Year 2 (33%)	8	0	0	0	0	546,574	0	0	0	0	0	546,574
New PRV from 550G to 410 Zone	9	105,000	0	0	0	0	0	0	0	0	0	105,000
Pipeline connecting 550G and 530 Zones - Design	10	0	0	0	0	0	0	242,124	0	0	0	242,124
Pipeline connecting 550G and 530 Zones - Constructic	11	0	0	0	0	0	0	0	2,262,442	0	0	2,262,442
Annual Fire Flow Improvement Allocation	12	0	0	0	109,262	113,633	118,178	245,811	255,643	265,869	276,504	1,384,900
Pipeline for installing PRV 550G-4	13	17,000	0	0	0	0	0	0	0	0	0	17,000
Pipeline in Main St. & Tigard Ave.	14	101,000	0	0	0	0	0	0	0	0	0	101,000
Water Master Plan Update	15	0	0	0	0	0	165,449	0	0	0	0	165,449
Asset Management Program	16	0	0	0	109,262	0	0	0	0	0	0	109,262
Res. Seismic & Condition Assessment	17	0	0	0	0	113,633	0	0	0	0	0	113,633
PS8 - Design	18	0	0	0	0	0	0	258,101	0	0	0	258,101
PS8 - Construction	19	0	0	0	0	0	0	0	2,428,610	0	0	2,428,610
550-6270-755827 - 550' Zone 10Mil	20	3,543,043	226,000	0	0	0	0	0	0	0	0	3,769,043
Joint Water Supply Projects	21	4,347,998	5,895,870	20,760,298	41,692,314	36,844,023	1,827,860	689,520	0	0	0	112,057,883
Willamette Sherwood Pipeline	22	1,000,000	3,400,000	0	0	0	0	0	0	0	0	4,400,000
Repayment of Prior LOC	23	225,000	6,055,000	0	0	0	0	0	0	0	0	6,280,000
SDC Methodology Update	24	25,000	0	0	0	0	0	0	0	0	0	25,000
Water Main Line Oversizing	25	100,000	100,000	150,000	150,000	150,000	177,267	184,358	191,732	199,402	207,378	1,610,137
BANs Adjustments - L.O. Projects	26	0	0	0	0	(36,844,023)	(1,827,860)	43,335,475	0	0	0	4,663,593
BANs Adjustments - Other	27	0	0	0	0	(923,840)	(460,895)	1,478,556	0	0	0	93,821
Unfunded CIP Adjustment	28	0	0	0	0	0	0	0	0	0	0	0
Total (w/ Inflation)		\$9,494,041	\$15,992,870	\$23,599,201	\$43,163,036	\$0	(\$0)	\$48,718,755	\$6,563,637	\$465,270	\$483,881	\$148,480,692

Table 3
 City of Tigard
 Water Financial Plan
 Funding Sources for Improvements

Description	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020	Total
Construction Fund	\$7,794,798	\$15,572,837	\$23,277,246	\$42,827,198	(\$350,319)	(\$365,425)	\$48,337,573	\$6,166,018	\$465,270	\$483,881	\$144,209,078
Water (Operating) Fund Capital Outlays	417,100	249,652	266,699	284,949	304,490	325,416	347,830	371,840	397,565	425,131	3,390,671
Grant Funded Capital	1,699,243	108,390	0	0	0	0	0	0	0	0	1,807,633
Improvement SDC Account	0	311,643	321,955	335,838	350,319	365,425	381,182	397,619	0	0	2,463,981
Total	\$9,911,141	\$16,242,522	\$23,865,900	\$43,447,985	\$304,490	\$325,416	\$49,066,585	\$6,935,477	\$862,835	\$909,012	\$151,871,363

Table 4
 City of Tigard
 Water Financial Plan
 Projected Debt Issue Size and Costs

Description		FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Issue Sizing & Type (select Type for each year)		Revenue	Revenue	Revenue	Revenue	Revenue	Revenue	Revenue	Revenue	Revenue	Revenue
Bond Proceeds Required		\$1,845,407	\$38,850,000	\$0	\$35,200,000	\$0	\$0	\$36,380,409	\$0	\$0	\$0
Issuance Costs		2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
Reserve Requirement		10.00%	10.00%	10.00%	10.00%	10.00%	10.00%	10.00%	10.00%	10.00%	10.00%
	<u>Reserve Req?</u>										
Revenue Bonds Issue Size	Yes	\$2,097,054	\$44,147,727	\$0	\$40,000,000	\$0	\$0	\$41,341,374	\$0	\$0	\$0
G.O. Bonds Issue Size	No	0	0	0	0	0	0	0	0	0	0
Debt Service Requirements											
Term (Years)		25	25	25	25	25	25	25	25	25	25
Interest Rate		5.50%	5.50%	6.00%	6.00%	6.00%	6.00%	6.00%	6.00%	6.00%	6.00%
	<u>Subject to Coverage?</u>										
Annual Debt Service Costs		\$156,334	\$3,291,185	\$0	\$3,129,069	\$0	\$0	\$3,234,000	\$0	\$0	\$0
Accumulated Debt Service	TRUE	78,167	1,801,926	3,447,518	5,012,053	6,576,587	6,576,587	8,193,587	9,810,587	9,810,587	9,810,587
Annual G.O. Debt Service Costs		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Accumulated G.O. Debt Service		0	0	0	0	0	0	0	0	0	0

Table 5
 City of Tigard
 Water Financial Plan
 Annual Debt Service Subject to Coverage Requirements

Description	Subject to Requirement	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Existing Debt Service											
Subtotal		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Debt Service on Proposed Debt	TRUE	\$78,167	\$1,801,926	\$3,447,518	\$5,012,053	\$6,576,587	\$6,576,587	\$8,193,587	\$9,810,587	\$9,810,587	\$9,810,587
Total Debt Service		\$78,167	\$1,801,926	\$3,447,518	\$5,012,053	\$6,576,587	\$6,576,587	\$8,193,587	\$9,810,587	\$9,810,587	\$9,810,587

Table 6
 City of Tigard
 Water Financial Plan
 Estimated O&M Costs by Year

Description	Escalation Rate	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Salaries - Management	7.7%	\$150,180	\$161,780	\$174,276	\$187,737	\$202,237	\$217,858	\$234,685	\$252,812	\$272,339	\$293,374
Salaries - General	6.3%	536,996	570,994	607,144	645,584	686,456	729,917	776,129	825,267	877,516	933,072
Part Time - Temporary	3.0%	0	0	0	0	0	0	0	0	0	0
Overtime	6.0%	25,000	26,500	28,090	29,775	31,562	33,456	35,463	37,591	39,846	42,237
Unemployment	3.0%	684	705	726	747	770	793	817	841	866	892
Worker's Compensation	7.1%	20,569	22,026	23,585	25,256	27,044	28,959	31,010	33,206	35,558	38,076
Social Security/Medicare	5.3%	52,570	55,373	58,325	61,434	64,709	68,159	71,792	75,620	79,651	83,898
Tri-Met Tax	6.6%	4,684	4,995	5,327	5,680	6,057	6,459	6,888	7,345	7,833	8,353
Retirement	6.7%	70,218	74,906	79,907	85,242	90,933	97,005	103,481	110,390	117,760	125,623
Retirement - 3% ER Match	6.7%	4,505	4,805	5,126	5,468	5,832	6,221	6,636	7,079	7,551	8,055
VEBA - ER	3.0%	10,200	10,506	10,821	11,146	11,480	11,825	12,179	12,545	12,921	13,309
Life Ins/ADD/LTD	6.0%	2,520	2,671	2,831	3,001	3,181	3,372	3,575	3,789	4,016	4,257
Long Term Disability	3.0%	0	0	0	0	0	0	0	0	0	0
Medical/Dental/Vision	6.0%	145,131	153,839	163,069	172,853	183,225	194,218	205,871	218,223	231,317	245,196
Dental Benefits	3.0%	0	0	0	0	0	0	0	0	0	0
Office Supplies	6.0%	2,000	2,120	2,247	2,382	2,525	2,676	2,837	3,007	3,188	3,379
Small Tools & Equipment	3.0%	20,043	20,644	21,264	21,902	22,559	23,235	23,932	24,650	25,390	26,152
Fuel	3.0%	25,500	26,265	27,053	27,865	28,700	29,561	30,448	31,362	32,303	33,272
Water Costs: L.O. & Ptd	6.0%	3,362,145	3,563,874	3,777,706	4,004,368	4,244,631	4,499,308	4,765,137	5,041,046	5,327,508	5,624,799
Professional/Contractual Services	6.0%	384,390	407,453	431,901	457,815	485,284	514,401	545,265	577,980	612,659	649,419
Water Costs: Sampling	3.0%	39,745	40,937	42,165	43,430	44,733	46,075	47,458	48,881	50,348	51,858
Legal Fees	3.0%	30,900	31,827	32,782	33,765	34,778	35,822	36,896	38,003	39,143	40,317
R & M - Facilities	6.0%	8,500	9,010	9,551	10,124	10,731	11,375	12,057	12,781	13,548	14,361
R & M - Water Lines	8.7%	70,000	76,102	82,736	89,948	97,789	106,313	115,581	125,656	136,610	148,518
R & M - Control Valves	6.0%	17,000	18,020	19,101	20,247	21,462	22,750	24,115	25,562	27,095	28,721
R & M - Reservoir	6.0%	6,000	6,360	6,742	7,146	7,575	8,029	8,511	9,022	9,563	10,137
R & M - Grounds	6.0%	12,000	12,720	13,483	14,292	15,150	16,059	17,022	18,044	19,126	20,274
R & M - Pump Station	6.0%	8,500	9,010	9,551	10,124	10,731	11,375	12,057	12,781	13,548	14,361
R & M - SCADA	6.0%	8,000	8,480	8,989	9,528	10,100	10,706	11,348	12,029	12,751	13,516
R & M - Wells	3.0%	11,500	11,845	12,200	12,566	12,943	13,332	13,732	14,144	14,568	15,005
R & M - Meters	6.0%	227,100	241,550	256,363	271,585	287,240	303,354	319,936	337,003	354,581	372,681
R & M - Service Lines	3.0%	20,500	21,115	21,748	22,401	23,073	23,765	24,478	25,212	25,969	26,748
R & M - Regulators	3.0%	0	0	0	0	0	0	0	0	0	0
R & M - Fire Hydrant	6.0%	120,000	127,200	134,640	142,332	150,288	158,529	167,066	175,911	185,075	194,568
R & M - Vehicles	3.0%	25,000	25,750	26,523	27,318	28,138	28,982	29,851	30,747	31,669	32,619
Utilities - Electric	6.0%	271,728	288,032	305,314	323,632	343,050	363,633	385,451	408,578	433,093	459,079
Utilities-Water/Sewer/SWM	6.0%	1,000	1,060	1,124	1,191	1,262	1,338	1,419	1,504	1,594	1,689
Utilities - Phone/Pager/Cells	6.0%	9,706	10,288	10,906	11,560	12,254	12,989	13,768	14,594	15,470	16,398
Advertising & Publicity	6.0%	43,167	45,757	48,502	51,413	54,497	57,767	61,233	64,907	68,802	72,930
Fees and Charges	6.0%	1,725	1,829	1,938	2,055	2,178	2,308	2,447	2,594	2,749	2,914
Dues & Subscriptions	3.0%	6,900	7,107	7,320	7,540	7,766	7,999	8,239	8,486	8,741	9,003
Travel and Training	3.3%	7,250	7,492	7,742	8,000	8,266	8,542	8,827	9,121	9,425	9,740
Conservation Expenses	3.0%	31,700	32,651	33,631	34,639	35,679	36,749	37,851	38,987	40,157	41,361
Insurance	3.0%	0	0	0	0	0	0	0	0	0	0
Property Damage	6.0%	5,750	6,095	6,461	6,848	7,259	7,695	8,156	8,646	9,165	9,715
Rents and Leases	3.0%	3,000	3,090	3,183	3,278	3,377	3,478	3,582	3,690	3,800	3,914
Bad Debt Expense	6.0%	5,750	6,095	6,461	6,848	7,259	7,695	8,156	8,646	9,165	9,715
Special Department Expenses	6.0%	8,000	8,480	8,989	9,528	10,100	10,706	11,348	12,029	12,751	13,516
Vehicles	3.0%	70,000	72,100	74,263	76,491	78,786	81,149	83,584	86,091	88,674	91,334
Computer Hardware and Software	3.0%	3,100	3,193	3,289	3,387	3,489	3,594	3,702	3,813	3,927	4,045
Equipment	3.0%	0	0	0	0	0	0	0	0	0	0
Interdepartmental Costs	3.0%	443,482	456,786	470,490	484,605	499,143	514,117	529,541	545,427	561,790	578,643
AMR Program O&M	6.0%	0	100,000	106,000	112,360	119,102	126,248	133,823	141,852	150,363	159,385
Monthly Billing Program Adj.	6.3%	0	50,000	53,166	56,532	60,111	63,916	67,963	72,266	76,841	81,706
Total O&M Costs		\$6,334,338	\$6,654,237	\$7,037,707	\$7,444,053	\$7,874,667	\$8,331,033	\$8,810,593	\$9,313,029	\$9,843,621	\$10,394,495
Less Capital Outlays		\$417,100	\$249,652	\$266,699	\$284,949	\$304,490	\$325,416	\$347,830	\$371,840	\$397,565	\$425,131
Net O&M Costs		\$5,917,238	\$6,404,585	\$6,771,008	\$7,159,104	\$7,570,177	\$8,005,617	\$8,462,763	\$8,941,189	\$9,446,056	\$9,969,364

Table 7
 City of Tigard
 Water Financial Plan
 O&M Manual Overrides

Description	Escalation	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Salaries - Management	7.7%									
Salaries - General	6.3%									
Part Time - Temporary	3.0%									
Overtime	6.0%									
Unemployment	3.0%									
Worker's Compensation	7.1%									
Social Security/Medicare	5.3%									
Tri-Met Tax	6.6%									
Retirement	6.7%									
Retirement - 3% ER Match	6.7%									
VEBA - ER	3.0%									
Life Ins/ADD/LTD	6.0%									
Long Term Disability	3.0%									
Medical/Dental/Vision	6.0%									
Dental Benefits	3.0%									
Office Supplies	6.0%									
Small Tools & Equipment	3.0%									
Fuel	3.0%									
Water Costs: L.O. & Ptd	6.0%						1,265,137			
Professional/Contractual Services	6.0%									
Water Costs: Sampling	3.0%									
Legal Fees	3.0%									
R & M - Facilities	6.0%									
R & M - Water Lines	8.7%									
R & M - Control Valves	6.0%									
R & M - Reservoir	6.0%									
R & M - Grounds	6.0%									
R & M - Pump Station	6.0%									
R & M - SCADA	6.0%									
R & M - Wells	3.0%									
R & M - Meters	6.0%	113,550								
R & M - Service Lines	3.0%									
R & M - Regulators	3.0%									
R & M - Fire Hydrant	6.0%	60,000								
R & M - Vehicles	3.0%									
Utilities - Electric	6.0%									
Utilities-Water/Sewer/SWM	6.0%									
Utilites - Phone/Pager/Cells	6.0%									
Advertising & Publicity	6.0%									
Fees and Charges	6.0%									
Dues & Subscriptions	3.0%									
Travel and Training	3.3%									
Conservation Expenses	3.0%									
Insurance	3.0%									
Property Damage	6.0%									
Rents and Leases	3.0%									
Bad Debt Expense	6.0%									
Special Department Expenses	6.0%									
Vehicles	3.0%									
Computer Hardware and Software	3.0%									
Equipment	3.0%									
Interdepartmental Costs	3.0%									
AMR Program O&M	6.0%	100,000								
Monthly Billing Program Adj.	6.3%	50,000								

Water Financial Plan

Table 8
 City of Tigard
 Water Financial Plan
 Number of Water Meters by Meter Size and Customer Class

Meter Size	TWSA	Unused	Unused
Total Meters			
5/8 x 3/4-Inch	15,635	0	0
1-Inch	1,604	0	0
1 1/2-Inch	375	0	0
2-Inch	320	0	0
3-Inch	24	0	0
4-Inch	11	0	0
6-Inch	5	0	0
8-Inch	5	0	0
Totals	17,979	0	0

Water Financial Plan

Table 9
City of Tigard
Water Financial Plan
Equivalency Factors

Meter Size	TWSA	Unused	Unused
5/8 x 3/4-Inch	1.00		
1-Inch	2.67		
1 1/2-Inch	8.00		
2-Inch	12.99		
3-Inch	22.90		
4-Inch	46.97		
6-Inch	50.00		
8-Inch	80.00		

Water Financial Plan

Table 10
 City of Tigard
 Water Financial Plan
 Number of EDUs by Meter Size and Customer Class

Meter Size	TWSA	Unused	Unused
5/8 x 3/4-Inch	15,635	0	0
1-Inch	4,279	0	0
1 1/2-Inch	2,999	0	0
2-Inch	4,156	0	0
3-Inch	550	0	0
4-Inch	517	0	0
6-Inch	250	0	0
8-Inch	400	0	0
Totals	28,785	0	0

Table 11
 City of Tigard
 Water Financial Plan
 EDU Forecast

Description	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
EDUs										
TWSA	28,785	28,785	28,872	28,958	29,045	29,132	29,220	29,307	29,395	29,483
Total	28,785	28,785	28,872	28,958	29,045	29,132	29,220	29,307	29,395	29,483
New EDUs										
TWSA	0	86	87	87	87	87	88	88	88	88
Total	0	86	87	87	87	87	88	88	88	88
Growth Rate										
TWSA	0.0%	0.3%	0.3%	0.3%	0.3%	0.3%	0.3%	0.3%	0.3%	0.3%
System Growth	0.0%	0.3%	0.3%	0.3%	0.3%	0.3%	0.3%	0.3%	0.3%	0.3%

Table 12
 City of Tigard
 Water Financial Plan
 SDC Forecast

Description	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Annual SDC Escalation Rate										
Improvement	NA	2.00%	3.00%	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%
Reimbursement	NA	2.00%	3.00%	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%
Improvement Fee										
TWSA	\$3,538	\$3,609	\$3,717	\$3,866	\$4,020	\$4,181	\$4,348	\$4,522	\$4,703	\$4,891
Reimbursement Fee										
TWSA	\$2,936	\$2,994	\$3,084	\$3,207	\$3,336	\$3,469	\$3,608	\$3,752	\$3,902	\$4,058

Table 13
 City of Tigard
 Water Financial Plan
 Forecast of SDC Revenues

Description	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Improvement Fee										
TWSA	\$0	\$311,643	\$321,955	\$335,838	\$350,319	\$365,425	\$381,182	\$397,619	\$414,764	\$432,649
Total	\$0	\$311,643	\$321,955	\$335,838	\$350,319	\$365,425	\$381,182	\$397,619	\$414,764	\$432,649
Reimbursement Fee										
TWSA	\$0	\$258,575	\$267,131	\$278,649	\$290,665	\$303,198	\$316,272	\$329,910	\$344,136	\$358,975
Total	\$0	\$258,575	\$267,131	\$278,649	\$290,665	\$303,198	\$316,272	\$329,910	\$344,136	\$358,975
Grand Total	\$0	\$570,217	\$589,086	\$614,487	\$640,984	\$668,623	\$697,454	\$727,529	\$758,900	\$791,623

Water Financial Plan

Table 14
City of Tigard
Water Financial Plan
Estimated Revenues

Description	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Water Assumptions										
Rate Revenue Increases	34.50%	14.00%	14.00%	14.00%	4.30%	4.30%	4.30%	4.30%	0.00%	0.00%
Month of Rate Increase	1	10	10	10	10	10	10	10	10	10
Prorated Percent Impact of Increase	38.01%	62.22%	62.22%	62.22%	62.22%	62.22%	62.22%	62.22%	62.22%	62.22%
Meter Growth	0.00%	0.30%	0.30%	0.30%	0.30%	0.30%	0.30%	0.30%	0.30%	0.30%
Sales Growth	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
System Growth	0.00%	0.30%	0.30%	0.30%	0.30%	0.30%	0.30%	0.30%	0.30%	0.30%
Revenues										
User Charge Revenues - Water										
Before Increase	\$7,887,387	\$10,640,361	\$12,166,402	\$13,911,307	\$15,906,467	\$16,640,216	\$17,407,813	\$18,210,818	\$19,050,864	\$19,108,017
Revenues from Increase	1,034,419	926,854	1,059,784	1,211,778	425,568	445,199	465,736	487,220	0	0
Total User Charges	\$8,921,806	\$11,567,215	\$13,226,185	\$15,123,085	\$16,332,035	\$17,085,415	\$17,873,549	\$18,698,037	\$19,050,864	\$19,108,017
Revenue Summary										
User Charge Revenues - Water										
Revenues Before Increase	\$7,887,387	\$10,640,361	\$12,166,402	\$13,911,307	\$15,906,467	\$16,640,216	\$17,407,813	\$18,210,818	\$19,050,864	\$19,108,017
Revenues from Increase	1,034,419	926,854	1,059,784	1,211,778	425,568	445,199	465,736	487,220	0	0
Total User Charges	\$8,921,806	\$11,567,215	\$13,226,185	\$15,123,085	\$16,332,035	\$17,085,415	\$17,873,549	\$18,698,037	\$19,050,864	\$19,108,017
Non-Rate Revenues (net of related expenses)										
Developer Overhead	\$10,000	\$10,030	\$10,060	\$10,090	\$10,121	\$10,151	\$10,181	\$10,212	\$10,243	\$10,273
Miscellaneous Fees/Charges	2,500	2,508	2,515	2,523	2,530	2,538	2,545	2,553	2,561	2,568
Other Utility Sales	4,443	4,456	4,470	4,483	4,497	4,510	4,524	4,537	4,551	4,564
Leaks/Misreads Credits	(22,915)	(22,984)	(23,053)	(23,122)	(23,191)	(23,261)	(23,331)	(23,401)	(23,471)	(23,541)
Meter Sales	27,679	27,762	27,845	27,929	28,013	28,097	28,181	28,266	28,350	28,435
Fire Hydrant Flow Testing Srvc	2,000	2,006	2,012	2,018	2,024	2,030	2,036	2,042	2,049	2,055
Late Penalties/Charges	120,774	121,136	121,500	121,864	122,230	122,597	122,964	123,333	123,703	124,074
Returned Check Fees	1,286	1,290	1,294	1,298	1,302	1,305	1,309	1,313	1,317	1,321
Bad Debt	(20,483)	(20,544)	(20,606)	(20,668)	(20,730)	(20,792)	(20,854)	(20,917)	(20,980)	(21,043)
Miscellaneous Fees & Charges	420	421	423	424	425	426	428	429	430	431
Rental Income	66,492	66,691	66,892	67,092	67,294	67,495	67,698	67,901	68,105	68,309
Interest Earnings - Water Fund	9,673	30,492	122,395	114,079	97,716	144,271	96,870	25,160	62,137	132,562
Total Non-Rate Revenues	\$201,869	\$223,265	\$315,746	\$308,010	\$292,228	\$339,367	\$292,552	\$221,429	\$258,995	\$330,010
Total Revenues	\$9,123,675	\$11,790,480	\$13,541,931	\$15,431,095	\$16,624,263	\$17,424,783	\$18,166,100	\$18,919,466	\$19,309,859	\$19,438,027

Table 15
 City of Tigard
 Water Financial Plan
 Calculation of Revenue Proration by Month

