



City of Tigard
Tigard Business Meeting - Agenda

**TIGARD CITY COUNCIL, LOCAL CONTRACT REVIEW BOARD AND CITY CENTER
DEVELOPMENT AGENCY**

MEETING DATE AND TIME: February 22, 2011 - 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	7:00 p.m.	Sunday	11:00 a.m.
Friday	10:00 p.m.	Monday	6:00 a.m.



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MEETING DATE AND TIME: February 22, 2011 - 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. Discussion of Downtown Gateway Feature at Hall Blvd./Pacific Hwy. Intersection

- 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.

7:30 PM - FEBRUARY 22, 2011

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)

Estimated time: 7:35 p.m.

- A. Follow-up to Previous Citizen Communication
- B. Presentation of Certificate of Appreciation to the City of Tigard from Tigard American Legion, Post 158, for Participation in the September 11, 2010, "Welcome Home Again Parade."
- C. Citizen Communication – Sign Up Sheet

- D. Announcement - The following public hearing advertised to come before the City Council this evening has been postponed at the request of the applicant:

HEARING POSTPONED (CONTINUED) TO MAY 24, 2011
QUASI-JUDICIAL PUBLIC HEARING - COMPREHENSIVE PLAN AMENDMENT,
SENSITIVE LANDS REVIEWS AND ADJUSTMENT TO EXTEND WALL STREET TO
FIELDS' PROPERTY
COMPREHENSIVE PLAN AMENDMENT (CPA) 2009-00004/SENSITIVE LANDS REVIEW
(SLR) 2009-00004/SENSITIVE LANDS REVIEW (SLR) 2009-00005/ADJUSTMENT (VAR)
2010-00002 - WALL STREET EXTENSION (FIELDS)

3. CONSENT AGENDA: (Tigard City Council, Local Contract Review Board and City Center Development Agency) 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:
Estimated time: 7:50 p.m.

- A. Approve City Council Meeting Minutes

1. November 16, 2010
2. January 25, 2011

- B. Receive and File:

1. Meeting Minutes - Joint Tigard and Lake Oswego City Council Meeting of November 8, 2010

- C. Approve an Intergovernmental Agreement with the Oregon Department of Transportation for Administration of Right-of-Way Services for the Main Street/Green Street Retrofit Project

- D. City Center Development Agency:

1. Financial Impact Report of the City of Tigard's Urban Renewal Plan for Fiscal Year 2009-10

- E. Local Contract Review Board:

1. Award a Contract for a Turn-Key Restroom Building at Cook Park to Public Restroom Company

- *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. CONSIDER RESOLUTION TO RENEW ANNEXATION INCENTIVES
Estimated time: 7:55 p.m.

5. DISCUSS DEPARTMENTAL STRATEGIES FOR ACCOMPLISHING 2011 CITY COUNCIL GOALS
Estimated time: 8:10 p.m.

6. COUNCIL LIAISON REPORTS
Estimated time: 8:40 p.m.

7. NON AGENDA ITEMS

8. 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.

9. ADJOURNMENT
Estimated time: 8:50 p.m.

AIS-363

Item #: . E.

Business Meeting

Date: 02/22/2011

Length (in minutes): Consent Item

Agenda Title: Award a Contract for a Turn-Key Restroom Building at Cook Park to Public Restroom Company

Prepared For: Joseph Barrett

Submitted By:

Joseph Barrett
Financial and
Information
Services

Item Type: Motion Requested

Meeting Type:

Consent Agenda -
LCRB

ISSUE

Shall the Local Contract Review Board award a contract for the purchase and installation of a turn-key restroom building at Cook Park and further authorize the City Manager to take any necessary steps to execute the purchase.

STAFF RECOMMENDATION / ACTION REQUEST

Staff recommends the