Month	Month	Sales Subject to Increase	Percent of Fiscal Year	FY2007	FY2008	FY2009	FY2010	Average Revenues
January	1	\$2,764,448	38.01%	\$576,469	\$529,934	\$498,881		\$535,095
February	2	2,229,353	30.66%	300,272	287,414	468,560	474,462	382,677
March	3	1,846,676	25.39%	462,291	456,469	436,321	573,940	482,255
April	4	1,364,421	18.76%	414,491	422,605	397,807	324,957	389,965
May	5	974,456	13.40%	524,889	485,369	508,112		506,123
June	6	468,332	6.44%	412,602	412,602	579,793		468,332
July	7	7,272,170	100.00%	742,168	791,988	803,681		779,279
August	8	6,492,891	89.28%		869,137		718,339	793,738
September	9	5,699,153	78.37%	1,030,357		1,102,184	1,390,778	1,174,440
October	10	4,524,713	62.22%	725,375	698,010	723,469		715,618
November	11	3,809,095	52.38%	650,779	589,037	647,065	724,159	652,760
December	12	3,156,335	43.40%	297,128	442,726	479,117	348,579	391,888
Total				\$6,136,821	\$5,985,291	\$6,644,990	\$4,555,214	\$7,272,170

Table 16
 City of Tigard
 Water Financial Plan
 Sources and Uses--Water Fund

Description	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Interest Rate on Fund Balance	0.50%	1.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
Sources of Funds										
Beginning Water Fund Balance	\$2,410,162	\$1,459,045	\$4,639,350	\$7,600,154	\$3,807,791	\$5,963,766	\$8,463,326	\$1,223,695	\$1,292,348	\$4,921,363
User Charge Revenues - Water	8,921,806	11,567,215	13,226,185	15,123,085	16,332,035	17,085,415	17,873,549	18,698,037	19,050,864	19,108,017
Non-Rate Revenues (net of related expenses)										
Developer Overhead	10,000	10,030	10,060	10,090	10,121	10,151	10,181	10,212	10,243	10,273
Miscellaneous Fees/Charges	2,500	2,508	2,515	2,523	2,530	2,538	2,545	2,553	2,561	2,568
Other Utility Sales	4,443	4,456	4,470	4,483	4,497	4,510	4,524	4,537	4,551	4,564
Leaks/Misreads Credits	(22,915)	(22,984)	(23,053)	(23,122)	(23,191)	(23,261)	(23,331)	(23,401)	(23,471)	(23,541)
Meter Sales	27,679	27,762	27,845	27,929	28,013	28,097	28,181	28,266	28,350	28,435
Fire Hydrant Flow Testing Srvc	2,000	2,006	2,012	2,018	2,024	2,030	2,036	2,042	2,049	2,055
Late Penalties/Charges	120,774	121,136	121,500	121,864	122,230	122,597	122,964	123,333	123,703	124,074
Returned Check Fees	1,286	1,290	1,294	1,298	1,302	1,305	1,309	1,313	1,317	1,321
Bad Debt	(20,483)	(20,544)	(20,606)	(20,668)	(20,730)	(20,792)	(20,854)	(20,917)	(20,980)	(21,043)
Miscellaneous Fees & Charges	420	421	423	424	425	426	428	429	430	431
Transfers In										
Rate Stabilization to Water Fund	0	0	0	0	0	0	0	0	0	0
Interest Earnings - Water Fund	9,673	30,492	122,395	114,079	97,716	144,271	96,870	25,160	62,137	132,562
Total Sources of Funds	\$11,467,345	\$13,182,833	\$18,114,390	\$22,964,157	\$20,364,761	\$23,321,053	\$26,561,728	\$20,075,260	\$20,534,102	\$24,291,081
Uses of Funds										
Net O&M Expenditures	\$5,917,238	\$6,404,585	\$6,771,008	\$7,159,104	\$7,570,177	\$8,005,617	\$4,962,763	\$5,241,189	\$5,536,056	\$5,848,365
Water (Operating) Fund Capital Outlays	417,100	249,652	266,699	284,949	304,490	325,416	347,830	371,840	397,565	425,131
Transfers Out										
Water Fund to CIP Fund (Cap. Reserves)	3,586,747	0	0	6,710,886	0	0	11,924,720	3,491,135	0	3,277
Water Fund to Debt Service Fund	87,216	1,768,110	3,355,029	4,879,563	6,404,098	6,404,098	7,979,756	9,555,415	9,555,415	9,555,415
Water Fund to Rate Stabilization	0	0	0	0	0	0	0	0	0	0
Ending Water Fund Balance	1,459,045	4,639,350	7,600,154	3,807,791	5,963,766	8,463,326	1,223,695	1,292,348	4,921,363	8,334,820
Total Uses of Funds	\$11,467,345	\$13,182,833	\$18,114,390	\$22,964,157	\$20,364,761	\$23,321,053	\$26,561,728	\$20,075,260	\$20,534,102	\$24,291,081

Table 18
 City of Tigard
 Water Financial Plan
 Sources and Uses--Bond Proceeds Fund

Description	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Interest Rate on Fund Balance	0.50%	1.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
Sources of Funds										
Beginning Bond Proceeds Fund Balance	\$0	(\$0)	\$23,653,755	\$889,069	\$8,980	\$9,162	\$9,347	\$94	\$1	\$0
Bond Proceeds	2,097,054	44,147,727	0	40,000,000	0	0	41,341,374	0	0	0
Transfers In										
Interest Earnings	0	118,269	245,428	8,980	181	185	94	1	0	0
Total Sources of Funds	\$2,097,054	\$44,265,996	\$23,899,184	\$40,898,049	\$9,162	\$9,347	\$41,350,815	\$95	\$1	\$0
Uses of Funds										
Issuance Costs	\$41,941	\$882,955	\$0	\$800,000	\$0	\$0	\$826,827	\$0	\$0	\$0
Transfers Out										
Bond Proceeds Fund to Debt Service Fund	209,705	4,414,773	0	4,000,000	0	0	4,134,137	0	0	0
Bond Proceeds Fund to Construction Fund	1,845,407	15,314,514	23,010,115	36,089,069	0	0	36,389,756	94	1	0
Ending Bond Proceeds Fund Balance	(0)	23,653,755	889,069	8,980	9,162	9,347	94	1	0	0
Total Uses of Funds	\$2,097,054	\$44,265,996	\$23,899,184	\$40,898,049	\$9,162	\$9,347	\$41,350,815	\$95	\$1	\$0

Table 19
 City of Tigard
 Water Financial Plan
 Sources and Uses--Debt Service Fund

Description	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Interest Rate on Fund Balance	0.50%	1.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
Sources of Funds										
Beginning Debt Service Fund Balance	\$0	\$219,302	\$4,624,478	\$4,624,478	\$8,624,478	\$8,624,478	\$8,624,478	\$12,758,615	\$12,758,615	\$12,758,615
Transfers In										
Water Fund to Debt Service Fund	\$87,216	\$1,768,110	\$3,355,029	\$4,879,563	\$6,404,098	\$6,404,098	\$7,979,756	\$9,555,415	\$9,555,415	\$9,555,415
Bond Proceeds Fund to Debt Service Fund	209,705	4,414,773	0	4,000,000	0	0	4,134,137	0	0	0
Interest Earnings	548	24,219	92,490	132,490	172,490	172,490	213,831	255,172	255,172	255,172
Total Sources of Funds	\$297,469	\$6,426,404	\$8,071,997	\$13,636,531	\$15,201,065	\$15,201,065	\$20,952,203	\$22,569,203	\$22,569,203	\$22,569,203
Uses of Funds										
Total Debt Service	\$78,167	\$1,801,926	\$3,447,518	\$5,012,053	\$6,576,587	\$6,576,587	\$8,193,587	\$9,810,587	\$9,810,587	\$9,810,587
Transfers Out										
Ending Debt Service Fund Balance	219,302	4,624,478	4,624,478	8,624,478	8,624,478	8,624,478	12,758,615	12,758,615	12,758,615	12,758,615
Total Uses of Funds	\$297,469	\$6,426,404	\$8,071,997	\$13,636,531	\$15,201,065	\$15,201,065	\$20,952,203	\$22,569,203	\$22,569,203	\$22,569,203

Table 20
 City of Tigard
 Water Financial Plan
 Sources and Uses--Construction Fund

Description	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Interest Rate on Fund Balance	0.50%	1.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
Sources of Funds										
Beginning Construction Fund Balance	\$0	(\$251)	\$67,025	\$135,947	\$460,409	\$1,185,142	\$1,952,638	\$2,356,604	\$104,234	\$52,775
Transfers In										
CIP Fund (Cap. Reserves) to Construction Fund	5,949,140	66,691	66,892	6,777,979	67,294	67,495	11,992,418	3,559,036	68,105	71,586
Bond Proceeds Fund to Construction Fund	1,845,407	15,314,514	23,010,115	36,089,069	0	0	36,389,756	94	1	0
Reimbursement SDC Account to Construction Fund	0	258,575	267,131	278,649	290,665	303,198	316,272	329,910	344,136	358,975
Improvement SDC Account to Construction Fund	0	311,643	321,955	335,838	350,319	365,425	381,182	397,619	0	0
Interest Earnings	0	334	2,030	5,964	16,456	31,378	43,092	24,608	1,570	528
Total Sources of Funds	\$7,794,547	\$15,951,506	\$23,735,148	\$43,623,445	\$1,185,142	\$1,952,638	\$51,075,359	\$6,667,871	\$518,046	\$483,863
Uses of Funds										
Capital Improvements Projects	\$7,794,798	\$15,884,480	\$23,599,201	\$43,163,036	\$0	\$0	\$48,718,755	\$6,563,637	\$465,270	\$483,881
Transfers Out										
Ending Construction Fund Balance	(251)	67,025	135,947	460,409	1,185,142	1,952,638	2,356,604	104,234	52,775	(18)
Total Uses of Funds	\$7,794,547	\$15,951,506	\$23,735,148	\$43,623,445	\$1,185,142	\$1,952,638	\$51,075,359	\$6,667,871	\$518,046	\$483,863

Table 21
 City of Tigard
 Water Financial Plan
 Sources and Uses--Reimbursement SDC Account

Description	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Interest Rate on Account Balance	0.50%	1.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
Sources of Funds										
Beginning Reimbursement SDC Account Balance	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Reimbursement Fee Receipts	0	258,575	267,131	278,649	290,665	303,198	316,272	329,910	344,136	358,975
Transfers In										
Interest Earnings	0	0	0	0	0	0	0	0	0	0
Total Sources of Funds	\$0	\$258,575	\$267,131	\$278,649	\$290,665	\$303,198	\$316,272	\$329,910	\$344,136	\$358,975
Uses of Funds										
Transfers Out										
Reimbursement SDC Account to Construction Fund	0	258,575	267,131	278,649	290,665	303,198	316,272	329,910	344,136	358,975
Ending Reimbursement SDC Account Balance	0	0	0	0	0	0	0	0	0	0
Total Uses of Funds	\$0	\$258,575	\$267,131	\$278,649	\$290,665	\$303,198	\$316,272	\$329,910	\$344,136	\$358,975

Table 22
 City of Tigard
 Water Financial Plan
 Sources and Uses--Improvement SDC Account

Description	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Interest Rate on Fund Balance	0.50%	1.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
Sources of Funds										
Beginning Improvement SDC Account Balance	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$418,954
Improvement Fee Receipts	0	311,643	321,955	335,838	350,319	365,425	381,182	397,619	414,764	432,649
Transfers In										
Interest Earnings	0	0	0	0	0	0	0	0	4,190	12,834
Total Sources of Funds	\$0	\$311,643	\$321,955	\$335,838	\$350,319	\$365,425	\$381,182	\$397,619	\$418,954	\$864,436
Uses of Funds										
Transfers Out										
Improvement SDC Account to Construction Fund	0	311,643	321,955	335,838	350,319	365,425	381,182	397,619	0	0
Ending Improvement SDC Account Balance	0	0	0	0	0	0	0	0	418,954	864,436
Total Uses of Funds	\$0	\$311,643	\$321,955	\$335,838	\$350,319	\$365,425	\$381,182	\$397,619	\$418,954	\$864,436

Table 23
 City of Tigard
 Water Financial Plan
 Sources and Uses--Rate Stabilization

Description	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Interest Rate on Fund Balance	0.50%	1.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
Sources of Funds										
Beginning Rate Stabilization Balance	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Transfers In										
Water Fund to Rate Stabilization	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Interest Earnings	0	0	0	0	0	0	0	0	0	0
Total Sources of Funds	\$0									
Uses of Funds										
Transfers Out										
Rate Stabilization to Water Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Ending Rate Stabilization Balance	0	0	0	0	0	0	0	0	0	0
Total Uses of Funds	\$0									

Table 24
 City of Tigard
 Water Financial Plan
 Summary of Fund Balances

Description	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Beginning Fund Balances										
Water Fund	\$2,410,162	\$1,459,045	\$4,639,350	\$7,600,154	\$3,807,791	\$5,963,766	\$8,463,326	\$1,223,695	\$1,292,348	\$4,921,363
CIP Fund (Cap. Reserves)	2,290,176	0	0	0	0	0	0	0	0	0
Bond Proceeds Fund	0	(0)	23,653,755	889,069	8,980	9,162	9,347	94	1	0
Debt Service Fund	0	219,302	4,624,478	4,624,478	8,624,478	8,624,478	8,624,478	12,758,615	12,758,615	12,758,615
Construction Fund	0	(251)	67,025	135,947	460,409	1,185,142	1,952,638	2,356,604	104,234	52,775
Reimbursement SDC Account	0	0	0	0	0	0	0	0	0	0
Improvement SDC Account	0	0	0	0	0	0	0	0	0	418,954
Rate Stabilization	0	0	0	0	0	0	0	0	0	0
Totals	\$4,700,338	\$1,678,097	\$32,984,609	\$13,249,647	\$12,901,658	\$15,782,548	\$19,049,790	\$16,339,009	\$14,155,199	\$18,151,708
Ending Fund Balances										
Water Fund	\$1,459,045	\$4,639,350	\$7,600,154	\$3,807,791	\$5,963,766	\$8,463,326	\$1,223,695	\$1,292,348	\$4,921,363	\$8,334,820
CIP Fund (Cap. Reserves)	0	0	0	0	0	0	0	0	0	0
Bond Proceeds Fund	(0)	23,653,755	889,069	8,980	9,162	9,347	94	1	0	0
Debt Service Fund	219,302	4,624,478	4,624,478	8,624,478	8,624,478	8,624,478	12,758,615	12,758,615	12,758,615	12,758,615
Construction Fund	(251)	67,025	135,947	460,409	1,185,142	1,952,638	2,356,604	104,234	52,775	(18)
Reimbursement SDC Account	0	0	0	0	0	0	0	0	0	0
Improvement SDC Account	0	0	0	0	0	0	0	0	418,954	864,436
Rate Stabilization	0	0	0	0	0	0	0	0	0	0
Totals	\$1,678,097	\$32,984,609	\$13,249,647	\$12,901,658	\$15,782,548	\$19,049,790	\$16,339,009	\$14,155,199	\$18,151,708	\$21,957,854

Water Financial Plan

Table 25
City of Tigard
Water Financial Plan
Debt Service Coverage Calculation
(Including SDC Revenues)

Description	Include in Test	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Estimated Gross Revenues											
User Charge Revenues - Water	TRUE	\$8,921,806	\$11,567,215	\$13,226,185	\$15,123,085	\$16,332,035	\$17,085,415	\$17,873,549	\$18,698,037	\$19,050,864	\$19,108,017
Developer Overhead	TRUE	10,000	10,030	10,060	10,090	10,121	10,151	10,181	10,212	10,243	10,273
Miscellaneous Fees/Charges	TRUE	2,500	2,508	2,515	2,523	2,530	2,538	2,545	2,553	2,561	2,568
Other Utility Sales	TRUE	4,443	4,456	4,470	4,483	4,497	4,510	4,524	4,537	4,551	4,564
Leaks/Misreads Credits	TRUE	(22,915)	(22,984)	(23,053)	(23,122)	(23,191)	(23,261)	(23,331)	(23,401)	(23,471)	(23,541)
Meter Sales	TRUE	27,679	27,762	27,845	27,929	28,013	28,097	28,181	28,266	28,350	28,435
Fire Hydrant Flow Testing Srvc	TRUE	2,000	2,006	2,012	2,018	2,024	2,030	2,036	2,042	2,049	2,055
Late Penalties/Charges	TRUE	120,774	121,136	121,500	121,864	122,230	122,597	122,964	123,333	123,703	124,074
Returned Check Fees	TRUE	1,286	1,290	1,294	1,298	1,302	1,305	1,309	1,313	1,317	1,321
Bad Debt	TRUE	(20,483)	(20,544)	(20,606)	(20,668)	(20,730)	(20,792)	(20,854)	(20,917)	(20,980)	(21,043)
Water Fund Interest Earnings	TRUE	9,673	30,492	122,395	114,079	97,716	144,271	96,870	25,160	62,137	132,562
CIP Fund (Cap. Reserves) Interest Earnings	TRUE	5,725	0	0	0	0	0	0	0	0	0
Bond Proceeds Fund Interest Earnings	TRUE	0	118,269	245,428	8,980	181	185	94	1	0	0
Debt Service Fund Interest Earnings	TRUE	548	24,219	92,490	132,490	172,490	172,490	213,831	255,172	255,172	255,172
Construction Fund Interest Earnings	TRUE	0	334	2,030	5,964	16,456	31,378	43,092	24,608	1,570	528
Reimbursement SDC Account Interest Earnings	TRUE	0	0	0	0	0	0	0	0	0	0
Improvement SDC Account Interest Earnings	TRUE	0	0	0	0	0	0	0	0	4,190	12,834
Rate Stabilization Interest Earnings	TRUE	0	0	0	0	0	0	0	0	0	0
Reimbursement Fee Receipts	TRUE	0	258,575	267,131	278,649	290,665	303,198	316,272	329,910	344,136	358,975
Improvement Fee Receipts	TRUE	0	311,643	321,955	335,838	350,319	365,425	381,182	397,619	414,764	432,649
Transfer from Rate Stabilization	TRUE	0	0	0	0	0	0	0	0	0	0
Gross Revenues		\$9,063,037	\$12,436,406	\$14,403,651	\$16,125,500	\$17,386,655	\$18,229,537	\$19,052,447	\$19,858,447	\$20,261,156	\$20,429,444
Operating Expenses (excluding Depr. & Franchise Tax)											
Net O&M (less Capital Outlays)	TRUE	\$5,912,554	\$6,399,590	\$6,765,682	\$7,153,424	\$7,564,120	\$7,999,157	\$4,955,875	\$5,233,844	\$5,528,223	\$5,840,012
Transfer to Rate Stabilization	TRUE	0	0	0	0	0	0	0	0	0	0
Operating Expenses		\$5,912,554	\$6,399,590	\$6,765,682	\$7,153,424	\$7,564,120	\$7,999,157	\$4,955,875	\$5,233,844	\$5,528,223	\$5,840,012
Net Revenues		\$3,150,483	\$6,036,817	\$7,637,969	\$8,972,077	\$9,822,535	\$10,230,379	\$14,096,572	\$14,624,603	\$14,732,932	\$14,589,432
Debt Service Coverage Test 1											
Annual DS Subject to Coverage		\$78,167	\$1,801,926	\$3,447,518	\$5,012,053	\$6,576,587	\$6,576,587	\$8,193,587	\$9,810,587	\$9,810,587	\$9,810,587
Estimated Coverage		40.30	3.35	2.22	1.79	1.49	1.56	1.72	1.49	1.50	1.49
Target Coverage		1.35	1.35	1.35	1.35	1.35	1.35	1.35	1.35	1.35	1.35
<i>Override Target Coverage</i>											
Additional Revenues Required - Test 1		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Required Coverage		1.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
Additional Bonds Test											
DS Subject to Coverage		\$156,334	\$3,447,518	\$3,447,518	\$6,576,587	\$6,576,587	\$6,576,587	\$9,810,587	\$9,810,587	\$9,810,587	\$9,810,587
Estimated Coverage		20.15	1.75	2.22	1.36	1.49	1.56	1.44	1.49	1.50	1.49
Target Coverage		1.15	1.25	1.25	1.15	1.15	1.15	1.15	1.15	1.15	1.15
<i>Override Target Coverage</i>			1.25	1.25							
Additional Revenues Required to Meet Target		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Required Coverage		1.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15

Table 26
 City of Tigard
 Water Financial Plan
 Debt Service Coverage Calculation
 (Excluding SDC Revenues)

Description	Include in Test	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Estimated Gross Revenues											
User Charge Revenues - Water	TRUE	\$8,921,806	\$11,567,215	\$13,226,185	\$15,123,085	\$16,332,035	\$17,085,415	\$17,873,549	\$18,698,037	\$19,050,864	\$19,108,017
Developer Overhead	TRUE	10,000	10,030	10,060	10,090	10,121	10,151	10,181	10,212	10,243	10,273
Miscellaneous Fees/Charges	TRUE	2,500	2,508	2,515	2,523	2,530	2,538	2,545	2,553	2,561	2,568
Other Utility Sales	TRUE	4,443	4,456	4,470	4,483	4,497	4,510	4,524	4,537	4,551	4,564
Leaks/Misreads Credits	TRUE	(22,915)	(22,984)	(23,053)	(23,122)	(23,191)	(23,261)	(23,331)	(23,401)	(23,471)	(23,541)
Meter Sales	TRUE	27,679	27,762	27,845	27,929	28,013	28,097	28,181	28,266	28,350	28,435
Fire Hydrant Flow Testing Srvc	TRUE	2,000	2,006	2,012	2,018	2,024	2,030	2,036	2,042	2,049	2,055
Late Penalties/Charges	TRUE	120,774	121,136	121,500	121,864	122,230	122,597	122,964	123,333	123,703	124,074
Returned Check Fees	TRUE	1,286	1,290	1,294	1,298	1,302	1,305	1,309	1,313	1,317	1,321
Bad Debt	TRUE	(20,483)	(20,544)	(20,606)	(20,668)	(20,730)	(20,792)	(20,854)	(20,917)	(20,980)	(21,043)
Water Fund Interest Earnings	TRUE	9,673	30,492	122,395	114,079	97,716	144,271	96,870	25,160	62,137	132,562
CIP Fund (Cap. Reserves) Interest Earnings	TRUE	5,725	0	0	0	0	0	0	0	0	0
Bond Proceeds Fund Interest Earnings	TRUE	0	118,269	245,428	8,980	181	185	94	1	0	0
Debt Service Fund Interest Earnings	TRUE	548	24,219	92,490	132,490	172,490	172,490	213,831	255,172	255,172	255,172
Construction Fund Interest Earnings	TRUE	0	334	2,030	5,964	16,456	31,378	43,092	24,608	1,570	528
Rate Stabilization Interest Earnings	TRUE	0	0	0	0	0	0	0	0	0	0
Transfer from Rate Stabilization	TRUE	0	0	0	0	0	0	0	0	0	0
Gross Revenues		\$9,063,037	\$11,866,189	\$13,814,565	\$15,511,013	\$16,745,671	\$17,560,913	\$18,354,993	\$19,130,918	\$19,498,067	\$19,624,986
Operating Expenses (excluding Depr. & Franchise Tax)											
Net O&M (less Capital Outlays)	TRUE	\$5,912,554	\$6,399,590	\$6,765,682	\$7,153,424	\$7,564,120	\$7,999,157	\$4,955,875	\$5,233,844	\$5,528,223	\$5,840,012
Transfer to Rate Stabilization	TRUE	0	0	0	0	0	0	0	0	0	0
Operating Expenses		\$5,912,554	\$6,399,590	\$6,765,682	\$7,153,424	\$7,564,120	\$7,999,157	\$4,955,875	\$5,233,844	\$5,528,223	\$5,840,012
Net Revenues		\$3,150,483	\$5,466,599	\$7,048,883	\$8,357,589	\$9,181,551	\$9,561,756	\$13,399,118	\$13,897,074	\$13,969,843	\$13,784,975
Debt Service Coverage Test 2											
Annual DS Subject to Coverage		\$78,167	\$1,801,926	\$3,447,518	\$5,012,053	\$6,576,587	\$6,576,587	\$8,193,587	\$9,810,587	\$9,810,587	\$9,810,587
Estimated Coverage		40.30	3.03	2.04	1.67	1.40	1.45	1.64	1.42	1.42	1.41
Target Coverage		1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25
<i>Override Target Coverage</i>											
Additional Revenues Required - Test 2		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Required Coverage		1.05	1.05	1.05	1.05	1.05	1.05	1.05	1.05	1.05	1.05
Additional Bonds Test											
DS Subject to Coverage		\$156,334	\$3,447,518	\$3,447,518	\$6,576,587	\$6,576,587	\$6,576,587	\$9,810,587	\$9,810,587	\$9,810,587	\$9,810,587
Estimated Coverage		20.15	1.59	2.04	1.27	1.40	1.45	1.37	1.42	1.42	1.41
Target Coverage		1.15	1.25	1.25	1.15	1.15	1.15	1.15	1.15	1.15	1.15
<i>Override Target Coverage</i>			1.25	1.25							
Additional Revenues Required to Meet Target		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Required Coverage		1.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15

WATER FINANCIAL PLAN

Tigard Water Rate Study and SDC Update



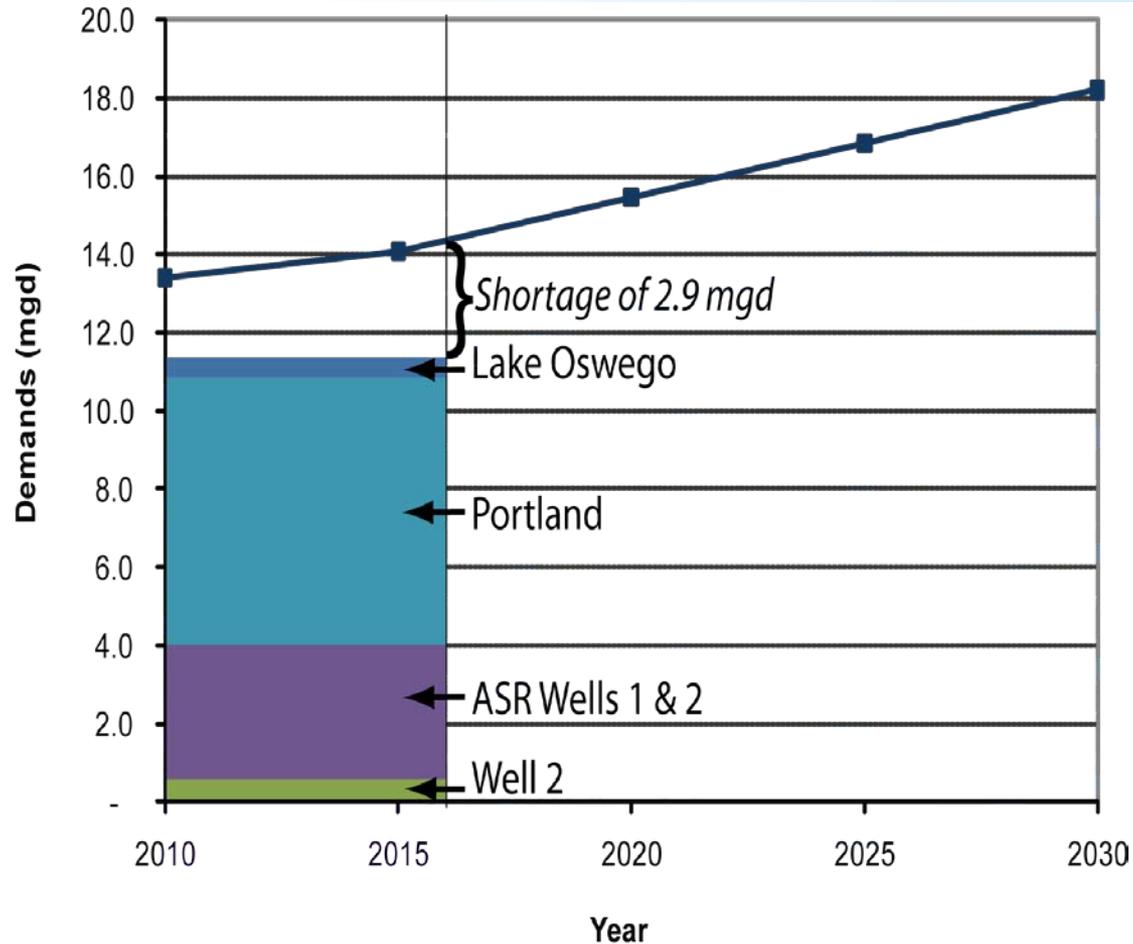
Funding Strategy for the Lake Oswego-Tigard Water Partnership

Where Tigard has been...

- ▶ Attempted to develop the Willamette River as a drinking water source in 1998
- ▶ Joined the Tualatin Basin Joint Water Supply Project (TBJWS) in 1999
- ▶ Pioneered aquifer storage and recovery (ASR) in 2001
- ▶ Negotiated 10-year contract with Portland in 2006
- ▶ Leader in water conservation for the last 10 years
- ▶ Partnered with Lake Oswego in August 2008

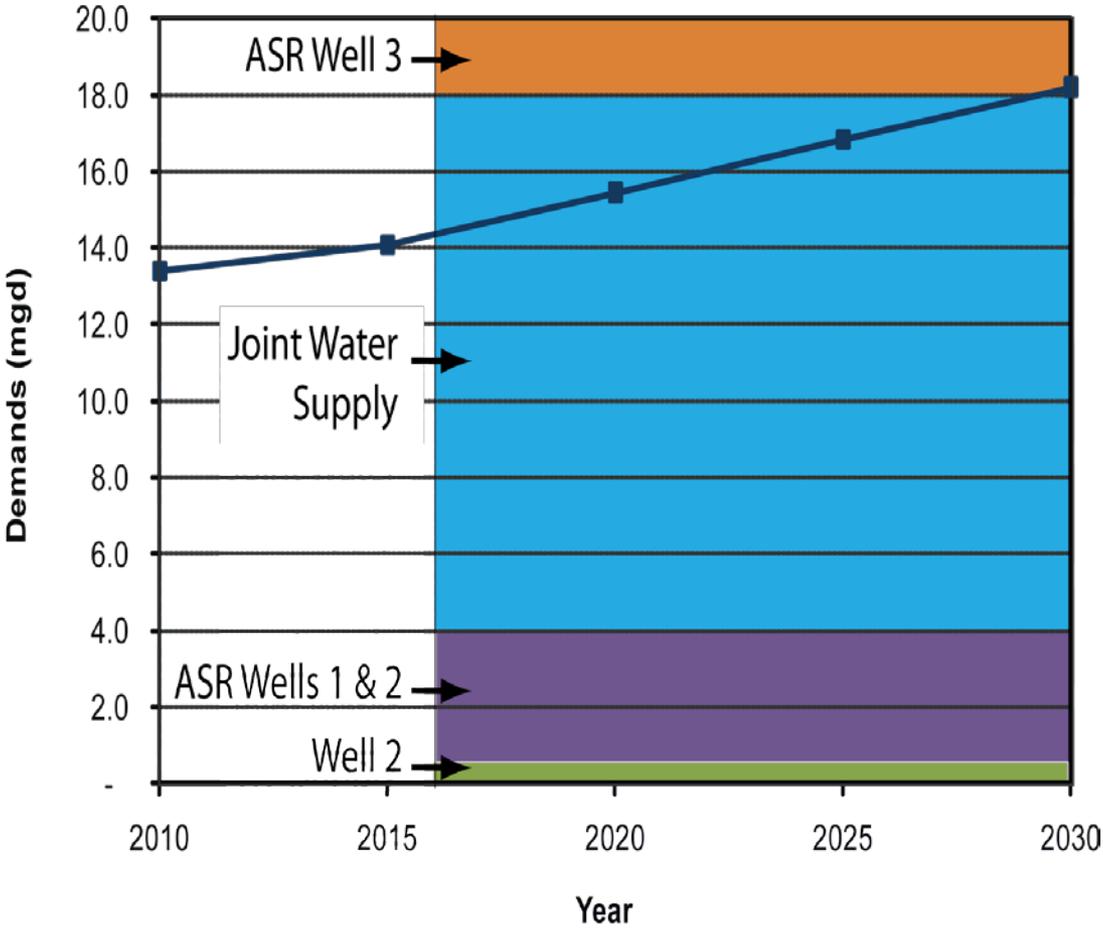
Projected Water Needs – 2016

Current Sources Depicted Below

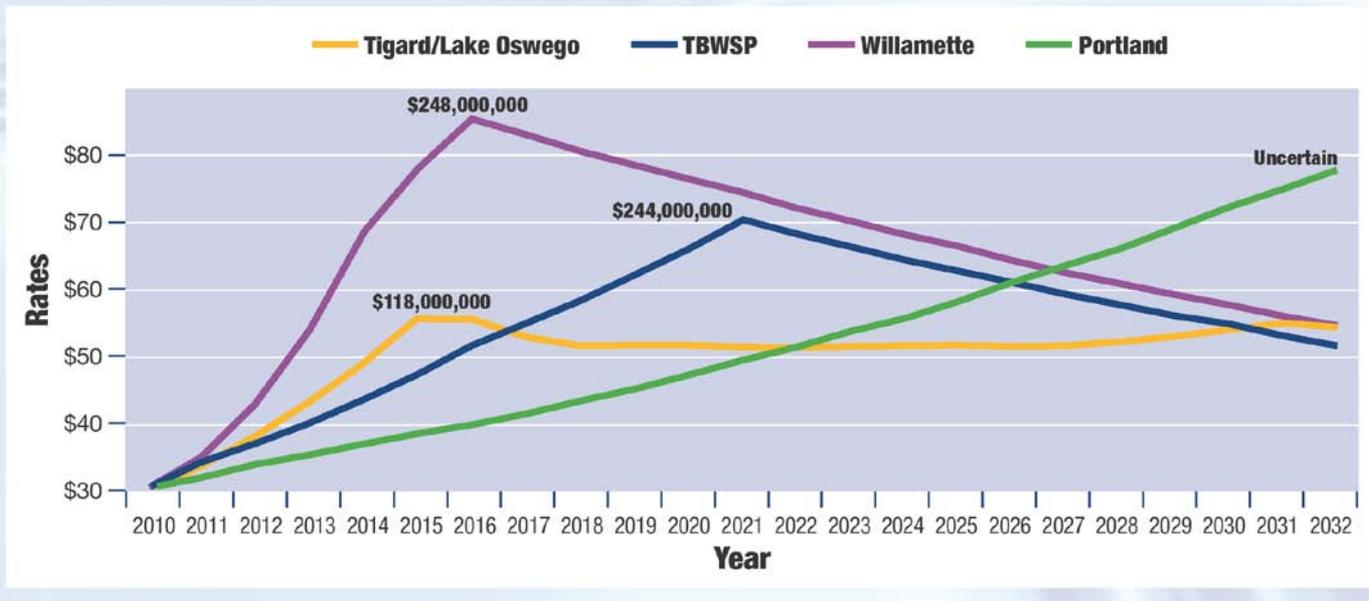


Projected Water Needs – 2030

With LO-Tigard Joint Water Supply



Estimated Water Rates for Tigard Water Supply Options



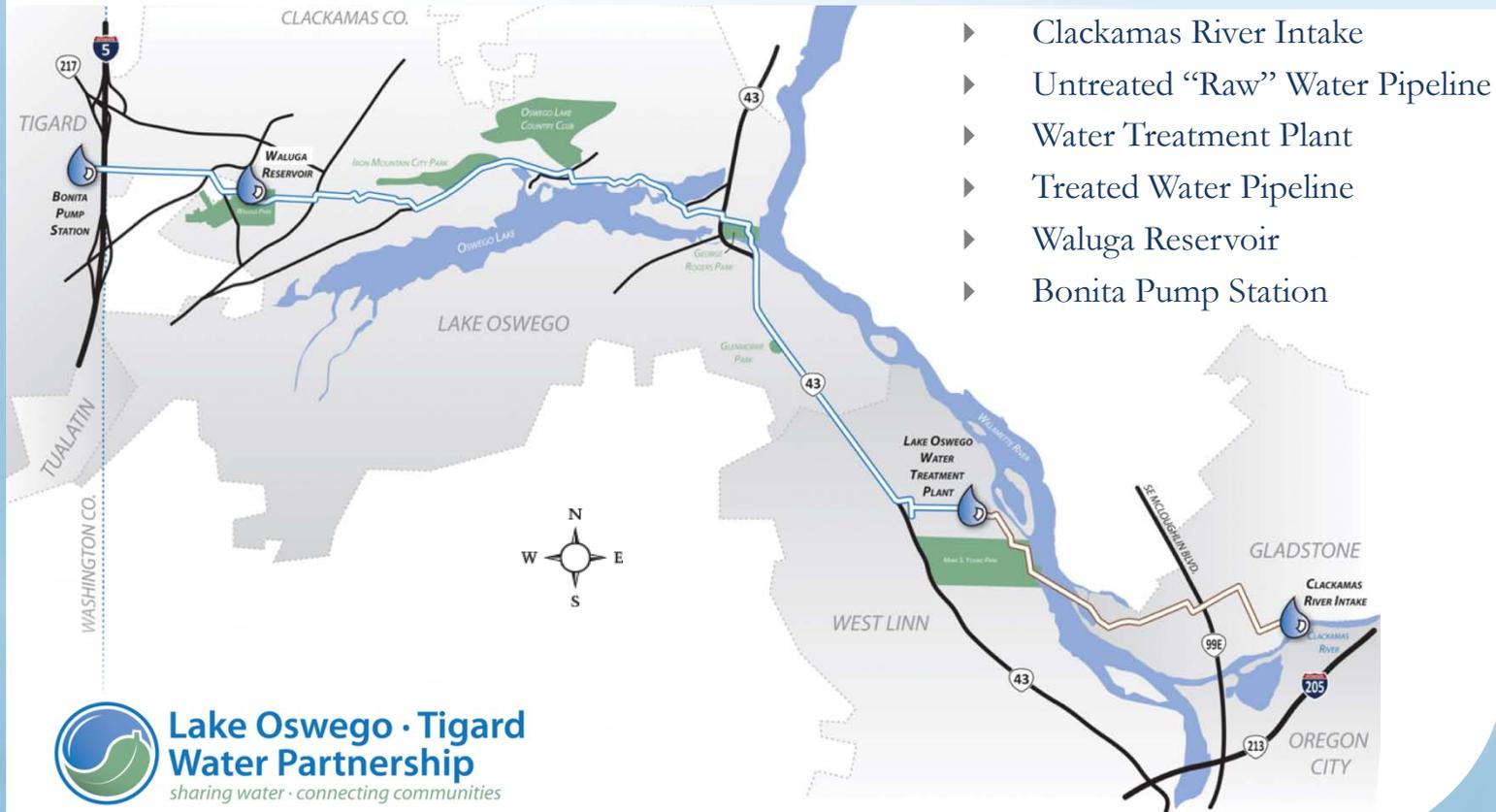
Tigard Selects the Lake Oswego Partnership Option in 2008

- ▶ IGA provides Tigard:
 - ▶ 14 million gallons a day
 - ▶ Ownership share of assets (allows SDC use)
 - ▶ Technical oversight
 - ▶ Political oversight
 - ▶ Completion by 2016



2010 Project Definition

Work Refines Scope/Cost



Lake Oswego/Tigard Water Partnership Timeline

Project Definition	December 2009 – December 2010	
Supply Facilities Capital Improvement Plan	November 2010	Oversight Committee recommends to City Councils
	December 2010	Council meetings in December
Project Definition Final Report	January 2011	
Pre-design and Permitting	July 2010 – August 2012	
Facilities Design	May 2011 – March 2013	
Construction	July 2013 – June 2015	

Lake Oswego Tigard Partnership

2010 Discussion/Decision Points

- ▶ **Three Tigard Council workshops** June-August
- ▶ **Joint Councils confirm recommended CIP** November 8
- ▶ **Tigard City Council considers Water Rate Study** November 9
- ▶ **Lake Oswego Master Fees & Charges** November 30
- ▶ **Lake Oswego adopts Water Supply Facilities CIP** December 7
- ▶ **City Council considers Water SDC Methodology** December 14
- ▶ **Tigard adopts Water Supply Facilities CIP** December 21

Water Rate Design Challenges

Revenue Stability

- Improve revenue stability by increasing fixed charge component of the utility bill

Equity

- Enhance equity among customer classes by using cost-of-service-based rates – one rate class will not subsidize another
- Enhance equity within customer classes by using tiered rates – large users pay more than small users

Conservation

- Promote conservation with the use of increased tier pricing

Meeting the Challenges – Debt Financing

Period	Example Monthly Bills*	Annual Rate Revenue Increases	Debt Financing Schedule
Current	\$27.55		
FY2011	37.05	34.5%	\$2,097,054
FY2012	42.24	14.0%	44,147,727
FY2013	48.16	14.0%	0
FY2014	54.90	14.0%	40,000,000
FY2015	57.26	4.3%	0
FY2016	59.72	4.3%	0
FY2017	62.29	4.3%	41,341,374
FY2018	64.97	4.3%	0
FY2019	64.97	0.0%	0
FY2020	64.97	0.0%	0
Total			\$127,586,155

* Residential example monthly bill. Monthly use assumed at 9 CCF.

Meeting the Challenge: Revenue Stability

Increase Fixed Revenue

Meter Size	Oct. 2010	Jan. 2011	Jan. 2012	Jan. 2013	Jan. 2014	Jan. 2015
5/8" x 3/4"	\$3.67	\$15.78	\$17.99	\$20.51	\$23.38	\$24.38
1"	3.67	35.40	40.36	46.01	52.45	54.70
1 1/2"	3.67	93.49	106.58	121.50	138.51	144.47
2"	3.67	151.68	172.92	197.12	224.72	234.38
3"	3.67	298.56	340.36	388.01	442.33	461.35
4"	3.67	567.12	646.52	737.03	840.21	876.34
6"	3.67	635.88	724.90	826.39	942.08	982.59
8"	3.67	993.12	1,132.16	1,290.66	1,471.35	1,534.62
10"	3.67	1,832.55	2,089.11	2,381.58	2,715.00	2,831.75
12"	3.67	2,592.94	2,955.95	3,369.78	3,841.55	4,006.74

Meeting the Challenge: Equity Booster Pump Charges

Meter Size	Oct. 2010	Jan. 2011	Jan. 2012	Jan. 2013	Jan. 2014	Jan. 2015
5/8" x 3/4"	\$3.24	\$4.08	\$4.32	\$4.58	\$4.86	\$5.15
1"	3.24	10.87	11.52	12.21	12.95	13.72
1 1/2"	3.24	32.60	34.56	36.63	38.83	41.16
2"	3.24	52.93	56.11	59.47	63.04	66.82
3"	3.24	93.33	98.93	104.87	111.16	117.83
4"	3.24	191.41	202.89	215.07	227.97	241.65
6"	3.24	203.75	215.98	228.93	242.67	257.23
8"	3.24	326.00	345.56	366.29	388.27	411.57
10"	3.24	636.93	675.15	715.65	758.59	804.11
12"	3.24	917.17	972.20	1,030.53	1,092.36	1,157.91

Meeting the Challenges: Equity & Conservation

Recommended Tier Thresholds

Meter Size	Recommended Thresholds (CCF)		
	Tier 1	Tier 2	Tier 3
5/8" x 3/4"	6	15	Over 15
1"	16	40	Over 40
1 1/2"	48	120	Over 120
2"	78	195	Over 195
3"	137	344	Over 344
4"	282	705	Over 705
6"	300	750	Over 750
8"	480	1,200	Over 1,200
10"	938	2,345	Over 2,345
12"	1,350	3,376	Over 3,376

Meeting the Challenge: Equity & Conservation Tiered Water Rates 2011-2013 (\$/CCF)

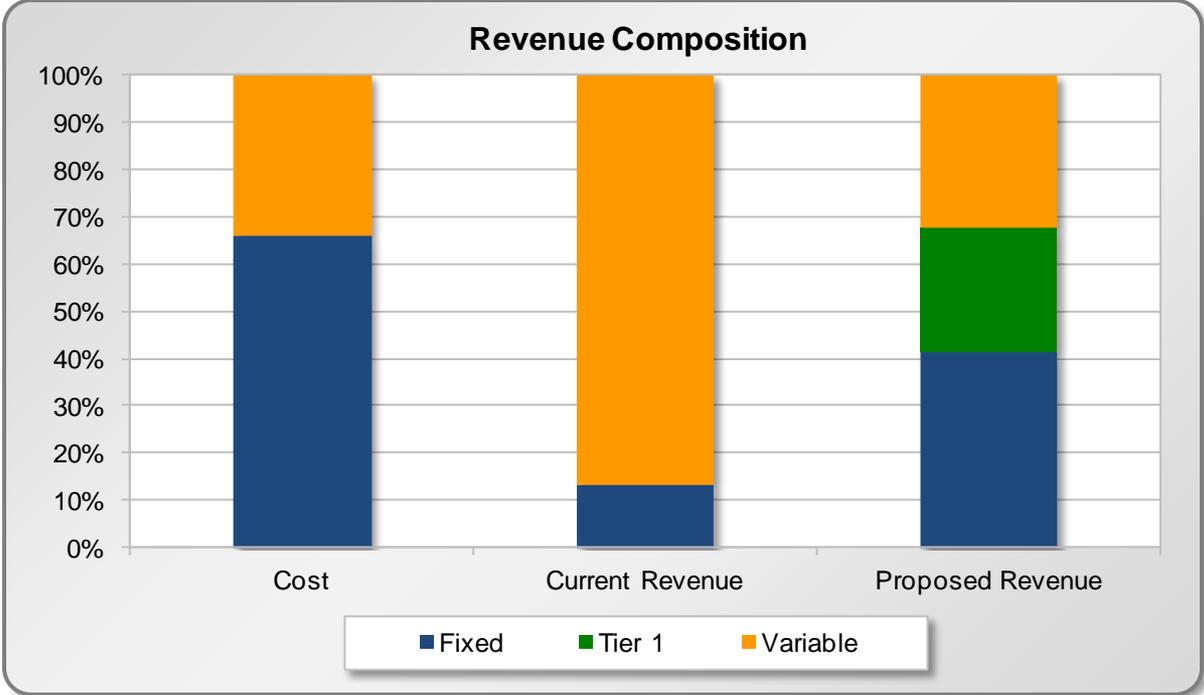
Year / Class	Tier 1 Rate	Tier 2 Rate	Tier 3 Rate
January 2011			
Residential	\$2.04	\$2.98	\$3.41
Multi-Family	1.70	2.48	2.84
Commercial	2.32	3.38	3.87
Industrial	3.23	3.23	3.23
Irrigation	4.59	4.59	4.59
January 2012			
Residential	\$2.33	\$3.40	\$3.89
Multi-Family	1.94	2.83	3.24
Commercial	2.64	3.85	4.41
Industrial	3.68	3.68	3.68
Irrigation	5.23	5.23	5.23
January 2013			
Residential	\$2.65	\$3.87	\$4.43
Multi-Family	2.21	3.22	3.69
Commercial	3.02	4.39	5.03
Industrial	4.20	4.20	4.20
Irrigation	5.97	5.97	5.97

Meeting the Challenge: Equity & Conservation

Tiered Water Rates 2014-2015 (\$/CCF)

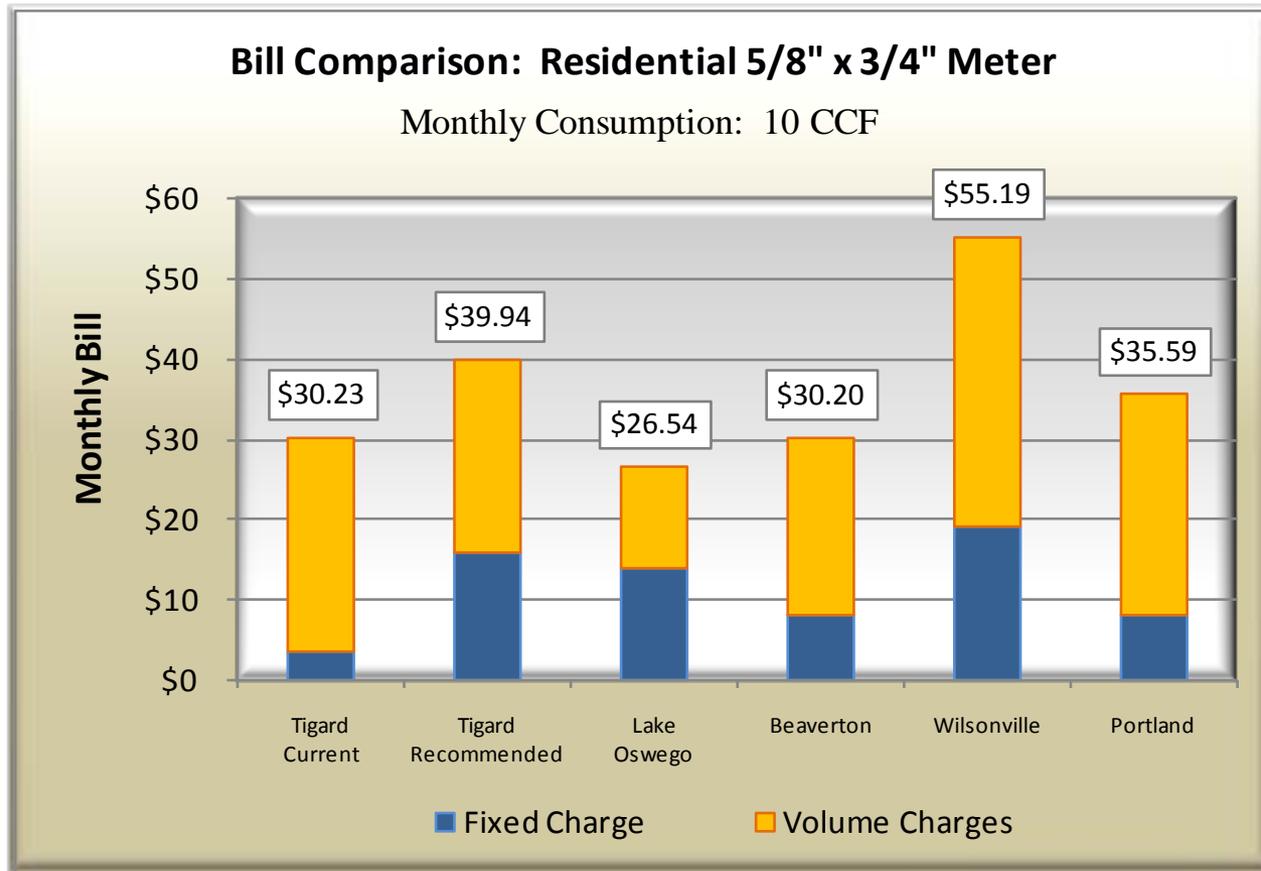
January 2014			
Residential	\$3.02	\$4.42	\$5.05
Multi-Family	2.52	3.67	4.21
Commercial	3.44	5.01	5.73
Industrial	4.79	4.79	4.79
Irrigation	6.80	6.80	6.80
January 2015			
Residential	\$3.15	\$4.60	\$5.27
Multi-Family	2.63	3.83	4.39
Commercial	3.58	5.22	5.98
Industrial	4.99	4.99	4.99
Irrigation	7.09	7.09	7.09

Meeting the Challenge: Revenue Stability Increase Fixed Revenue



Medium Consumption Customer

Monthly Water Bill: Comparison



Tigard Projected Water Rates

Tigard Average Residential Monthly Bill (10ccf) Under Partnership with Lake Oswego



Lake Oswego Projected Water Rates

Lake Oswego Average Residential Monthly Bill (10 ccf) Under Partnership with Tigard



ANNUAL INCREASE WITH OZONE	-	25.50%	25.50%	11.65%	11.65%	11.65%	4.00%	4.00%
ANNUAL INCREASE NO OZONE	-	22.00%	22.00%	10.50%	10.50%	10.50%	4.00%	4.00%

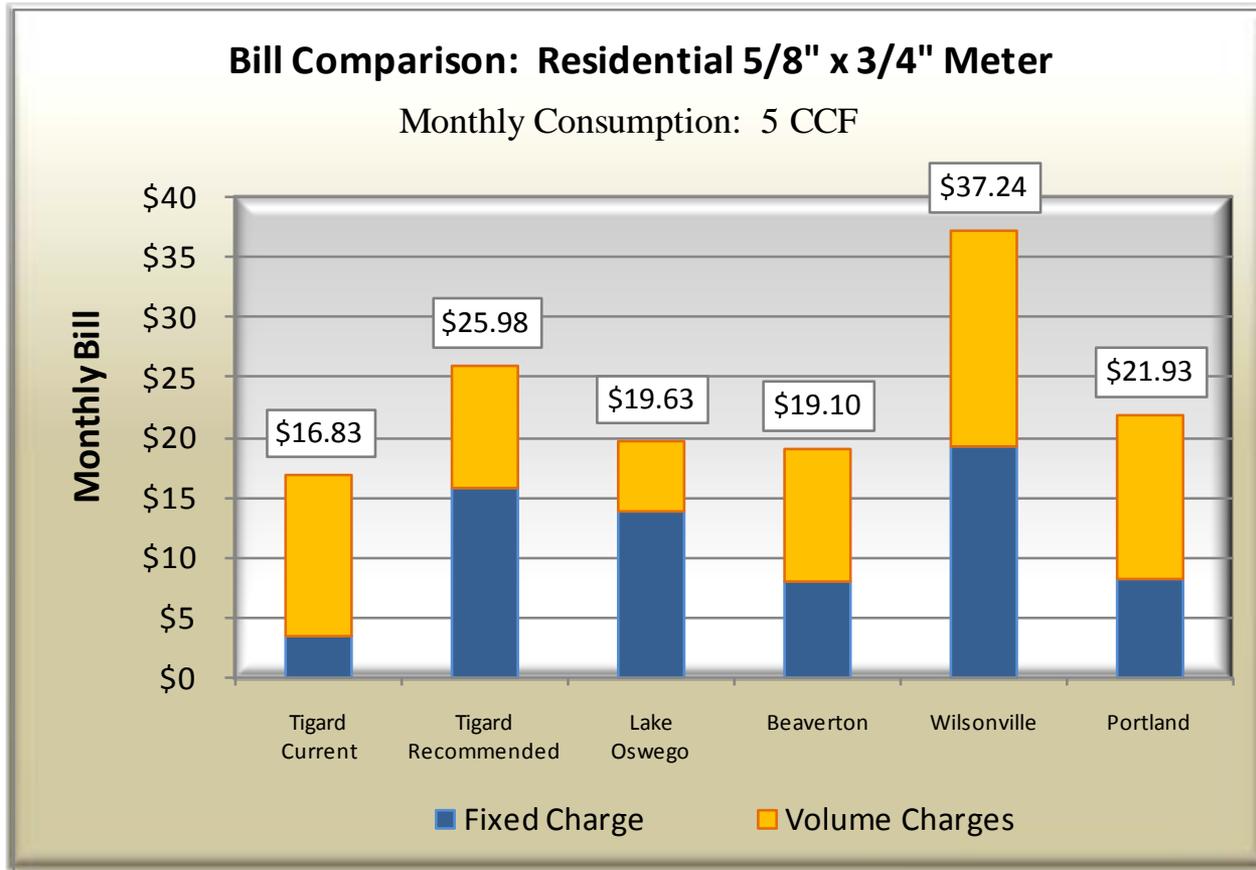
Summary

- ▶ Tigard is implementing water partnership with Lake Oswego
- ▶ Tigard's partnership obligation is currently estimated at \$118 million
- ▶ Tigard will spread costs over 25 years using revenue bonds
- ▶ Water rate fees and charges need to increase
- ▶ Water Rate Study recommendations provides revenue stability, customer equity, and supports conservation

Recommendations

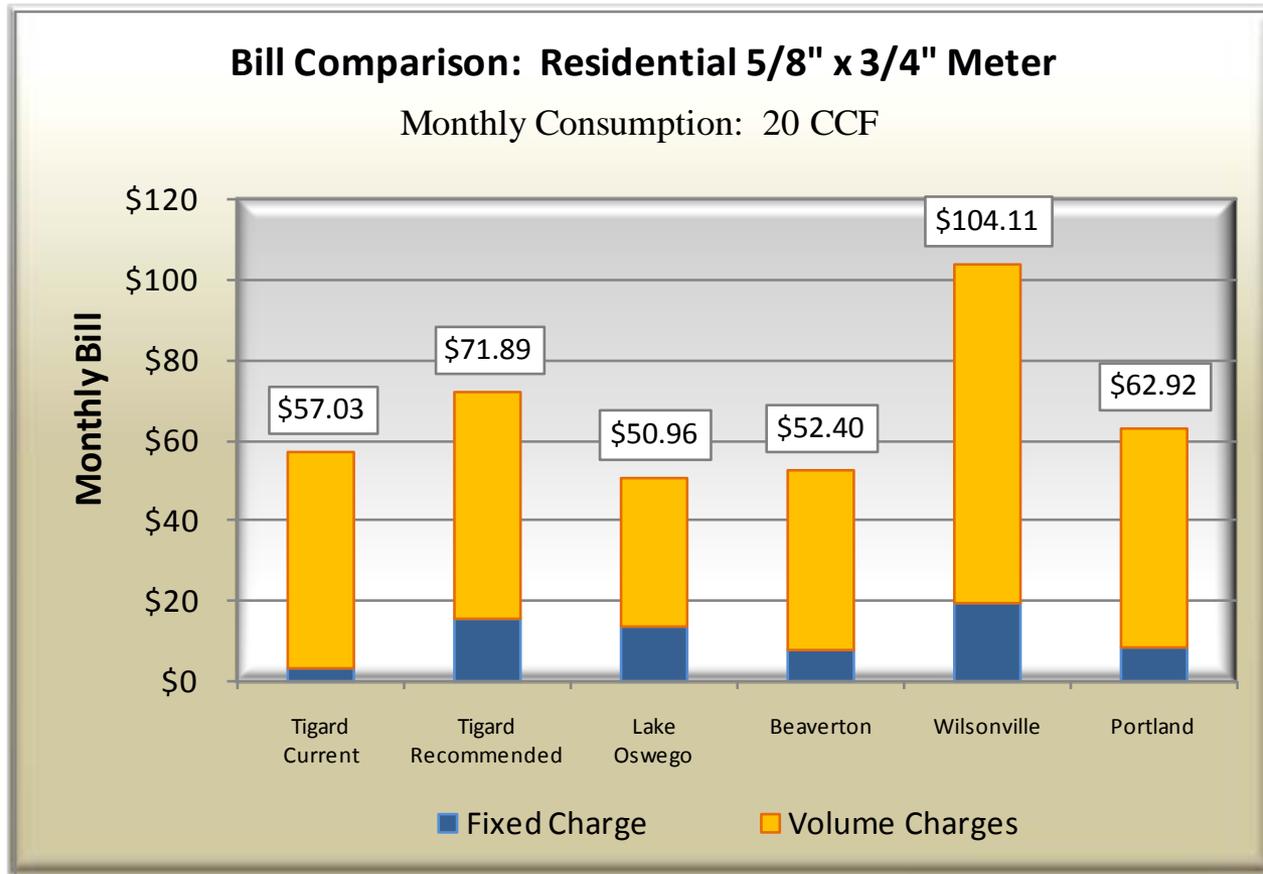
- ▶ Adopt the Water Rate Study by resolution
- ▶ Adopt resolution amending the Master Fees and Charges Schedule - includes 5-year rate plan
- ▶ Adopt SDC methodology and amendment to fees and charges on December 14, 2010
- ▶ Support monthly billing and “Care to Share”

Typical Household Customer Monthly Water Bill: Comparison



High Consumption Customer

Monthly Water Bill: Comparison



Business Meeting**Date:** 11/09/2010**Length (in minutes):** 10 Minutes**Agenda Title:** Consider a Resolution Amending the Master Fees and Charges Schedule to Increase Water Rates**Prepared By:** John Goodrich, Public Works**Item Type:** Resolution**Meeting Type:** Council Business Meeting - Main**Information****ISSUE**

Shall the City Council consider a resolution amending the 2010-2011 Master Fees and Charges Schedule to increase water rates over the next five years?

STAFF RECOMMENDATION / ACTION REQUEST

Staff recommends the Council adopt the resolution.

KEY FACTS AND INFORMATION SUMMARY

The City's consultant has completed a comprehensive water financial plan which included a Water Rate Study and Water System Development Charge (SDC) Update.

The Water Rate Study provides Council with four major rate design recommendations to improve revenue stability, provide equity among ratepayers, and continue water conservation efforts. These recommendations are:

1. Increase fees based on increasing meter size.
2. Enhance water conservation by using a three-tiered inclining block rate.
3. Enhance water conservation by increasing the uniform water rates for industrial and irrigation users.
4. Implement monthly billing.

In accordance with the Water Rate Study, rate increases are spread over a five-year period. These increases will provide revenues for water-related operation and maintenance costs, and for projects associated with the Lake Oswego-Tigard Water Partnership and other capital improvements.

OTHER ALTERNATIVES

The Council could decide not to amend the Master Fees and Charges Schedule and provide staff with direction regarding funding the Lake Oswego/ Tigard Water Partnership financial obligations.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

City Council Long Term Goal: "Continue to monitor the Tigard/Lake Oswego Water Partnership."

DATES OF PREVIOUS COUNCIL CONSIDERATION

This topic has come before the Council on the following dates:

- June 15, 2010 - Introduction to the water financial plan project - Water Rate Study and Water SDC Update
- July 20, 2010 - Presentation on water revenue requirements pertaining to the Lake Oswego-Tigard Water Partnership and funding mechanisms available and water rate revenue increases needed to provide this additional funding.
- September 21, 2010 - Presentation on water rate design and water rate increases necessary to meet the challenges in providing adequate funding for the Lake Oswego-Tigard Water Partnership.
- October 19, 2010 - Discussion regarding water utility financial aid for Tigard Water Service Area regarding ratepayer economic hardship

- November 9, 2010 - Staff recommendation to adopt the Water Rate Study (separate resolution)
-

Fiscal Impact

Cost: \$70,000
Budgeted (yes or no): No
Where Budgeted (department/program): Utility Billing

Additional Fiscal Notes:

Approval of the water rates will move Tigard to monthly billing. This will require additional mailings and contracting for the additional meter reads. The additional \$70,000 is the estimated cost for the second half of FY 2011. The cost will be refined with award of the printing and meter reading contracts. In FY 2012 we will need to budget for an entire year of these services. The additional expense will need a budget amendment and will be funded with additional revenue generated by the fee increase.

The larger fiscal impact will be to Tigard's Water Utility Sales revenue. For the second half of FY 2011, the approval of the first 34.5 percent rate increase will generate an additional \$1.0 million over the current budgeted revenues. Long-term, the approval of the five years of water rate increases will enable Tigard to issue \$125.5 million in planned water revenue bonds over the next six years to fund the LO/Tigard Partnership and other needed capital projects.

Attachments

Resolution

Exhibit A - Master Fees and Charges

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 10-

A RESOLUTION TO AMEND THE MASTER FEES AND CHARGES SCHEDULE, AS ADOPTED BY RESOLUTION 10-30, TO INCREASE WATER RATES TO FUND THE LAKE OSWEGO - TIGARD WATER PARTNERSHIP AND OTHER CAPITAL IMPROVEMENTS

WHEREAS, The City of Tigard is the managing authority and water provider for the Tigard Water Service Area (TWSA). The TWSA includes the residents of Durham, King City, two-thirds of Tigard, and the Tigard Water District; and

WHEREAS, the Tigard Municipal Code, Chapter 12.10, defines the authority and process for imposing water fees and charges; and

WHEREAS, the Intergovernmental Agreements for Delivery of Water Service, Sections 8.B., state that Tigard City Council has the authority to modify, alter or repeal the Rules, Rates and Regulations for Water Service within the Tigard Water Service Area; and

WHEREAS, the Intergovernmental Water Board (IWB) has recommended the Tigard City Council approve the Water Rate Study and the corresponding adjustments to water fees and charges; and

WHEREAS, on August 6, 2008, following extensive analysis of various long-term water supply options, the City Council entered into the Lake Oswego-Tigard Water Partnership whereby the cities would jointly develop a shared water system; and

WHEREAS, additional revenue is required since the Council may approve the use of bonds, secured by water utility revenues, as a funding source for the capital improvements resulting from the partnership; and

WHEREAS, a water rate study was necessary to support the issuance of bonds for the Lake Oswego Tigard Water Partnership; and

WHEREAS, the City's consultant completed a comprehensive water financial plan which included a Water Rate Study and Water System Development Charge Update. The report provides an analysis of the additional revenue requirements needed for water-related operation and maintenance costs, and for projects associated with the Lake Oswego-Tigard Water Partnership and other capital improvements; and

WHEREAS, the City's financial planner has reviewed the findings from the Water Rate Study and provided approval of recommended revenue bond strategy contained therein; and

WHEREAS, the Water Rate Study provides Council with four major recommendations to improve revenue stability, provide equity among ratepayers, and continue water conservation efforts. These recommendations are:

1. Increase fixed rates based on increasing meter size.
2. Enhance water conservation by using a three-tiered inclining block rate.
3. Enhance water conservation by increasing the uniform water rates for industrial and irrigation users.
4. Implement monthly billing.

WHEREAS, the City of Tigard has a Master Fees and Charges Schedule that was last adopted by Resolution 10-30 with later amendments.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The 2010-2011 Master Fees and Charges Schedule is amended as shown in Exhibit A.

SECTION 2: This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2010.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

City of Tigard
Fees and Charges Schedule

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
PUBLIC WORKS - UTILITIES			
	<u>Booster Pump Charge</u>	\$6.48 /bimonthly	10/1/2010
		\$6.93 /bimonthly	10/1/2011
	Meter Size (diameter inches)		
	5/8 x 3/4	\$4.08 /monthly	1/1/2011
		\$4.32 /monthly	1/1/2012
		\$4.58 /monthly	1/1/2013
		\$4.86 /monthly	1/1/2014
		\$5.15 /monthly	1/1/2015
	1	\$10.87 /monthly	1/1/2011
		\$11.52 /monthly	1/1/2012
		\$12.21 /monthly	1/1/2013
		\$12.95 /monthly	1/1/2014
		\$13.72 /monthly	1/1/2015
	1.5	\$32.60 /monthly	1/1/2011
		\$34.56 /monthly	1/1/2012
		\$36.63 /monthly	1/1/2013
		\$38.83 /monthly	1/1/2014
		\$41.16 /monthly	1/1/2015
	2	\$52.93 /monthly	1/1/2011
		\$56.11 /monthly	1/1/2012
		\$59.47 /monthly	1/1/2013
		\$63.04 /monthly	1/1/2014
		\$66.82 /monthly	1/1/2015
	3	\$93.33 /monthly	1/1/2011
		\$98.93 /monthly	1/1/2012
		\$104.87 /monthly	1/1/2013
		\$111.16 /monthly	1/1/2014
		\$117.83 /monthly	1/1/2015
	4	\$191.41 /monthly	1/1/2011
		\$202.89 /monthly	1/1/2012
		\$215.07 /monthly	1/1/2013
		\$227.97 /monthly	1/1/2014
		\$241.65 /monthly	1/1/2015

City of Tigard
Fees and Charges Schedule

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
		6	
		<u>\$203.75</u> /monthly	1/1/2011
		<u>\$215.98</u> /monthly	1/1/2012
		<u>\$228.93</u> /monthly	1/1/2013
		<u>\$242.67</u> /monthly	1/1/2014
		<u>\$257.23</u> /monthly	1/1/2015
		8	
		<u>\$326.00</u> /monthly	1/1/2011
		<u>\$345.56</u> /monthly	1/1/2012
		<u>\$366.29</u> /monthly	1/1/2013
		<u>\$388.27</u> /monthly	1/1/2014
		<u>\$411.57</u> /monthly	1/1/2015
		10	
		<u>\$636.93</u> /monthly	1/1/2011
		<u>\$675.15</u> /monthly	1/1/2012
		<u>\$715.65</u> /monthly	1/1/2013
		<u>\$758.59</u> /monthly	1/1/2014
		<u>\$804.11</u> /monthly	1/1/2015
		12	
		<u>\$917.17</u> /monthly	1/1/2011
		<u>\$972.20</u> /monthly	1/1/2012
		<u>\$1,030.53</u> /monthly	1/1/2013
		<u>\$1,092.36</u> /monthly	1/1/2014
		<u>\$1,157.91</u> /monthly	1/1/2015
	<u>Customer Charge</u>	\$7.34 /bimonthly	10/1/2010
	(Basic fee charged to customers to have the City deliver water.)	\$7.85 /bimonthly	10/1/2011
	Meter Size (diameter inches)		
	5/8 x 3/4		
		<u>\$15.78</u> /monthly	1/1/2011
		<u>\$17.99</u> /monthly	1/1/2012
		<u>\$20.51</u> /monthly	1/1/2013
		<u>\$23.38</u> /monthly	1/1/2014
		<u>\$24.38</u> /monthly	1/1/2015
		1	
		<u>\$35.40</u> /monthly	1/1/2011
		<u>\$40.36</u> /monthly	1/1/2012
		<u>\$46.01</u> /monthly	1/1/2013
		<u>\$52.45</u> /monthly	1/1/2014
		<u>\$54.70</u> /monthly	1/1/2015

City of Tigard
Fees and Charges Schedule

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
		1.5	
		<u>\$93.49</u> /monthly	1/1/2011
		<u>\$106.58</u> /monthly	1/1/2012
		<u>\$121.50</u> /monthly	1/1/2013
		<u>\$138.51</u> /monthly	1/1/2014
		<u>\$144.47</u> /monthly	1/1/2015
		2	
		<u>\$151.68</u> /monthly	1/1/2011
		<u>\$172.92</u> /monthly	1/1/2012
		<u>\$197.12</u> /monthly	1/1/2013
		<u>\$224.72</u> /monthly	1/1/2014
		<u>\$234.38</u> /monthly	1/1/2015
		3	
		<u>\$298.56</u> /monthly	1/1/2011
		<u>\$340.36</u> /monthly	1/1/2012
		<u>\$388.01</u> /monthly	1/1/2013
		<u>\$442.33</u> /monthly	1/1/2014
		<u>\$461.35</u> /monthly	1/1/2015
		4	
		<u>\$567.12</u> /monthly	1/1/2011
		<u>\$646.52</u> /monthly	1/1/2012
		<u>\$737.03</u> /monthly	1/1/2013
		<u>\$840.21</u> /monthly	1/1/2014
		<u>\$876.34</u> /monthly	1/1/2015
		6	
		<u>\$635.88</u> /monthly	1/1/2011
		<u>\$724.90</u> /monthly	1/1/2012
		<u>\$826.39</u> /monthly	1/1/2013
		<u>\$942.08</u> /monthly	1/1/2014
		<u>\$982.59</u> /monthly	1/1/2015
		8	
		<u>\$993.12</u> /monthly	1/1/2011
		<u>\$1,132.16</u> /monthly	1/1/2012
		<u>\$1,290.66</u> /monthly	1/1/2013
		<u>\$1,471.35</u> /monthly	1/1/2014
		<u>\$1,534.62</u> /monthly	1/1/2015

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
		10	
		<u>\$1,832.55</u> /monthly	1/1/2011
		<u>\$2,089.11</u> /monthly	1/1/2012
		<u>\$2,381.58</u> /monthly	1/1/2013
		<u>\$2,715.00</u> /monthly	1/1/2014
		<u>\$2,831.75</u> /monthly	1/1/2015
		12	
		<u>\$2,592.94</u> /monthly	1/1/2011
		<u>\$2,955.95</u> /monthly	1/1/2012
		<u>\$3,369.78</u> /monthly	1/1/2013
		<u>\$3,841.55</u> /monthly	1/1/2014
		<u>\$4,006.74</u> /monthly	1/1/2015
	<u>Final Notification Process Fee</u>	\$30.00 /per instance	7/1/2009
	<u>Fire Hydrant Flow Test</u>	\$325.00 /test	12/9/2008
	<u>Fire Hydrant Usage - Temporary</u>		
	3" hydrant meter deposit*	\$650.00	9/1/2002
	*Deposit is refundable if returned in good condition		
	Hook-up service	\$50.00	2/27/2001
	Continued use	\$50.00 /month	2/27/2001
	Consumption	Current irrigation water usage rate per 100 cubic feet of water used	9/1/2002
	<u>Fire Rates (Sprinklers)</u>		2/27/2001
	6" or smaller	\$17.00 /month	
	8" or larger	\$22.50 /month	
	<u>Fire Service Connection</u>	\$1,400.00 /+ 12% fee based on construction costs.	2/27/2001
	<u>Meter Disconnection</u>	Actual labor and material costs + 10%	9/1/2002
	<u>Meter Installation Fees</u>		
	5/8" x 3/4" Meter	\$325.00	2/27/2001
	1" Meter	\$500.00	2/27/2001
	1 1/2" Meter	\$850.00	2/27/2001
	2" Meter	\$1,000.00	2/27/2001
	3" or more Meter	Actual Cost	5/23/2000

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
	<u>Meter Out-of-Order Test</u>	Meter calibration cost + actual labor and material costs + 10%	9/1/2002
	<u>Sanitary Sewer Service</u> (City receives 15.82% of fees collected)		
	Base Charge	\$19.14 /dwelling unit/month	7/1/2007
	Use Charge	\$1.31 /100 cubic feet/month for individual customer winter average	7/1/2007
	<u>Storm and Surface Water</u> (City retains 75% of Service Charge fees collected) (City retains 100% of its Surcharge fees collected)		
	Service Charge	\$4.00 /ESU/month	6/6/2000
	Tigard Surcharge	\$2.00 /ESU/month	7/1/2009
	<u>Water Bacteriological Quality Testing</u>		
	Cost per test	\$60.00	7/1/2008
	<u>Water Disconnection Charge for Non-payment</u>		
	During business hours	\$50.00	2/27/2001
	<u>Water Line Construction - New Development</u>	12% of Actual Cost	2/27/2001
	<u>Water Main Extension</u>		
	Designed and installed by others	12% of Actual Cost	9/1/2002
	<u>Water Meter Radio Read Device</u>	\$156.80	7/1/2008
	<u>Water Usage Charges</u>		
	Residential		
		\$2.87 /100 cubic feet of water	10/1/2010
		\$3.07 /100 cubic feet of water	10/1/2011
	Tier 1	<u>\$2.04</u> /100 cubic feet of water	1/1/2011
	Tier 2	<u>\$2.98</u> /100 cubic feet of water	1/1/2011
	Tier 3	<u>\$3.41</u> /100 cubic feet of water	1/1/2011

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date	
		Tier 1	<u>\$2.33</u> /100 cubic feet of water	1/1/2012
		Tier 2	<u>\$3.40</u> /100 cubic feet of water	1/1/2012
		Tier 3	<u>\$3.89</u> /100 cubic feet of water	1/1/2012
		Tier 1	<u>\$2.65</u> /100 cubic feet of water	1/1/2013
		Tier 2	<u>\$3.87</u> /100 cubic feet of water	1/1/2013
		Tier 3	<u>\$4.43</u> /100 cubic feet of water	1/1/2013
		Tier 1	<u>\$3.02</u> /100 cubic feet of water	1/1/2014
		Tier 2	<u>\$4.42</u> /100 cubic feet of water	1/1/2014
		Tier 3	<u>\$5.05</u> /100 cubic feet of water	1/1/2014
		Tier 1	<u>\$3.15</u> /100 cubic feet of water	1/1/2015
		Tier 2	<u>\$4.60</u> /100 cubic feet of water	1/1/2015
		Tier 3	<u>\$5.27</u> /100 cubic feet of water	1/1/2015
	Multi-Family		\$2.85 /100 cubic feet of water	10/1/2010
			\$3.05 /100 cubic feet of water	10/1/2011
		Tier 1	<u>\$1.70</u> /100 cubic feet of water	1/1/2011
		Tier 2	<u>\$2.48</u> /100 cubic feet of water	1/1/2011
		Tier 3	<u>\$2.84</u> /100 cubic feet of water	1/1/2011
		Tier 1	<u>\$1.94</u> /100 cubic feet of water	1/1/2012
		Tier 2	<u>\$2.83</u> /100 cubic feet of water	1/1/2012
		Tier 3	<u>\$3.24</u> /100 cubic feet of water	1/1/2012
		Tier 1	<u>\$2.21</u> /100 cubic feet of water	1/1/2013
		Tier 2	<u>\$3.22</u> /100 cubic feet of water	1/1/2013
		Tier 3	<u>\$3.69</u> /100 cubic feet of water	1/1/2013
		Tier 1	<u>\$2.52</u> /100 cubic feet of water	1/1/2014
		Tier 2	<u>\$3.67</u> /100 cubic feet of water	1/1/2014
		Tier 3	<u>\$4.21</u> /100 cubic feet of water	1/1/2014
		Tier 1	<u>\$2.63</u> /100 cubic feet of water	1/1/2015
		Tier 2	<u>\$3.83</u> /100 cubic feet of water	1/1/2015
		Tier 3	<u>\$4.39</u> /100 cubic feet of water	1/1/2015

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
	Commercial		
		\$3.35 /100 cubic feet of water	10/1/2010
		\$3.58 /100 cubic feet of water	10/1/2011
	Tier 1	<u>\$2.32</u> /100 cubic feet of water	1/1/2011
	Tier 2	<u>\$3.38</u> /100 cubic feet of water	1/1/2011
	Tier 3	<u>\$3.87</u> /100 cubic feet of water	1/1/2011
	Tier 1	<u>\$2.64</u> /100 cubic feet of water	1/1/2012
	Tier 2	<u>\$3.85</u> /100 cubic feet of water	1/1/2012
	Tier 3	<u>\$4.41</u> /100 cubic feet of water	1/1/2012
	Tier 1	<u>\$3.02</u> /100 cubic feet of water	1/1/2013
	Tier 2	<u>\$4.39</u> /100 cubic feet of water	1/1/2013
	Tier 3	<u>\$5.03</u> /100 cubic feet of water	1/1/2013
	Tier 1	<u>\$3.44</u> /100 cubic feet of water	1/1/2014
	Tier 2	<u>\$5.01</u> /100 cubic feet of water	1/1/2014
	Tier 3	<u>\$5.73</u> /100 cubic feet of water	1/1/2014
	Tier 1	<u>\$3.58</u> /100 cubic feet of water	1/1/2015
	Tier 2	<u>\$5.22</u> /100 cubic feet of water	1/1/2015
	Tier 3	<u>\$5.98</u> /100 cubic feet of water	1/1/2015
	Industrial		
	Uniform Rate		
		\$2.78 /100 cubic feet of water	10/1/2010
		\$2.97 /100 cubic feet of water	10/1/2011
		<u>\$3.23</u> /100 cubic feet of water	1/1/2011
		<u>\$3.68</u> /100 cubic feet of water	1/1/2012
		<u>\$4.20</u> /100 cubic feet of water	1/1/2013
		<u>\$4.79</u> /100 cubic feet of water	1/1/2014
		<u>\$4.99</u> /100 cubic feet of water	1/1/2015

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
	Irrigation	Uniform Rate	
		\$3.57 /100 cubic feet of water	10/1/2010
		\$3.82 /100 cubic feet of water	10/1/2011
		\$4.59 /100 cubic feet of water	1/1/2011
		\$5.23 /100 cubic feet of water	1/1/2012
		\$5.97 /100 cubic feet of water	1/1/2013
		\$6.80 /100 cubic feet of water	1/1/2014
		\$7.09 /100 cubic feet of water	1/1/2015
	Tiered Rate Structure Thresholds (100 cubic feet of water)		
		Meter Size	
		5/8 x 3/4	
		Tier 1	6 ccf
		Tier 2	15 ccf
		Tier 3	over 15 ccf
	1	Tier 1	16 ccf
		Tier 2	40 ccf
		Tier 3	over 40 ccf
	1.5	Tier 1	48 ccf
		Tier 2	120 ccf
		Tier 3	over 120 ccf
	2	Tier 1	78 ccf
		Tier 2	195 ccf
		Tier 3	over 195 ccf
	3	Tier 1	137 ccf
		Tier 2	344 ccf
		Tier 3	over 344 ccf
	4	Tier 1	282 ccf
		Tier 2	705 ccf
		Tier 3	over 705 ccf
	6	Tier 1	300 ccf
		Tier 2	750 ccf
		Tier 3	over 750 ccf

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
		8	
		Tier 1	480 ccf
		Tier 2	1,200 ccf
		Tier 3	over 1,200 ccf
		10	
		Tier 1	938 ccf
		Tier 2	2,345 ccf
		Tier 3	over 2,345 ccf
		12	
		Tier 1	1,350 ccf
		Tier 2	3,376 ccf
		Tier 3	over 3,376 ccf

AIS-172

Item #: 8.

Business Meeting

Date: 11/09/2010

Length (in minutes): 10 Minutes

Agenda Title: Review and Discuss Legislative Agenda for 2011 Oregon Legislative Session

Prepared By: Kent Wyatt, Administration

Item Type: Update, Discussion, Direct Staff **Meeting Type:** Council Business Meeting - Main

Information

ISSUE

Finalize City of Tigard legislative priorities for the 2011 Oregon Legislative Session.

STAFF RECOMMENDATION / ACTION REQUEST

Discuss City of Tigard legislative priorities and determine if other issues should be added.

KEY FACTS AND INFORMATION SUMMARY

To prepare for the 2011 Oregon Legislative Session beginning in February, we will be meeting with Sen. Burdick and Rep. Doherty to present the City of Tigard 2011 State Legislative Agenda (see attached). Consequently, it is imperative to review the current legislative agenda and discuss whether revisions should be made.

The City Council identified, at the June 22, 2010 Council meeting, the following four legislative priorities from the League of Oregon Cities proposed platform.

1. Community Development

Continue efforts to resolve the conflicts between the Transportation Planning Rule (TPR) and other statewide land use planning goals by changes to Oregon Department of Transportation/Department of Land Conservation and Development procedures and rules, by legislative action.

2. Finance & Taxation

Maintain and strengthen the state's historic commitment to the State Shared Revenue funding formula.

3. Telecommunications:

Address tax equity issues in the context of state telecommunications laws including removing existing preemptions that have lead to declining revenues.

4. Transportation

Resolve the disconnect between the TPR and other statewide land use planning goals.

These four priorities along with other issues identified by Council and staff are included in the current legislative agenda.

OTHER ALTERNATIVES

N/A

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

Five-Year Council Goals - Continue to support the Legislature in addressing the financial needs of state and local governments in Oregon.

DATES OF PREVIOUS COUNCIL CONSIDERATION

June 22, 2010 - City Council Business Meeting

Fiscal Impact

Fiscal Information:

None

Attachments

City of Tigard Legislative Agenda

State Shared Revenue

Transient Lodging

Water Rights

Local Control



CITY OF TIGARD

2011 STATE LEGISLATIVE AGENDA



POPULATION: 47,700

STATE'S 12TH LARGEST CITY

HOME TO 3,355 BUSINESSES

For the 2011 Oregon Legislative Session, the City of Tigard has identified the following legislative priorities:

✓ **Transportation Planning Rule – *Community Development*:**

Continue efforts to resolve the conflicts between the Transportation Planning Rule and other statewide land use planning goals by changes to Oregon Department of Transportation/Department of Land Conservation and Development procedures and rules, or by legislative action.

✓ **Transportation Planning Rule - *Transportation*:** Resolve the disconnect between the TPR and other statewide land use planning goals.

✓ **State Shared Revenue:** Maintain and strengthen the state's historic commitment to the State Shared Revenue funding formula.

✓ **Telecommunications Preemptions:** Address tax equity issues in the context of state telecommunications laws including removing existing preemptions that have lead to declining revenues.

TPR KEY POINTS

- Prevents efficient land use inside UGB Regional & Town Centers.
- Conflicts with State land use planning goals & Metro 2040 plan.
- Problems with using existing method of volume-to-capacity ratios.
- Tigard is committed to achieving mobility needs while meeting the region's goals & aspirations.

Other Issues of Interest

- Seek additional funding, efficiencies and program support for multi-modal transit and rail projects.
- Support an urban growth boundary agenda that would provide for a more efficient urban growth management system.
- Allow local governments a more flexible use of transient lodging tax to meet the increased demands placed both on essential services and infrastructure created by tourism activities.
- Lake Oswego/Tigard Water Partnership Removal Fill Process – Amend language to assure municipal providers of linear facilities that taxpayer dollars are not spent to acquire land until after it is determined that a permit will be issued.



City Hall Week

Issue: State Shared Revenue

Background:

State Shared Revenues (SSR) is a methodology whereby the state collects taxes and distributes revenues by formula to local government. Cities in Oregon have depended on State Shared Revenues from *liquor, beer and wine, cigarettes, and 9-1-1 taxes* to fund essential community needs such as public safety, economic development, parks, and senior services. When the state first imposed these taxes, they also preempted local governments from enacting local taxes on these items, but in exchange agreed to share these proceeds with cities. Due to property tax restrictions associated with Measures 5 & 50, this allocation became a vital part of city funding even *before* the current economic crisis. Most cities don't have the reserves to absorb any cuts to State Shared Revenues.

2011 Legislative Session:

It will be important to the League to maintain and strengthen the state's historic commitment to State Shared Revenue formulas. Any additional taxes or surcharges that the Legislature may impose on these items must be incorporated into the current formula so cities may continue to provide services related to those revenues.

City Message to Legislators and Candidates:

- Respect the SSR partnership, and not take any actions that would transfer funds from one level of government to assist another level of government in dealing with fiscal challenges.
- It is important to maintain and strengthen the state's historic commitment to the State Shared Revenue funding formula by:
 - Providing that any additional taxes or surcharges on these items be incorporated into the current formula so cities may continue to provide services related to those revenues.
 - Resisting any raid by the state on shared revenues that would eliminate crucial city services.
- Seizing any portion of State Shared Revenues would bring the Oregon economy to even more desperate levels because:
 - Cities are the economic centers for commerce and industry.
 - Cities must be able to provide services that attract and retain businesses in Oregon.
 - Any raid on SSRs will result in further city cuts to police, fire and other essential services.



City Hall Week

Issue: Transient Lodging Tax

Background:

In 2003, the Legislature passed a bill requiring 70 percent of revenues from any new or increased local transient lodging tax (TLT) to be used exclusively for the promotion of tourism and tourism-related facilities. While tourists benefit communities, they also place increased demands on local infrastructure and services such as law enforcement, transportation, parking and facilities maintenance. This preemption has prohibited cities from having the flexibility to utilize revenue to address tourism impacts and generally meet the needs of their communities. Previously, decisions on how to best allocate transient lodging taxes had been made locally, by those best suited to understand local community needs.

2011 Legislative Session:

The League intends to ask the Legislature to allow local governments more flexible use of transient lodging tax revenues to meet the increased demands placed on both essential services and infrastructure as a result of tourism activities. Specifically, legislation will be introduced to: repeal the 70 percent dedication for tourism promotion and facilities that was approved in 2003; and free up cities to make their own determinations as to how to use those revenues.

City Message to Legislators and Candidates:

- The current preemption on the transient lodging tax hampers cities' ability to address increased public safety and infrastructure needs resulting from tourism activities.
- The TLT preemption has taken away authority from those who best know local conditions and needs, and has restricted cities, large and small, in their ability to effectively meet the challenges of a difficult economy.
- Lifting this preemption will allow local governments to make their own decisions on what makes their communities attractive to visitors as a tourist destination.



City Hall Week

Issue: Protect Municipal Water Rights

Background:

Due to the unique nature of municipal water suppliers' need to plan for growth and infrastructure investment, cities often "grow" into water rights over time before those rights become certificated. State administration of municipal water permits has historically recognized that the time horizons involved in city planning efforts, the service life of facilities, and the amount of time required to pay for infrastructure investments all frequently span decades. The need for and ability to conduct long-term planning is further impacted by mounting shortfalls in infrastructure funding. Yet an Oregon Court of Appeals decision in 2004 upended longstanding state policy, ruling that in order to be granted a water permit, a municipality must construct the infrastructure necessary to use the water within five years. In 2005, the Legislature passed HB 3038, which restored much of the ability of cities to grow into water permits over a longer period. The bill also requires cities to develop a Water Management and Conservation Plan (WMCP), and conditions permits on the ability to maintain the persistence of certain fish species. More recently, special interests have sought legislation to place strict limits on municipal water use, despite the fact that cities use less than 10 percent of the water that is used in Oregon.

2011 Legislative Session:

Special interests will again likely propose limits on municipal water use that interfere with new and approved water rights. Also, the state is currently in the process of developing policy regarding the impact on in-stream peak and ecological flows of projects funded through a new grant and loan fund for non-municipal water storage projects (created by HB 3369 in 2009). Certain environmental groups have argued that new protections for peak and ecological flows should go beyond the provision in state law applying to projects funded through HB 3369, and also restrict new and existing water permits and other water storage projects not funded through the bill.

City Messages to Legislators and Candidates:

- Talk to your legislators and candidates about water needs in your community and the importance of a reliable water supply to economic development, public health, and quality of life for your citizens.
- Urge legislators and candidates to oppose water permit conditions that would prevent municipalities from meeting current or future water demands.
- Discuss the efforts of your city to conserve water, act as environmental stewards, and secure funding for infrastructure upgrades so that residents have a safe and reliable supply of clean water.



City Hall Week

Issue: Local Control Referral

Background:

One of the challenges facing local voters is their inability to make decisions on service levels due to the limitations of Measures 5/50. Restrictions on voter choice are prohibiting communities from determining appropriate public safety levels, and the type and amount of other services to provide. The current five-year restriction on operating levies limits predictability, while compression reduces the resources that local voters need to make decisions appropriate to their community.

2011 Legislative Session:

The League will seek legislative approval of a constitutional referral to the voters that would:

- Allow local governments to extend the timeframe for any new voter approved local option operating levy from the current five years to 10 years;
- Provide that the limitations that result in compression not be applicable to these voter approved levies; and
- Allow districts to ask voters for a levy renewal at the eight-year mark.

City Message to Legislators and Candidates:

- Voter choices at the local level are hampered by Measure 5/50 limitations.
- Deciding appropriate police and other service levels should be made by local citizens.
- Increasing the timeframe for voter-approved local operating levies from 5 years to 10 years:
 - Provides more local control in deciding appropriate local service levels.
 - Strengthens a city's ability to engage in long term planning.
- Allowing local voters to reauthorize these levies after eight years:
 - Provides revenue predictability for local governments.
 - Provides tax bill predictability for tax payers.
- Compression is an arbitrary statewide restriction on choosing appropriate local service levels.

AIS-271

Item #: 9

Business Meeting

Date: 11/09/2010

Length (in minutes): 20 Minutes

Agenda Title: Consider Council Groundrules and Code of Conduct for Appointed Boards and Committees - Continued from the October 26, 2010 Council Meeting

Prepared By: Cathy Wheatley
Administration

Item Type: Ordinance
Resolution

Meeting Type: Council Business Meeting - Main

ISSUE

Updates to the Council Groundrules and the creation of a Code of Conduct for appointed board and committee members.

STAFF RECOMMENDATION / ACTION REQUEST

Consider the proposed ordinance and resolutions as updated based on comments from Council members.

KEY FACTS AND INFORMATION SUMMARY

See the attached November 5 memorandum outlining the updates to the October 26, 2010, Council packets.

OTHER ALTERNATIVES

N/A

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

N/A

DATES OF PREVIOUS COUNCIL CONSIDERATION

October 26, 2010

Attachments

Attachment 1: Memo - Explaining Proposed Changes since October 26, 2010 Council Meeting

Attachment 2: Resolution with Exhibit A - Council Groundrules

Attachment 3: Council Groundrules - Text Showing Proposed Amendments

Attachment 4: Agenda Item Summary - Council Groundrules - from the October 26, 2010 Council Packet

Attachment 5: Ordinance with Exhibit A - Code of Conduct for Boards and Committees

Attachment 6: Resolution with Exhibit A - Code of Conduct for Boards and Committees

Attachment 7: Agenda Item Summary - Code of Conduct for Boards and Committees - from the October 26, 2010 Council Packet

Memorandum Explaining Proposed Changes since the
October 26, 2010 Council Meeting for

1. Council Groundrules
2. Code of Conduct for Boards and Committees



City of Tigard Memorandum

To: Honorable Mayor and City Council
From: Loreen Mills, Asst. to the City Manager *Loreen*
Re: 11/9/10 COUNCIL PACKET UPDATE - Council Groundrules and Code of
 Conduct for Boards and Committees
Date: November 5, 2010

BACKGROUND:

The City Council considered updates to the Council Groundrules and the creation of a Code of Conduct for appointed board and committee members at their meeting on 10/26/10.

At the 10/26 meeting, Councilor Henderson provided some language updates for the documents. Councilor Buehner advised she would provide staff with her recommended changes to the documents within the next several days. Council agreed to set these items over to the 11/9/10 Council meeting for further consideration.

RECOMMENDED CHANGES:

Following are the language changes recommended by Councilor Henderson at the 10/26/10 Council Meeting:

- Council Groundrules – the section entitled “Communication with City Boards, Committees and Commissions” – 3rd bullet be changed as follows:
 - Board members do not report to individual Council members, ~~nor should Council members threaten board members with removal because they disagree with the member about an issue.~~ Individual councilors have no authority to remove board members.
- Council Groundrules – the section entitled “Code of Conduct” “Respect and Care” – 4th bullet be changed as follows:
 - Respect the distinction between the role of citizens, Council and staff.
Note: Staff recommends the addition of the word “citizens” be included in the Code of Conduct for board and committee members so that it mirrors Council’s code of conduct.

Following are the language changes recommended by Councilor Buehner this week:

- Council Groundrules – the section entitled “Communication as the Council Liaison with City Boards” – 3rd bullet be changed as follows:
 - Council Liaisons are not to direct the business or decision-making process of the Board and do not vote on matters before the Board.
- Council Groundrules – the section entitled “Communication as the Council Liaison with City Boards” – add new 4th bullet:
 - Council Liaisons do not initiate, propose or advocate for their personal position on a matter before the Board.

ACTION ITEMS FOR 11/9/10 AND STAFF RECOMMENDATIONS:

Council Groundrules – Staff recommends approval as amended by Councilor Henderson and Councilor Buehner.

- Motion to approve resolution amending Council Groundrules as amended by Councilors Henderson and Buehner. *Note: attached resolution includes amended language.*

Code of Conduct for Appointed Board, Committee and Commission Members – Staff recommends approval as amended by Councilor Henderson.

- Motion to adopt ordinance recognizing the Code of Conduct for all appointed members of the City's boards, committees and commissions and removing old information about the Planning Commission member removal process.
- Motion to approve resolution establishing a Code of Conduct for all appointed members of the City's boards, committees and commissions as amended by Councilor Henderson. *Note: attached resolution includes amended language.*

(Attachments – As listed on the Agenda Item Summary)

COUNCIL GROUND RULES

**CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 10-**

A RESOLUTION AMENDING THE COUNCIL GROUNDRULES, ADDING THE CODE OF CONDUCT, AND SUPERSEDING RESOLUTION NO. 08-45.

WHEREAS, the residents and businesses of the City of Tigard are entitled to have fair, ethical and accountable local government; and

WHEREAS, the Tigard City Council desires to hold themselves to a high standard of integrity and ethical conduct as elected officials to support the public's confidence in the integrity of their local government's fair and effective operation; and

WHEREAS, the Tigard City Council wishes to uniformly use the Council Groundrules, including the code of conduct, in their role as Mayor and Council (see Tigard Municipal Code 2.44.010), Local Contract Review Board (see Tigard Municipal Code 2.46.050) and the City Center Development Agency (see Tigard Municipal Code 2.64.060) and define a censure process for misconduct, nonperformance of duty or failure to comply with the law.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The Council Groundrules are hereby amended and include the Code of Conduct for use by the Tigard City Council, the Local Contract Review Board and the City Center Development Agency.

SECTION 2: The attached Council Groundrules (Exhibit A) supersede the City Council Groundrules adopted by Resolution No. 08-45.

SECTION 3: This resolution is effective 30 days after its passage by the Council.

PASSED: This _____ day of _____ 2010.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

RESOLUTION NO. 10 -

Page 1

TIGARD CITY COUNCIL GROUNDRULES

The Tigard City Council Groundrules are a compilation of role definitions and meeting process provisions set forth in the City Charter and Tigard Municipal Code as well as general practice and communication principles. The Council Code of Conduct provides the framework to guide Council in their actions as they serve in publicly elected office. City Council is the policy making body for the City of Tigard.

The City Council will review the Groundrules annually during a July or August Workshop Meeting. The Groundrules may also be reviewed and revised as needed at any other time in the year when a specific issue or issues are identified requiring action prior to the established review period.

The City Charter, Article IV, Section 13, contains regulations that govern Council meetings. Charter provisions may only be changed by a vote of the people. Code provisions may be changed by Council Ordinance. Groundrules may be changed by Council Resolution.

CHARTER AND MUNICIPAL CODE PROVISIONS

Council/Mayor Roles

- The Mayor, or in the absence of the Mayor, the Council President, shall be the Presiding Officer at all meetings. The Presiding Officer shall conduct all meetings, preserve order, enforce the rules of the Council and determine the order and length of discussion on any matter before the Council, subject to these rules. The Presiding Officer may move, second, debate and vote and shall not be deprived of any of the rights and privileges of a Councilor. The Presiding Officer shall sign all ordinances, resolutions, contracts and other documents, except where authority to sign certain contracts and other documents has been delegated to the City Manager and all documents shall be attested to by the City Recorder. The Mayor shall appoint the committees provided by the Rules of Council.
- In all other actions, decisions and other matters relating to the conduct of business of the City, the Mayor or President shall have no more or less authority than any other Council member. For the purposes of this written procedure any reference to the Council (unless otherwise specifically noted to the contrary) will include the Mayor, Council President and Council members.

Conduct of City Meetings

- Council will meet at least once a month. Regularly scheduled meetings shall be on the second, third, and fourth Tuesdays of each month.
- The Council meetings on the second and fourth Tuesdays are “Business” meetings; the Council meetings on the third Tuesday of the month are “Workshop” meetings unless otherwise designated by the City Council. Members of the City Council may set other meetings of the full Council such as joint meetings with other agencies or general community meetings.

TIGARD CITY COUNCIL GROUNDRULES

- Unless specifically noted otherwise, the meetings of Council shall begin at 6:30 p.m. at the established place of meeting. On the second and fourth Tuesdays, the meetings will begin with a Study Session following by the Business meeting. On the third Tuesday, the Workshop meeting will begin at 6:30 p.m.
- Roll Call/Voting Order: The roll shall be called in alphabetical order by last name. At each succeeding meeting at which a roll call vote is taken, the council person who voted last during the previous meeting, shall vote first and the Council person who voted first during the preceding meeting shall vote second and so on in a rotating fashion. It is the intent that the voting order remain fixed for each meeting and that a different Council person shall vote last during each separate meeting for the duration of the meeting.
- Charter Section 19 provides that *the concurrence of a majority of the members of the Council present and voting, when a quorum of the Council is present, at a Council meeting shall be necessary to decide any question before the Council.* A Council member who abstains or passes shall be considered present for determining whether a quorum exists, but shall not be counted as voting. Therefore, abstentions and 'passes' shall not be counted in the total vote and only votes in favor of or against a measure shall be counted in determining whether a measure receives a majority.

City Council Compensation

Section 2.44.020 of the Tigard Municipal Code provides for compensation for attendance at Council meetings and meetings for an intergovernmental board, committee or agency. The amount of the compensation for Council members may be reviewed and set annually by resolution of the City Council as part of the budget cycle. As part of the annual review, Council may elect to enter into an agreement with the Mayor or one City Councilor to assume additional responsibilities for additional compensation. The additional duties shall relate to representing the city on regional, state or federal issues and committees or task forces. The responsibilities and compensation shall be set by agreement between the Mayor or Councilor and the Council members.

GENERAL GROUNDRULE PROVISIONS

The next portion of this document is divided into three major sections identifying groundrules for the Meeting Process, Communication and Code of Conduct that:

- Establish the meeting process;
- Guide individual interaction and communication among Councilors and with the community;
- Set out the Code of Conduct providing the framework to guide Council members in their actions and conduct; and

TIGARD CITY COUNCIL GROUNDRULES

- Govern proceedings of the City Council, Local Contract Review Board and City Center Development Agency where they do not conflict with statutory provisions.

MEETING PROCESS

All Council meetings are open to the public with the exception of Executive Sessions, which are called under certain circumstances and topics are limited to those defined in ORS 192.660.

- The Chair or other members if the Chair fails to remember may call for a Point of Order at or around 9 p.m. to review remaining agenda items. The Council may reset or reschedule items, which it feels may not be reached prior to the regular time of adjournment.
- The Council's goal is to adjourn prior to 9:30 p.m. unless extended by majority consent of Council members present. If not continued by majority consent, the meeting shall be adjourned to the next scheduled meeting or the meeting shall be continued to another regular or special meeting at another date and time.
- Regularly scheduled business meetings and workshops are generally televised.

Definitions - Meeting Types, Study Sessions and Executive Sessions:

BUSINESS MEETINGS

- Regular meetings where Council may deliberate toward a final decision on an agenda item including consideration of ordinances, resolutions & conducting public hearings.
- Business meetings are generally scheduled to begin at 7:30 p.m. with a study session preceding the Business Meeting at 6:30 p.m. Study Sessions are a workshop-type of meeting (see Study Session definition below).
- The "Citizen Communication" portion of the agenda is a regular feature on the Council Business meetings. This item will be placed near the beginning of the Council Agenda to give citizens a chance to introduce a topic to the City Council. Citizen Communications are limited to two minutes in length and must be directed to topics that are not on the Council Agenda for that meeting.
- At the conclusion of the Citizen Communication period, either the Mayor, a Council member or staff member will comment what, if any, follow-up action will be taken to respond to each issue. At the beginning of Citizen Communication at the next business meeting, staff will update the Council and community on the review of the issue(s), the action taken to address the issue, and a statement of what additional action is planned. Council may decide to refer an issue to staff and/or schedule the topic for a later Council meeting.

TIGARD CITY COUNCIL GROUNDRULES

WORKSHOP MEETINGS

- Regular meetings where Council reviews and discusses agenda topics. Council may not make final decisions during the meeting. Public testimony is not scheduled unless the Mayor or Council so choose.
- Appropriate topics for Workshop meetings include:
 - ~ Introduce a Topic: Staff will bring up new items to determine whether Council wants to entertain further discussion and whether to schedule the topic as an item on a future agenda.
 - ~ Educational Meetings: Council will review research information presented by staff, consultants, or task forces - usually as a process check; i.e., is the issue on the right "track"?
 - ~ Meet with individuals from City boards and committees or other jurisdictions to discuss items of common interest (examples: Tigard Planning Commission, Lake Oswego City Council, the Tigard-Tualatin School District).
 - ~ Administrative Updates: Items such as calendar information, scheduling preferences, process checks.

STUDY SESSIONS

- Study Sessions usually precede or follow a Business Meeting or Workshop Meeting that are open to the public but not regularly televised.
- Conducted in a workshop-type setting to provide Council an opportunity to review the Business Meeting Agenda and ask for clarification on issues or processes. Information is also shared on time-sensitive items.
- Any Council member may call for a Point of Order to stop the discussion because he or she proposes that it would be more appropriate to discuss the matter during a Council Business Meeting.
- If a Point of Order is raised, the City Council will discuss the Point of Order to determine whether the discussion should continue or be held during a Council Business Meeting. The decision on whether to continue the discussion or not shall be determined by the consensus of the Council members present.
- If Council discusses a Council Agenda Topic in a Study Session prior to that Council meeting, either the Presiding Officer or City Manager will briefly state at the introduction of the Agenda Topic, the fact that Council discussed the topic in the Study Session and mention the key points of the discussion.

TIGARD CITY COUNCIL GROUNDRULES

EXECUTIVE SESSIONS

- Executive Sessions are held by the Council with appropriate staff or advisors in attendance. The purpose is to review certain matters in a setting closed to the public. Executive Sessions may be held during a regular, special or emergency meeting after the Presiding Officer has identified the ORS authorization for holding the Executive Session. Permitted topics are identified in ORS 192.660 and include employment of a public officer, deliberations with the persons designated by the Council to carry on labor negotiations, deliberations with persons designated to negotiate real property transactions, and to consult with legal counsel regarding current litigation or litigation likely to be filed.

Council Agendas and Packet Information

- The City Manager will schedule agenda items with the objective of maintaining balanced agendas and allowing time to discuss topics within the meeting's time allotment.
- The City Manager will schedule items allowing time for staff research and agenda cycle deadlines.
- The agenda cycle calls for submittal of items ten days in advance of a Council meeting. With the exception of Executive Sessions, add-on topics and handouts during the meeting are to be minimized.
- Councilors will prepare in advance of public meetings by reviewing packet material and requesting further necessary information in advance of the meeting. Staff will prepare in advance of public meetings by presenting issues fully in packets and providing additional information requested by Council.
- Council is supportive of the role of staff in offering professional recommendations. Staff is aware of Council's right to make final decisions after considering the staff recommendation, public input, the record and Council deliberation on the matter.
- Council members should attempt to give at least 24 hours' notice by advising the City Manager and the City Recorder of a request to remove a Consent Agenda item for separate discussion. The City Recorder shall notify all Councilors of such requests prior to the start of the Business Meeting.

Councilors Scheduling Agenda Items

- Councilors are encouraged to suggest agenda topics at the bench or to contact the City Manager about scheduling an item on the Tentative Agenda.
- Add-on agenda items should be brought up at the start of the meeting and are generally considered only if continuing to a later agenda is not practical.

TIGARD CITY COUNCIL GROUNDRULES

- Requests for legislative action of Council may be initiated by an individual Council member during a Council meeting. The City Manager will respond to the request consistent with resources and priorities, or refer the question of scheduling to Council as a whole.

Councilors Use of Electronic Communications Devices During Council Meetings

Definitions for this section:

Electronic Communications means e-mail, text messages, or other forms of communications transmitted or received by technological means.

Electronic Communications Devices means lap-top computers, blackberries, cell-phones, notebooks, or other similar devices capable of transmitting or receiving messages electronically.

- Councilors shall not send or receive electronic communications concerning any matter pending before the Council during a Council meeting.
- Councilors shall not use electronic communication devices to review or access information regarding matters not in consideration before the Council during a Council meeting.
- Councilors shall not access the internet but may access Council packet information concerning any matter pending before the Council during a Council meeting.
- Any electronic communications regarding a quasi-judicial matter to be considered by Council is an ex-parte contact and shall be disclosed as required by law.

COMMUNICATION

General

- Recognize that you are seen as a Councilor at all times, no matter how you see yourself at any particular time. Thus, Councilors are always treated by Administration as Council members.
- Whenever you put anything in writing, assume that everyone in the city is looking over your shoulder.
- Do not respond to communications directed to the full Council. The City Manager or Mayor will respond.
- If a communication is directed to an individual Councilor, you may choose to respond as an individual or refer to the City Manager.
- Information received by a Council Member that affects the Council should be shared with the whole Council. The City Manager is to decide on “gray areas,” but too much information is preferable to too little.

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- Budget cuts or increases are policy decisions. Budgets will not be cut “piece meal” or “across the board,” but rather should be made in service or program areas, giving staff full opportunity to provide data clearly defining the anticipated impact of the action.
- It is the policy of the Council that if Councilors are contacted regarding labor relations during labor negotiations or conflict resolution proceedings, then Councilors have no comment.
- Councilors and the City Manager agree to report and discuss any contact that might affect labor relations with the entire Council in Executive Session.

Communications Between City Councilors, City Manager and Staff

- Councilors are encouraged to maintain open communications with the City Manager, both as a group and individually.
- Councilors are encouraged to take issues to the City Manager first, giving as much information as possible to ensure a thorough response.
- In the absence of the City Manager, Councilors are encouraged to contact the Assistant City Manager. In the absence of both the City Manager and the Assistant City Manager, Councilors are encouraged to contact the Department Head, realizing that the Department Head will discuss any such inquiries with the City Manager.
- City Manager shares information equally with Councilors.
- Councilors are encouraged to avoid substantive contact with staff below the Department Head to avoid possible disruption of work, confusion on priorities, and limited scope of responses. In no case, should Councilors direct the work of staff without prior approval of the Department Head or City Manager.
- Our goal is mutual confidence and respect with staff. Compliment staff members when they make good presentations. Be friendly. Attend staff occasions when you can.

Communications Among Councilors

- No surprises.
- Be courteous.
- Honestly share concerns and opinions with each other.
- Don't blurt it out on TV.
- If you hold back in a meeting, follow up later with fellow Councilors or the City Manager.

TIGARD CITY COUNCIL GROUNDRULES

- Bounce ideas off each other by phone or informal conversation, always mindful not to form a quorum.
- Spend some casual time together.

Communications with Community/General Public

- Councilors and the General Public are reminded of the Agenda cycle and cut-off dates. Administrative staff is available to explain how public issues are addressed and how citizen input may be accomplished.
- Communication that represents the City's position on an issue should come through City Hall and be provided by the City Manager. Direct submittals or inquiries to the Council or individual Councilors should be referred to the City Manager, or Councilors may ask the City Manager to look into an issue.
- Official press releases are encouraged, both to assure accurate reporting and to advise Council and Staff of the official position communicated to the press. Press releases are issued through the City Manager's Office.

Communications with Potential Mayor/Council Candidates

- Council members will host an event to share with potential Mayor or City Council candidates what is involved in serving on the City Council.
- Council members may support a person running for office but they must declare this as an individual endorsement and not in their official capacity as a Council member.

Communication Between Partners and Allies

- In general, let the Mayor speak for the City.
- Keep long-term relationships in mind. Don't over-focus on the issue at hand.
- Take issues to the City Manager first.

Council Communication with Other Public Agencies

As the Portland metropolitan region continues to grow, it is critical that Tigard be at the "table" with other jurisdictions in the region and clearly represent the City's official position.

- Council members will be clear about representing the City or personal interests. If a Council member appears before another governmental agency or organization to give a statement on an issue, the Council member must clearly state whether the statement reflects personal opinion or is the official position of the City.

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- If a Council member is representing the City, that Council member will consistently support and advocate the City's official position on an issue and cannot foster or further a personal viewpoint that is inconsistent with the official City position.
- Council members will inform the Council of their involvement in an outside organization if that organization is or they believe may become involved in any issue within the City's jurisdiction. If an individual Council member publicly represents or speaks on behalf of another organization whose position differs from the City's official position on an issue, the Council member must clearly communicate the organization upon whose behalf they are speaking. The Council member must withdraw from voting as a Council member upon any actions that have bearing upon the conflicting issue.
- Council members serving on committees or boards as the City representative with outside entities or agencies will communicate with other Council members on issues pertinent to the City.

Communication with City Boards, Committees and Commissions

The independent advice of City Boards, Committees and Commissions is critical to the public decision-making process. For that reason, Council members will refrain from using their positions to influence unduly the deliberation or outcomes of board proceedings.

Members of boards, commissions, and committees are referred to generally as "board" in this section of the Groundrules.

- Council members will not contact a board member to lobby on behalf of an individual, business or developer. Council members may contact the board member in order to clarify a position taken by the Board. Council members may respond to inquiries from board members. Communications should be for information only.
- Council members may attend any board meeting, which is open to any member of the public. However, Council members should be sensitive to the way their participation could be viewed as unfairly affecting the process.
- Board members do not report to individual Council members. Individual councilors have no authority to remove board members.

Communication as the Council Liaison with City Boards

- Council liaison assignments are determined by consensus of City Council. The goal is to have assignments evenly divided between Council members. Should two or more Council members seek appointment to a position the longest serving Council member will have first choice.

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- Council Liaisons are to periodically attend Board meetings, listen to the Board discussion, set context for the Board regarding Council decisions/goals/policies and City priorities, answer questions and carry concerns and information back to the full Council.
- Council Liaisons are not to direct the business or decision-making process of the Board and do not vote of matters before the Board.
- Council Liaisons do not initiate, propose or advocate for their personal position on a matter before the Board.
- Council Liaisons are to protect the independence of the Boards.
- Council Liaisons at times may advocate Council actions on behalf of their assigned Board. Great care must be taken to avoid the appearance of unfairness, conflict of interest or circumstances where such possibilities may exist (e.g., Planning Commission quasi-judicial matters).

CODE OF CONDUCT

Scope

This Code of Conduct is designed to provide a framework to guide Council members in their actions. The Code of Conduct operates as a supplement to the existing statutes governing conduct including the ethics law of the State of Oregon.

This Code of Conduct applies to Council members as they also serve as the Local Contract Review Board and the City Center Development Agency.

Conduct of Council Members

This section describes the manner in which Council members will treat one another, the public, and city staff.

Council Conduct with One Another During Meetings

- Practice civility, professionalism and decorum in discussions and debate. Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of democratic governance. This does not allow, however, Council members to make belligerent, personal, slanderous, threatening, abusive, or disparaging comments.
- Avoid personal comments that are intended to, or could reasonably be construed to, offend other members or citizens. If a Council member is offended by the conduct or remarks of

TIGARD CITY COUNCIL GROUNDRULES

another member, the offended member is encouraged to address the matter early with the offending member.

Council Conduct Outside of Public Meetings

- Continue respectful behavior in private. The same level of respect and consideration of differing points of view deemed appropriate for public discussion should be maintained in private conversations.
- Be aware of the public nature of written notes, calendars, voicemail messages, and e-mail. All written or recorded materials including notes, voicemail, text messages and e-mail created as part of one's official capacity will be treated as potentially "public" communication.
- Even private conversations can have a public presence. Council members should be aware that they are the focus of the public's attention. Even casual conversation about city business, other public officials or staff may draw attention and be repeated.
- Understand proper political involvement. Council members, as private citizens, may support political candidates or issues but such activities must be done separate from their role as a Council member.

Council Conduct with the Public

- Be welcoming to speakers and treat them with respect. For many citizens, speaking in front of the Council is a new and difficult experience. Council members should commit full attention to the speaker. Comments, questions, and non-verbal expressions should be appropriate, respectful and professional.
- Make no promises on behalf of the Council in unofficial settings. Council members will frequently be asked to explain a Council action or to give their opinion about an issue as they meet and talk with citizens. It is appropriate to give a brief overview. Overt or implicit promises of specific action or promises that City staff will take a specific action are to be avoided.

Council Conduct with City Staff

- Respect the professional duties of City Staff. Council members should refrain from disrupting staff from the conduct of their jobs; participating in administrative functions including directing staff assignments; attending staff meetings unless requested by staff; and impairing the ability of staff to implement policy decisions.

TIGARD CITY COUNCIL GROUNDRULES

Individual Conduct of Council Members

The individual attitudes, words, and actions of Council members should demonstrate, support, and reflect the qualities and characteristics of Tigard as “A Place to Call Home.”

DO THE RIGHT THING

In doing the right thing, I will:

- Be honest with fellow Council members, the public and others.
- Credit others' contributions to moving our community's interests forward.
- Make independent, objective, fair and impartial judgments by avoiding relationships and transactions that give the appearance of compromising objectivity, independence, and honesty.
- Reject gifts, services or other special considerations.
- Excuse myself from participating in decisions when my immediate family's financial interests or mine may be affected by the Council's action.
- Protect confidential information concerning litigation, personnel, property, or other affairs of the City.
- Use public resources, such as staff time, equipment, supplies or facilities, only for City-related business.

GET IT DONE

In getting it done, I will:

- Review materials provided in advance of the meeting.
- Make every effort to attend meetings.
- Be prepared to make difficult decisions when necessary.
- Contribute to a strong organization that exemplifies transparency.
- Make decisions after prudent consideration of their financial impact, taking into account the long-term financial needs of the City.

RESPECT AND CARE

In respecting and caring, I will:

- Promote meaningful public involvement in decision-making processes.
- Treat Council members, board members, staff and the public with patience, courtesy and civility, even when we disagree on what is best for the community.
- Share substantive information that is relevant to a matter under consideration from sources outside the public decision-making process with my fellow Council members and staff.
- Respect the distinction between the role of citizens, Council and staff.
- Conduct myself in a courteous and respectful manner at all times.
- Encourage participation of all persons and groups.

TIGARD CITY COUNCIL GROUNDRULES

Censure and Violations

To assure the public confidence in the integrity of the City of Tigard, Council members are held to a high standard of conduct. For this reason, Council members believe the Code of Conduct is as important to the public process as other rules and procedures. It is also recognized that, there may be times when action is required to correct and/or prevent behavior that violates the Code of Conduct.

A Council member may be censured by the other Council members for misconduct, nonperformance of duty or failure to obey the laws of the federal, state, or local government. Misconduct includes not honoring the provisions of the Council Groundrules.

Early recognition of the questioned conduct is encouraged. Progressive counsel may occur with the Council member but is not required prior to passage of a Council Resolution of Censure by the other Council members.

A violation of the Code of Conduct will not be considered a basis for challenging the validity of any Council decision.

Implementation

Council members will receive a copy of the Council Groundrules and will affirm in writing that they have received the rules including the code of conduct, understand the provisions, and pledge to conduct themselves by the groundrules. A periodic review of the groundrules will be conducted to ensure that they are an effective and useful tool.

TIGARD CITY COUNCIL GROUNDRULES

COUNCIL GROUNDRULES CERTIFICATION

As a member of the Tigard City Council, I affirm that:

- ✓ I have read and understand the Council Groundrules including the Code of Conduct and its application to my role and responsibilities while serving on the City Council.
- ✓ I pledge to conduct myself by the Council Groundrules/Code of Conduct.
- ✓ I understand that I may be officially censured by the City Council if my conduct falls below these standards.

Signature: _____

Position: _____

Signed this _____ day of _____, 20____

TIGARD CITY COUNCIL GROUNDRULES

~~CHARTER AND MUNICIPAL CODE PROVISIONS | MEETING PROCESS GROUNDRULES | COMMUNICATION GROUNDRULES~~

~~The Tigard City Council Groundrules are a compilation of role definitions and meeting process provisions set forth in the City Charter and Tigard Municipal Code as well as general practice and communication principles. The Council Code of Conduct provides the framework to guide Council in their actions as they serve in publicly elected office. City Council is the policy making body for the City of Tigard.~~

~~The City Council will review the Groundrules annually during a July or August Workshop Meeting. The Groundrules may also be reviewed and revised as needed at any other time in the year when a specific issue or issues are identified requiring action prior to the established review period.~~

Comment [L1]: Moved here from the Communication Section and wording updated

The City Charter, Article IV, Section 13, contains regulations that govern Council meetings. Charter provisions may only be changed by a vote of the people. Code provisions may be changed by Council Ordinance. Groundrules may be changed by Council Resolution. ~~This document is divided into three sections that list Groundrules that establish the meeting process, and Groundrules that guide communication among Councilors and with the community.~~

CHARTER AND MUNICIPAL CODE PROVISIONS

Council/Mayor Roles

- The Mayor, or in the absence of the Mayor, the Council President, shall be the Presiding Officer at all meetings. The Presiding Officer shall conduct all meetings, preserve order, enforce the rules of the Council and determine the order and length of discussion on any matter before the Council, subject to these rules. The Presiding Officer may move, second, debate and vote and shall not be deprived of any of the rights and privileges of a Councilor. The Presiding Officer shall sign all ordinances, resolutions, contracts and other documents, except where authority to sign certain contracts and other documents has been delegated to the City Manager and all documents shall be attested to by the City Recorder. The Mayor shall appoint the committees provided by the Rules of Council.
- In all other actions, decisions and other matters relating to the conduct of business of the City, the Mayor or President shall have no more or less authority than any other Council member. For the purposes of this written procedure any reference to the Council (unless otherwise specifically noted to the contrary) will include the Mayor, Council President and Council members.

TIGARD CITY COUNCIL GROUNDRULES

Conduct of City Meetings

- Council will meet at least once a month. Regularly scheduled meetings shall be on the second, third, and fourth Tuesdays of each month.
- The Council meetings on the second and fourth Tuesdays are “Business” meetings; the Council meetings on the third Tuesday of the month are “Workshop” meetings unless otherwise designated by the City Council. Members of the City Council may set other meetings of the full Council such as joint meetings with other agencies or general community meetings.
- Unless specifically noted otherwise, the meetings of Council shall begin at 6:30 p.m. at the established place of meeting. On the second and fourth Tuesdays, the meetings will begin with a Study Session following by the Business meeting. On the third Tuesday, the Workshop meeting will begin at 6:30 p.m.
- Roll Call/Voting Order: The roll shall be called in alphabetical order by last name. At each succeeding meeting at which a roll call vote is taken, the council person who voted last during the previous meeting, shall vote first and the Council person who voted first during the preceding meeting shall vote second and so on in a rotating fashion. It is the intent that the voting order remain fixed for each meeting and that a different Council person shall vote last during each separate meeting for the duration of the meeting.
- Charter Section 19 provides that *‘the concurrence of a majority of the members of the Council present and voting, when a quorum of the Council is present, at a Council meeting shall be necessary to decide any question before the Council.’* A Council member who abstains or passes shall be considered present for determining whether a quorum exists, but shall not be counted as voting. Therefore, abstentions and ‘passes’ shall not be counted in the total vote and only votes in favor of or against a measure shall be counted in determining whether a measure receives a majority.

City Council Compensation

Section 2.44.~~010-020~~ of the Tigard Municipal Code provides for compensation for attendance at Council meetings and meetings for an intergovernmental board, committee or agency. The amount of the compensation for Council members may be reviewed and set annually by resolution of the City Council as part of the budget cycle. As part of the annual review, Council may elect to enter into an agreement with the Mayor or one City Councilor to assume additional responsibilities for additional compensation. The additional duties shall relate to representing the city on regional, state or federal issues and committees or task forces. The responsibilities and compensation shall be set by agreement between the Mayor or Councilor and the Council members.

TIGARD CITY COUNCIL GROUND RULES

GENERAL GROUND RULE PROVISIONS

The next portion of this document is divided into three major sections identifying groundrules for the Meeting Process, Communication and Code of Conduct that:

- Establish the meeting process;
- Guide individual interaction and communication among Councilors and with the community;
- Set out the Code of Conduct providing the framework to guide Council members in their actions and conduct; and
- Govern proceedings of the City Council, Local Contract Review Board and City Center Development Agency where they do not conflict with statutory provisions.

MEETING PROCESS

All Council meetings are open to the public with the exception of Executive Sessions, which are called under certain circumstances and topics are limited to those defined in ORS 192.660.

Comment [L2]: Moved from the Business Meeting section and wording is updated.

- The Chair or other members if the Chair fails to remember may call for a Point of Order at or around 9 p.m. to review remaining agenda items. The Council may reset or reschedule items, which it feels may not be reached prior to the regular time of adjournment.
- The Council's goal is to adjourn prior to 9:30 p.m. unless extended by majority consent of Council members present. If not continued by majority consent, the meeting shall be adjourned to the next scheduled meeting or the meeting shall be continued to another regular or special meeting at another date and time.
- Regularly scheduled business meetings and workshops are generally televised.

Comment [L3]: These two paragraphs have been relocated from below the Executive Session section of Meeting Process and language is updated.

Definitions - Meeting Types, Study Sessions and Executive Sessions:

BUSINESS MEETINGS

- ~~Business meetings are regular~~ Regular meetings where Council may deliberate toward a final decision on an agenda item including consideration of ordinances, resolutions & conducting public hearings. ~~Business meetings are open to the public. The regularly scheduled business meetings are televised.~~
- Business meetings are generally scheduled to begin at 7:30 p.m. with a study session preceding the Business Meeting at 6:30 p.m. Study Sessions are a workshop-type of meeting (see Study Session definition below) ~~which also provide an opportunity for the Council to review the business meeting agenda and to ask questions for clarification on issues or on process. Study Sessions are open to the public.~~

TIGARD CITY COUNCIL GROUND RULES

- ~~o All Council meetings are open to the public with the exception of Executive Sessions. Executive Sessions can be called under certain circumstances and topics are limited to those defined by ORS 192.660.~~

Comment [L4]: Moved to the beginning of the Meeting Process section.

- o The “Citizen Communication” portion of the agenda is a regular feature on the Council Business meetings. This item will be placed near the beginning of the Council Agenda to give citizens a chance to introduce a topic to the City Council. Citizen Communications are limited to two minutes in length and must be directed to topics that are not on the Council Agenda for that meeting.
- o At the conclusion of the Citizen Communication period, either the Mayor, a Council member or staff member will comment what, if any, follow-up action will be taken to respond to each issue. At the beginning of Citizen Communication at the next business meeting, staff will update the Council and community on the review of the issue(s), the action taken to address the issue, and a statement of what additional action is planned. Council may decide to refer an issue to staff and/or schedule the topic for a later Council meeting.

WORKSHOP MEETINGS

- ~~o Workshop meetings are regular Regular meetings where Council reviews and discusses agenda topics. Council may not make final decisions during the meeting. Public testimony is generally not scheduled taken at Workshop Meetings unless the Mayor or Council so choose.~~

- ~~o Workshop agenda items are generally topics which Council is receiving preliminary information on and providing direction for further staff analysis and information gathering for a later business meeting. Workshop topics may also include discussions with standing boards and committees, as well as other governmental units.~~

Comment [L5]: Redundant language – covered in paragraph above and bullets below.

- o Appropriate topics for Workshop meetings include:
 - ~ Introduce a Topic: Staff will bring up new items to determine whether Council wants to entertain further discussion and whether to schedule the topic as an item on a future agenda.
 - ~ Educational Meetings: Council will review research information presented by staff, consultants, or task forces - usually as a process check; i.e., is the issue on the right “track”?
 - ~ Meet with individuals from City boards and committees or other jurisdictions to discuss items of common interest (examples: ~~City Boards and Commissions~~ Tigard Planning Commission, ~~other Councils~~ Lake Oswego City Council, the Tigard-Tualatin School District, ~~and other officials~~).
 - ~ Administrative Updates: Items such as calendar information, scheduling preferences, process checks.

TIGARD CITY COUNCIL GROUNDRULES

STUDY SESSIONS

- Study Sessions usually precede or follow a Business Meeting or Workshop Meeting that are open to the public but not regularly televised. As stated above, they are
- ~~Conducted~~conducted in a ~~Workshop~~workshop-type setting to provide Council an opportunity ~~for Council~~ to review the Business Meeting Agenda and ~~to ask questions~~ for clarification on issues or ~~on~~ processes. Information is also shared on time-sensitive items ~~that are time sensitive.~~
- ~~During Study Sessions, any~~ Any Council member may call for a Point of Order ~~whenever he or she wishes~~ to stop the “discussion” because he or she ~~feels~~ proposes that it ~~is~~ would be more appropriate ~~for the City Council~~ to discuss the matter during ~~the a~~ Council Business meeting.
- If a Point of Order is raised, the City Council will discuss the Point of Order ~~and to~~ determine whether the “discussion” should continue ~~on~~ or be held during ~~the a~~ Council Business Meeting. The decision on whether to continue the “discussion” or not shall be determined by the majority consensus of the Council members present.
- If Council discusses a Council Agenda Topic in a Study Session prior to that Council meeting, either the Presiding Officer or City Manager will briefly state at the introduction of the Agenda Topic, the fact that Council discussed the topic in the Study Session and mention the key points of the discussion.

EXECUTIVE SESSIONS

- ~~Meetings conducted~~Executive Sessions are held by the Council, with appropriate staff or advisors in attendance. The purpose is to review for deliberation on certain matters in a setting closed to the public. Executive Sessions may be held during a regular, special or emergency meeting after the Presiding Officer has identified the ORS authorization for holding the Executive Session. ~~Among the permitted~~ Permitted topics are identified in ORS 192.660 and include employment of a public officer, deliberations with the persons designated by the Council to carry on labor negotiations, deliberations with persons designated to negotiate real property transactions, and to consult with legal counsel regarding current litigation or litigation likely to be filed.
- ~~The Chair, or other members if the Chair fails to remember, shall call for a Point of Order at or around 9:00 p.m. to review remaining items on the agenda with the Council. The Council may reset or reschedule those items, which it feels may not be reached prior to the regular time of adjournment.~~
- ~~The Council's goal is to adjourn prior to 9:30 p.m. unless extended by majority consent of all Council members then present. If not continued by majority consent, then the meeting shall be adjourned to either the next scheduled meeting or the meeting shall be continued to a special meeting on another date.~~

Comment [L6]: These two paragraphs are relocated to the beginning of the Meetings Process section.

TIGARD CITY COUNCIL GROUNDRULES

Council Agendas and Packet Information

- The City Manager will schedule agenda items ~~while attempting to~~ with the objective of ~~maintain~~ maintaining balanced agendas ~~to allow~~ and allowing time to discuss topics within the meeting's time allotment. ~~for discussion of topics while meeting the established 9:30 p.m. adjournment time.~~
- The City Manager will schedule items allowing time for staff research and ~~the~~ agenda cycle deadlines.
- The agenda cycle calls for submittal of items ~~10~~ ten days in advance of a Council meeting. With the exception of Executive Sessions, add-on topics and handouts during the meeting ~~Add-ons~~ are to be minimized, ~~as well as handouts distributed at the start of meetings, except Executive Sessions.~~
- Councilors ~~and staff~~ will prepare in advance of public meetings by reviewing packet material and requesting further necessary information in advance of the meeting. ~~and issues Staff will prepare in advance of public meetings by presenting issues should be presented~~ fully in packets and providing additional information requested by Council.
- Council is supportive of the role of staff ~~should play~~ in offering professional recommendations. Staff is aware of Council's right to make final decisions after considering the staff recommendation, public input, the record and Council deliberation on the matter.
- Council members should attempt to give at least 24 hours' notice, by advising the City Manager and the City Recorder of a request to remove a Consent Agenda item for separate discussion. The City Recorder shall notify all Councilors of such requests prior to the start of the Business Meeting.

Councilors Scheduling Agenda Items

- Councilors are encouraged to suggest agenda topics at the bench or to contact the City Manager about scheduling an item ~~into~~ on the Tentative Agenda.
- Add-on Agenda-agenda items should be brought up at the start of the meeting and are generally considered only if continuing to a later agenda is not appropriate practical.
- Requests for legislative action of Council may be initiated by an individual Council member during a Council meeting. The City Manager will respond to the request consistent with resources and priorities, or refer the question of scheduling to Council as a whole.
- ~~Requests for legislative action of Council may be initiated by an individual Council member during a Council meeting. The City Manager will respond to the request consistent with resources and priorities, or refer the question of scheduling to Council as a whole.~~

Comment [L7]: Duplicate of paragraph above

TIGARD CITY COUNCIL GROUNDRULES

Councilors Use of Electronic Communications Devices During Council Meetings

Definitions for this section:

Electronic Communications means e-mail, text messages, or other forms of communications transmitted or received by technological means.

Electronic Communications Devices means lap-top computers, blackberries, cell-phones, notebooks, or other similar devices capable of transmitting or receiving messages electronically.

- o Councilors shall not send or receive electronic communications concerning any matter pending before the Council during a Council meeting.
- o Councilors shall not use electronic communication devices to review or access information regarding matters not in consideration before the Council during a Council meeting.
- o Councilors shall not access the internet web but may access Council packet information concerning any matter pending before the Council during a Council meeting.
- o Any electronic communications regarding a quasi-judicial matter to be considered by Council is an ex-parte contact and shall be disclosed as required by law.

COMMUNICATION

General

- o Recognize that you are seen as a Councilor at all times, no matter how you see yourself at any particular time. Thus, Councilors are always treated by Administration as Council members.
- o Whenever you put anything in writing, assume that everyone in the city is looking over your shoulder.
- o Do not respond to communications directed to the full Council. The City Manager or Mayor will respond.
- o If a communication is directed to an individual Councilor, you may choose to respond as an individual or refer to the City Manager.
- o Information received by a Council Member that affects the Council should be shared with the whole Council. The City Manager is to decide on “gray areas,” but too much information is preferable to too little.
- o Budget cuts or increases are policy decisions. Budgets will not be cut “piece meal” or “across the board,” but rather should be made in service or program areas, giving staff full opportunity to provide data clearly defining the anticipated impact of the action.
- o It is the policy of the Council that if Councilors are contacted regarding labor relations during labor negotiations or conflict resolution proceedings, then Councilors have no comment.

TIGARD CITY COUNCIL GROUNDRULES

- Councilors and the City Manager agree to report and discuss any contact, which that might affect labor relations with the entire Council in Executive Session.
- ~~The Council Groundrules will be submitted for review by Council each year either in the July or August Workshop Meeting. The Groundrules can be reviewed and revised at any other time in the year when a specific issue or issues are identified requiring action prior to the established review period.~~

Comment [L8]: Moved to the beginning of the document.

Communications Between City Councilors, City Manager and Staff

- Councilors are encouraged to maintain open communications with the City Manager, both as a group and individually ~~in one on one sessions~~.
- Councilors are encouraged to take issues to the City Manager first, giving as much information as possible to ensure a thorough response.
- In the absence of the City Manager, Councilors are encouraged to contact the Assistant City Manager. In the absence of both the City Manager and the Assistant City Manager, Councilors are encouraged to contact the Department Head, realizing that the Department Head will discuss any such inquiries with the City Manager.
- City Manager shares information equally with Councilors.
- Councilors are encouraged to avoid substantive contact with staff below the Department Head to avoid possible disruption of work, confusion on priorities, and limited scope of responses. In no case, should Councilors direct the work of staff without prior approval of the Department Head or City Manager.
- Our goal is mutual confidence and respect with staff. Compliment staff members when they make good presentations. Be friendly. Attend staff occasions when you can.

Communications Among Councilors

- No surprises.
- Be courteous.
- Honestly share concerns and opinions with each other. Be honest. Don't dissemble.
- Don't blurt it out on TV.
- If you hold back in a meeting, follow up later with fellow Councilors or the City Manager.

TIGARD CITY COUNCIL GROUNDRULES

- Bounce ideas off each other by phone or informal conversation, always mindful not to form a quorum.
- Spend some casual time together.

Communications with Community/General Public

- ~~City Council members will host an event during the month of May to share with potential Mayor or City Council candidates what is involved in serving on the City Council.~~
- Councilors and the General Public are reminded of the Agenda cycle and cut-off dates. Administrative staff is available to explain how public issues are handled-addressed and how citizen input may be accomplished.
- ~~Official communication~~ Communication that represents the City's position on an issue should come through City Hall and be provided by the City Manager. Direct submittals or inquiries to the Council or individual Councilors should be referred to the City Manager, or Councilors may ask the City Manager to look into an issue.
- Official press releases are encouraged, both to assure accurate reporting and to advise Council and Staff of the official position communicated to the press. Press releases are issued through the City Manager's Office.

Comment [L9]: Moved to new section following this entitled "Communications with Potential Mayor/Council Candidates"

Communications with Potential Mayor/Council Candidates

- Council members will host an event to share with potential Mayor or City Council candidates what is involved in serving on the City Council.
- Council members may support a person running for office but they must declare this as an individual endorsement and not in their official capacity as a Council member.

Comment [L10]: Moved from section above to this new section for potential candidate communication and language updated per Council direction.

Communication Between Partners and Allies

- In general, let the Mayor speak for the City.
- Keep long-term relationships in mind. Don't over-focus on the issue at hand.
- Take issues to the City Manager first.

Council Communication with Other Public Agencies

As the Portland metropolitan region continues to grow, it is critical that Tigard be at the "table" with other jurisdictions in the region and clearly represent the City's official position.

TIGARD CITY COUNCIL GROUNDRULES

- Council members will be clear about representing the City or personal interests. If a Council member appears before another governmental agency or organization to give a statement on an issue, the Council member must clearly state whether the statement reflects personal opinion or is the official position of the City.
- If a Council member is representing the City, that Council member will consistently support and advocate the City's official position on an issue and cannot foster or further a personal viewpoint that is inconsistent with the official City position.
- Council members will inform the Council of their involvement in an outside organization if that organization is or they believe may become involved in any issue within the City's jurisdiction. If an individual Council member publicly represents or speaks on behalf of another organization whose position differs from the City's official position on an issue, the Council member must clearly communicate the organization upon whose behalf they are speaking. The Council member must withdraw from voting as a Council member upon any actions that have bearing upon the conflicting issue.
- Council members serving on committees or boards as the City representative with outside entities or agencies will communicate with other Council members on issues pertinent to the City.

Communication with City Boards, Committees and Commissions

The independent advice of City Boards, Committees and Commissions is critical to the public decision-making process. For that reason, Council members will refrain from using their positions to influence unduly the deliberation or outcomes of board proceedings.

Members of boards, commissions, and committees are referred to generally as "board" in this section of the Groundrules.

- Council members will not contact a board member to lobby on behalf of an individual, business or developer. Council members may contact the board member in order to clarify a position taken by the Board. Council members may respond to inquiries from board members. Communications should be for information only.
- Council members may attend any board meeting, which is open to any member of the public. However, Council members should be sensitive to the way their participation could be viewed as unfairly affecting the process.
- Board members do not report to individual Council members. ~~nor should Individual councilors have no authority to remove board members Council members threaten board members with removal because they disagree with the member about an issue.~~

TIGARD CITY COUNCIL GROUNDRULES

Communication as the Council Liaison with City Boards

- Council liaison assignments are determined by consensus of City Council. The goal is to have assignments evenly divided between Council members. Should two or more Council members seek appointment to a position the longest serving Council member will have first choice.
- Council Liaisons are to periodically attend Board meetings, listen to the Board discussion, set context for the Board regarding Council decisions/goals/policies and City priorities, answer questions and carry concerns and information back to the full Council.
- Council Liaisons are not to direct the business or decision-making process of the Board and do not vote on matters before the Board.
- Council Liaisons do not initiate, propose or advocate for their personal position on a matter before the Board.
- Council Liaisons are to protect the independence of the Boards.
- Council Liaisons at times may advocate Council actions on behalf of their assigned Board. Great care must be taken to avoid the appearance of unfairness, conflict of interest or circumstances where such possibilities may exist (e.g., Planning Commission quasi-judicial matters).

CODE OF CONDUCT

Scope

This Code of Conduct is designed to provide a framework to guide Council members in their actions. The Code of Conduct operates as a supplement to the existing statutes governing conduct including the ethics law of the State of Oregon.

This Code of Conduct applies to Council members as they also serve as the Local Contract Review Board and the City Center Development Agency.

Conduct of Council Members

This section describes the manner in which Council members will treat one another, the public, and city staff.

TIGARD CITY COUNCIL GROUNDRULES

Council Conduct with One Another During Meetings

- Practice civility, professionalism and decorum in discussions and debate. Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of democratic governance. This does not allow, however, Council members to make belligerent, personal, slanderous, threatening, abusive, or disparaging comments.
- Avoid personal comments that are intended to, or could reasonably be construed to, offend other members or citizens. If a Council member is offended by the conduct or remarks of another member, the offended member is encouraged to address the matter early with the offending member.

Council Conduct Outside of Public Meetings

- Continue respectful behavior in private. The same level of respect and consideration of differing points of view deemed appropriate for public discussion should be maintained in private conversations.
- Be aware of the public nature of written notes, calendars, voicemail messages, and e-mail. All written or recorded materials including notes, voicemail, text messages and e-mail created as part of one's official capacity will be treated as potentially "public" communication.
- Even private conversations can have a public presence. Council members should be aware that they are the focus of the public's attention. Even casual conversation about city business, other public officials or staff may draw attention and be repeated.
- Understand proper political involvement. Council members, as private citizens, may support political candidates or issues but such activities must be done separate from their role as a Council member.

Council Conduct with the Public

- Be welcoming to speakers and treat them with respect. For many citizens, speaking in front of the Council is a new and difficult experience. Council members should commit full attention to the speaker. Comments, questions, and non-verbal expressions should be appropriate, respectful and professional.
- Make no promises on behalf of the Council in unofficial settings. Council members will frequently be asked to explain a Council action or to give their opinion about an issue as they meet and talk with citizens. It is appropriate to give a brief overview. Overt or implicit promises of specific action, or promises that City staff will take a specific action are to be avoided.

TIGARD CITY COUNCIL GROUNDRULES

Council Conduct with City Staff

- o Respect the professional duties of City Staff. Council members should refrain from disrupting staff from the conduct of their jobs; participating in administrative functions including directing staff assignments; attending staff meetings unless requested by staff; and impairing the ability of staff to implement policy decisions.

Individual Conduct of Council Members

The individual attitudes, words, and actions of Council members should demonstrate, support, and reflect the qualities and characteristics of Tigard as “A Place to Call Home.”

DO THE RIGHT THING

In doing the right thing, I will:

- Be honest with fellow Council members, the public and others.
- Credit others’ contributions to moving our community’s interests forward.
- Make independent, objective, fair and impartial judgments by avoiding relationships and transactions that give the appearance of compromising objectivity, independence, and honesty.
- Reject gifts, services or other special considerations.
- Excuse myself from participating in decisions when my immediate family’s financial interests or mine may be affected by the Council’s action.
- Protect confidential information concerning litigation, personnel, property, or other affairs of the City.
- Use public resources, such as staff time, equipment, supplies or facilities, only for City-related business.

GET IT DONE

In getting it done, I will:

- Review materials provided in advance of the meeting.
- Make every effort to attend meetings.
- Be prepared to make difficult decisions when necessary.
- Contribute to a strong organization that exemplifies transparency.
- Make decisions after prudent consideration of their financial impact, taking into account the long-term financial needs of the City.

RESPECT AND CARE

In respecting and caring, I will:

- Promote meaningful public involvement in decision-making processes.

TIGARD CITY COUNCIL GROUNDRULES

- Treat Council members, board members, staff and the public with patience, courtesy and civility, even when we disagree on what is best for the community.
- Share substantive information that is relevant to a matter under consideration from sources outside the public decision-making process with my fellow Council members and staff.
- Respect the distinction between the role of citizens, Council and staff.
- Conduct myself in a courteous and respectful manner at all times.
- Encourage participation of all persons and groups.

Censure and Violations

To assure the public confidence in the integrity of the City of Tigard, Council members are held to a high standard of conduct. For this reason, Council members believe the Code of Conduct is as important to the public process as other rules and procedures. It is also recognized that, there may be times when action is required to correct and/or prevent behavior that violates the Code of Conduct.

A Council member may be censured by the other Council members for misconduct, nonperformance of duty or failure to obey the laws of the federal, state, or local government. Misconduct includes not honoring the provisions of the Council Groundrules.

Early recognition of the questioned conduct is encouraged. Progressive counsel may occur with the Council member but is not required prior to passage of a Council Resolution of Censure by the other Council members.

A violation of the Code of Conduct will not be considered a basis for challenging the validity of any Council decision.

Implementation

Council members will receive a copy of the Council Groundrules and will affirm in writing that they have received the rules including the code of conduct, understand the provisions, and pledge to conduct themselves by the groundrules. A periodic review of the groundrules will be conducted to ensure that they are an effective and useful tool.

TIGARD CITY COUNCIL GROUNDRULES

COUNCIL GROUNDRULES CERTIFICATION

As a member of the Tigard City Council, I affirm that:

- I have read and understand the Council Groundrules including the Code of Conduct and its application to my role and responsibilities while serving on the City Council.
- I pledge to conduct myself by the Council Groundrules/Code of Conduct.
- I understand that I may be officially censured by the City Council if my conduct falls below these standards.

Signature: _____ Position: _____

Signed this _____ day of _____, 20____

AIS-226

Business Meeting

Date: 10/26/2010

Length (in minutes): 10 Minutes

Agenda Title: Council Groundrules Update

Prepared By: Loreen Mills, Administration

Item Type: Ordinance
Resolution

Meeting Type: Council Business Meeting - Main

Information

ISSUE

Council consideration to modify Tigard Municipal Code to recognize Council Groundrules and adopt updated Groundrules by resolution.

STAFF RECOMMENDATION / ACTION REQUEST

Approve the attached ordinance to recognize Council Groundrules in the Tigard Municipal Code as the rules governing the Council as they serve as the City Council, Local Contract Review Board and the City Center Development Agency.

Approve the attached resolution to amend and update the Council Groundrules and add the Code of Conduct. This update will be effective the same time as the ordinance (30 days after passage by the Council).

KEY FACTS AND INFORMATION SUMMARY

The City Council annually reviews and updates, when appropriate, their Groundrules. This has occurred 14 times since January 9, 1989. Since there have been so many changes to the Groundrules, the information flow was awkward and in need of streamlining and update. Council also desires to hold themselves to a high level of professional conduct as they serve in their role as Council members and have requested a Code of Conduct be added to the Council Groundrules during this year's update.

During this review, it was noted that the Council Groundrules were not recognized in the Tigard Municipal Code (TMC) except as rules of procedure for the Local Contract Review Board. It is important to clarify in the TMC that Groundrules are the rules of procedure for City Council and the City Center Development Agency too. The TMC amendment also clarifies that a violation of the Groundrules is not a basis for challenging the validity of a Council decision and identifies the censure process should Council determine misconduct has occurred.

The Tigard City Council wants to ensure public confidence in the integrity of Tigard's local government and its effective and fair operation. For that reason, the City Council is updating their Council Groundrules with a Code of Conduct that provides a framework to guide Council in their actions and recognizes that they hold themselves to a high standard of conduct.

Council has expressed their desire that the individual attitudes, words, and actions of Council members should demonstrate, support, and reflect the qualities and characteristics of Tigard as "A Place to Call Home." It is also recognized that, there may be times when action is required to correct and/or prevent behavior that violates the Code of Conduct.

Passage of the attached ordinance and resolution will amend the TMC and adopt the updated Council Groundrules.

OTHER ALTERNATIVES

No other alternatives were consider as City Council directed the update of Council Groundrules.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

Council Resolution 08-45, the last update of Council Groundrules, calls for an annual review and update of Groundrules.

DATES OF PREVIOUS COUNCIL CONSIDERATION

7/13/10 - Council directed staff to develop Code of Conduct for Board and Committee members and City Council

8/17/10 - Council reviewed Board and Committee members Code of Conduct and then directed staff to add Council Code of Conduct to Council Groundrules during annual update

9/21/10 - Council reviewed updated language for Council Groundrules with the inclusion of the Code of Conduct and recognized the Groundrules would provide guidance to Council as they also serve as the Local Contract Review Board and City Center Development Agency

Fiscal Impact

Fiscal Information:

N/A

Attachments

Council Groundrules Amendments

TMC Amendments for Groundrules

Resolution Approving Updated Groundrules

Resolution Exhibit A Groundrules

**CODE OF
CONDUCT FOR
CITY BOARDS AND
COMMITTEES**

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
ORDINANCE NO. 10-

AN ORDINANCE CREATING TIGARD MUNICIPAL CODE SECTION 2.07, CODE OF CONDUCT FOR APPOINTED OFFICIALS SERVING ON CITY BOARDS, COMMITTEES AND COMMISSIONS, AND AMENDING CHAPTER 2.08, PLANNING COMMISSION, BY DELETING SECTION 2.08.030, COMMISSION REMOVAL.

WHEREAS, the residents and businesses of the City of Tigard are entitled to have fair, ethical and accountable local government; and

WHEREAS, the Tigard City Council desires a high standard of integrity and ethical conduct for appointed members of the City's boards, committees and commissions which will support the public's confidence in their local government's fair and effective operation; and

WHEREAS, the Tigard City Council wishes to create a Code of Conduct for appointed members of the City's boards, committees and commissions and define the removal process of those members for misconduct, nonperformance of duty, or failure to comply with the law or meet the Code of Conduct expectations; and

WHEREAS, the Tigard Municipal Code currently contains a removal process for Planning Commission members but does not define or provide for a Code of Conduct.

NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:

SECTION 1: A new chapter 2.07 entitled *CODE OF CONDUCT FOR APPOINTED OFFICIALS OF BOARDS, COMMITTEES AND COMMISSIONS* is hereby added to the Tigard Municipal Code as shown in the attached Exhibit A.

SECTION 2: Tigard Municipal Code Chapter 2.08 entitled *Planning Commission* is hereby amended by repealing Section 2.08.030, *Commission Removal*, in its entirety as shown in the attached Exhibit A.

SECTION 3: This ordinance shall be effective 30 days after its passage by the Council, signature by the Mayor, and posting by the City Recorder.

PASSED: By _____ vote of all Council members present after being read by number and title only, this _____ day of _____, 2010.

Catherine Wheatley, City Recorder

APPROVED: By Tigard City Council this _____ day of _____, 2010.

Craig Dirksen, Mayor

Approved as to form:

City Attorney

Date

Exhibit "A"

Added text is double underlined.
Deleted text in strikethrough.

Tigard Municipal Code Amendments

Chapter 2.07 CODE OF CONDUCT FOR APPOINTED OFFICIALS OF BOARDS, COMMITTEES AND COMMISSIONS

- 2.07.010 Purpose.
2.07.020 Code of Conduct.
2.07.030 Removal Process.

2.07.010 Purpose.

A committee member is appointed with the belief that the person will serve with integrity, perform the duties of the position and obey the laws of the federal, state, and local governments. This is required to protect the public's confidence in their local government's fair and effective operation.

This Chapter applies to all boards, committees and commissions established by the City of Tigard.

2.07.020 Code of Conduct.

The Tigard City Council shall define the code of conduct required of appointed committee members. The code of conduct shall be passed by Council resolution.

A violation of the Code of Conduct shall not be considered a basis for challenging the validity of any City committee decision.

2.07.030 Removal Process.

A City committee member may be removed by the appointing authority for misconduct, nonperformance of duty or failure to obey the laws of the federal, state and local governments.

Early recognition of the questioned conduct is encouraged. Progressive counsel may occur with the committee member but is not required prior to removal from committee by the appointing authority.

Chapter 2.08 PLANNING COMMISSION

2.08.030 Commission Removal.

A member of such a commission may be removed by the appointing authority, after hearing, for misconduct or nonperformance of duty.

Code of Conduct – Boards and Committees
Resolution with Exhibit A

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 10-

A RESOLUTION ESTABLISHING THE CODE OF CONDUCT FOR APPOINTED MEMBERS OF THE CITY’S BOARDS, COMMITTEES AND COMMISSIONS.

WHEREAS, the residents and businesses of the City of Tigard are entitled to have fair, ethical and accountable local government; and

WHEREAS, the Tigard City Council desires a high standard of integrity and ethical conduct for appointed members of the City’s boards, committees and commissions to support the public’s confidence in their local government’s fair and effective operation; and

WHEREAS, the Tigard City Council wishes to create a code of conduct for appointed members of the City’s boards, committees and commissions and define the removal process of those members for misconduct, nonperformance of duty, failure to comply with the law or failure to meet the Code of Conduct expectations.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The Code of Conduct for appointed board, committee and commission members is attached as Exhibit A and is approved by Council resolution as required by Tigard Municipal Code 2.07.020.

SECTION 2: This resolution is effective 30 days after its passage by the Council.

PASSED: This _____ day of _____ 2010.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

EXHIBIT "A"
CODE OF CONDUCT
TIGARD BOARDS, COMMISSIONS, AND COMMITTEES

Scope

This Code of Conduct is designed to provide a framework to guide members of boards, commissions, and committees in their actions. The Code of Conduct operates as a supplement to the existing statutes governing conduct including the ethics law of the State of Oregon.

Members of boards, commissions, and committees are referred to generally as "board members" in this Code of Conduct.

Conduct of Boards, Commissions, and Committees

This section describes the manner in which board members will treat one another, the public, and city staff.

Board Conduct with One Another During Meetings

- Practice civility, professionalism and decorum in discussions and debate. Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of democratic governance. This does not allow, however, board members to make belligerent, personal, slanderous, threatening, abusive, or disparaging comments.
- Avoid personal comments that are intended to, or could reasonably be construed to, offend other members or citizens. If a member is offended by the conduct or remarks of another member, the offended member is encouraged to address the matter early with the offending member.

Board Conduct Outside Public Meetings

- Continue respectful behavior in private. The same level of respect and consideration of differing points of view deemed appropriate for public discussion should be maintained in private conversations.
- Be aware of the public nature of written notes, calendars, voicemail messages, and e-mail. All written or recorded materials including notes, voicemail, text messages, and e-mail created as part of one's official capacity will be treated as potentially "public" communication.
- Even private conversations can have a public presence. Board members should be aware that they are the focus of the public's attention. Even casual conversation about city business, other public officials or staff may draw attention and be repeated.
- Understand proper political involvement. Board members, as private citizens, may support political candidates or issues but such activities must be done separate from their role as a board member.

Board Conduct with the Public

- Be welcoming to speakers and treat them with respect. For many citizens, speaking in front of a board is a new and difficult experience. Board members should commit full attention to the speaker. Comments, questions, and non-verbal expressions should be appropriate, respectful and professional.
- Make no promises on behalf of the board in unofficial settings. Board members will frequently be asked to explain a board action or to give their opinion about an issue as they meet and talk with citizens. It is appropriate to give a brief overview. Overt or implicit promises of specific action or promises City staff will take a specific action are to be avoided.

Board Conduct with City Staff

- Respect the professional duties of City Staff. Board members should refrain from disrupting staff from the conduct of their jobs; participating in administrative functions including directing staff assignments; attending staff meetings unless requested by staff; and impairing the ability of staff to implement policy decisions.

Individual Conduct of Board Members

The individual attitudes, words, and actions of board members should demonstrate, support, and reflect the qualities and characteristics of Tigard as “A Place to Call Home.”

DO THE RIGHT THING

In doing the right thing, I will:

- Be honest with fellow board members, the public and others.
- Credit others’ contributions to moving our community’s interests forward.
- Make independent, objective, fair and impartial judgments by avoiding relationships and transactions that give the appearance of compromising objectivity, independence, and honesty.
- Reject gifts, services or other special considerations.
- Excuse myself from participating in decisions when my immediate family’s financial interests or mine may be affected by my board’s action.
- Protect confidential information concerning litigation, personnel, property, or other affairs of the City.
- Use public resources, such as staff time, equipment, supplies or facilities, only for City-related business.

GET IT DONE

In getting it done, I will:

- Review materials provided in advance of the meeting.
- Make every effort to attend meetings.
- Be prepared to make difficult decisions when necessary.
- Contribute to a strong organization that exemplifies transparency.
- Make decisions after prudent consideration of their financial impact, taking into account the long-term financial needs of the City.

RESPECT AND CARE

In respecting and caring, I will:

- Promote meaningful public involvement in decision-making processes.
- Treat board members, City Council, staff and the public with patience, courtesy and civility, even when we disagree on what is best for the community.
- Share substantive information that is relevant to a matter under consideration from sources outside the public decision-making process with my fellow governing board members and staff.
- Respect the distinction between the role of citizens, board member and staff.
- Conduct myself in a courteous and respectful manner at all times.
- Encourage participation of all persons and groups.

Sanctions and Violations

To assure the public confidence in the integrity of the City of Tigard, board members are held to a high standard of conduct. For this reason, the City Council believes the Code of Conduct is as important to the public process as other rules and procedures. It is also recognized that, there may be times when action is required to correct and/or prevent behavior that violates the Code of Conduct.

A board member may be removed by the appointing authority for misconduct, nonperformance of duty or failure to obey the laws of the federal, state, or local government (TMC 2.07). Early recognition of the questioned conduct is encouraged. Progressive counsel may occur with the board member but is not required prior to removal from the board by the appointing authority. A violation of the Code of Conduct will not be considered a basis for challenging the validity of any City board decision.

Implementation

All board, committee and commission members will be given a copy of the Code of Conduct and will be required to affirm in writing that they have received the code, understand its provisions, and pledge to conduct themselves by the code. A periodic review by City Council of the code will be conducted to ensure that the code is an effective and useful tool.

CODE OF CONDUCT CERTIFICATION

As a member of a City board, commission, or committee, I affirm that:

- ✓ I have read and understand the Tigard Code of Conduct for members of Boards, Commissions, and Committees and its application to my role and responsibilities while serving on a City board.
- ✓ I pledge to conduct myself by the Code of Conduct.
- ✓ I understand that I may be removed from my position if my conduct falls below these standards.

Signature: _____

Signed this _____ day of _____, 20____

Committee Appointed To

Agenda Item Summary – Prepared for the October 26,
2010 Council Meeting – Code of Conduct – Boards and
Committees

AIS-60

Business Meeting**Date:** 10/26/2010**Length (in minutes):** 10 Minutes**Agenda Title:** Ordinance Amending the Tigard Municipal Code and a Resolution Pertaining to a Code of Conduct for Appointed Board, Committee and Commission Members**Prepared By:** Kent Wyatt, Administration**Item Type:** Ordinance
Resolution**Meeting Type:** Council Business Meeting - Main

Information

ISSUE

Should the City Council adopt a Code of Conduct for board, committee and commission members and determine whether the Code applies to ad hoc committees and task forces if the appointments are to last more than three meetings?

STAFF RECOMMENDATION / ACTION REQUEST

Approve the attached ordinance to recognize the Code of Conduct for all appointed members of the City's boards, committees and commissions and remove old information about the Planning Commission members removal process.

Approve the attached resolution to approve the Code of Conduct for all appointed members of the City's boards, committees and commissions. This update will be effective the same time as the ordinance (30 days after passage by the Council.)

KEY FACTS AND INFORMATION SUMMARY

The Tigard City Council wants to assure public confidence in the integrity of Tigard's local government and its effective and fair operation. For that reason, the City Council is updating their Council Groundrules with a Code of Conduct that provides a framework to guide their actions and recognizes they hold themselves to a high standard of conduct.

The Council believes it is important to hold appointed members of City boards, committees and commissions to this same high standard by approving a Code of Conduct for all appointed members. The Code of Conduct is as important to the public process as other rules and procedures.

Council has expressed their desire that the individual attitudes, words, and actions of board members should demonstrate, support, and reflect the qualities and characteristics of Tigard as "A Place to Call Home." It is also recognized that, there may be times when action is required to correct and/or prevent behavior that violates the Code of Conduct.

The proposed Code has been reviewed by City Council. The current chairs of boards and committees were also provided an opportunity to review the draft language and the Planning Commission Chair suggested some clarifying language which Council has included in the Code.

The Code of Conduct will apply to all all boards, committees and commissions which include those groups (ad-hoc boards, task forces, etc.) that serve a defined period of time and hold more than three meetings.

Upon approval of this code, all board, committee and commission members will be given a copy of the code and will affirm in writing that they have received the code, understand its provisions, and pledge to conduct themselves by the code.

OTHER ALTERNATIVES

No other alternatives were considered as City Council directed the creation of the Code of Conduct for board, committee and commission members.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

N/A

DATES OF PREVIOUS COUNCIL CONSIDERATION

7/13/10 - Council directed staff to develop Code of Conduct for Board and Committee members and City Council

8/17/10 - Council reviewed Board and Committee members Code of Conduct

Fiscal Impact

Cost: 0
Budgeted (yes or no): No
Where Budgeted (department/program): NA

Additional Fiscal Notes:

None

Attachments

Ordinance adopting TMC amendments

Resolution approving Code of Conduct

AIS-243

Item #: 9.

Business Meeting

Date: 11/09/2010

Length (in minutes): 5 Minutes

Agenda Title: Update on 3rd Quarter Council Goal Status

Prepared By: Joanne Bengtson, Administrative Services

Item Type: Update, Discussion, Direct Staff

Meeting Type: Council Business Meeting - Main

Information

ISSUE

Update Council on progress made on Council Goals during the 3rd Quarter of 2010.

STAFF RECOMMENDATION / ACTION REQUEST

Information only, no action required.

KEY FACTS AND INFORMATION SUMMARY

Provide Council with an update on the progress made on 2010 Council Goals during the 3rd quarter of the year.

OTHER ALTERNATIVES

Not Applicable.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

2010 City Council Goals - Update on each goal.

DATES OF PREVIOUS COUNCIL CONSIDERATION

The 2nd Quarter update (April - June) was provided to Council in August.

Fiscal Impact

Fiscal Information:

None

Attachments

3rd Quarter Goal Report



2010 3rd Quarter Goal Update

On December 22, 2009, the City Council met to set its goals for the coming year. These goals represent those items that the Council feels deserve special attention in the months ahead. The City will accomplish much more than what is listed here, but we identify these to be of particular importance to our residents.

2010 Council Goals

1. Implement Comprehensive Plan

a. Complete the Transportation System Plan (TSP) and begin area plans (Tigard Triangle, 99W Corridor, etc.)

Staff presented a briefing on the TSP Update at the September 21 workshop meeting. Council will conduct a public hearing on the Planning Commission's recommended TSP on October 12.

b. Update Tree Code

The Urban Forestry Code Revisions (UFCR) Citizen Advisory Committee and Technical Advisory Committee have held regular meetings since June.

The adoption process for the complete set of code revisions began in July. Staff continued implementation of the UFCR Public Involvement Plan by regularly updating the project website, sending project updates to interested parties, and discussing the project with community members at events such as the Farmer's Market.

On July 20, 2010 Council and Planning Commission provided direction to (project consultant) Winterbrook Planning on how to approach the tree grove inventory and protection program portion. Based on that input, Winterbrook Planning has begun inventorying trees groves in the field.

c. Continue to promote plan for 99W Light Rail

The city earned a Transportation Growth Management (TGM) grant from the Oregon Dept. of Transportation (ODOT) and the Land Conservation and Development Commission (LCDC) to develop a land use plan for potential high capacity transit (HCT) station areas. The city continues to work with Metro, TriMet, ODOT, Washington County, and the cities of Portland and Tualatin on coordinating this land use plan with several related transportation and land use efforts along the corridor associated with HCT and Metro's mobility corridor refinement plans.

The Mayor and three staff from Community Development will attend the national Rail~Volution conference in Portland, held the week of October 18. Two Planning Commissioners received scholarships to attend as well, providing them with great educational sessions and networking opportunities.

2. Implement Downtown Urban Renewal

a. Initiate developer outreach/recruitment

An additional redevelopment feasibility study was completed this quarter. Results will be presented to the City Center Development Agency (CCDA).

Members of the CCDA and City Center Advisory Commission (CCAC) are developing

possible incentives to improve redevelopment feasibility. They will share the incentives with developers in the region for feedback and attend the Transit Oriented Development (TOD) Marketplace at the Rail~Volution conference to gain feedback on TOD plans from members of the development community.

b. Adopt Downtown Circulation Plan

The CCAC provided staff with recommendations on the Downtown Circulation Plan. Based on that feedback, staff developed an outline for implementation that prioritizes projects in the short-term to mid-term. The CCAC endorsed this approach at their September meeting.

3. Strategize with Park and Recreation Advisory Board on a 2010 Parks Bond

a. Decide whether to return to ballot and, if so, when?

Tigard Ballot Measure No. 34-181 is on the ballot for November 2, 2010.

Caption: Bond to acquire open spaces, protect clean water, improve parklands

Question: Shall city issue \$17 million general obligation bonds to acquire, preserve and protect open spaces, water quality, habitat and parks?

b. Develop land acquisition strategies (potential options to purchase, etc.)

4. Advance Methods of Communication

a. External: Develop communication strategy and methods in support of city goals.

The Design and Communications Division is developing Logo and Design Standards to be used for citywide communications. The standards will provide guidelines to ensure consistency for the written and visual communication the city produces.

b. Internal: Support staff efforts to change the organizational culture to create a proactive environment of exceptional people and service, promoting the values of “respect and care,” “get it done,” and do the “right thing” (Strategic Clarity)

The Citywide Values Team, comprised of staff representatives from all city departments, began meeting regularly to support and keep the newly adopted city values integrated into all aspects of city service and department operations. The team also created an internal web page that fosters and communicates the city values to all staff, including the department recognition programs, which highlight staff that are displaying the values daily in their service delivery.

5. Support 2010 Washington County Cooperative Library Services (WCCLS) and Washington County Public Safety Levies

The Washington County Board of Commissioners approved the placement of the following levies for the November 2, 2010 ballot:

Washington County Ballot Measure 34-179

Caption: Renewal of Local Option Levy for Countywide Public Safety

Question: Shall Washington County maintain public safety services by levying 42¢ per \$1,000 assessed value for five years beginning 2011-2012? This measure renews current local option taxes.

Washington County Ballot Measure 34-180

Caption: Renewal of Local Option Levy to Support Countywide Library Services

Question: Shall Washington County support library services countywide by levying 17¢ per \$1,000 assessed value for five years, beginning 2011-2012?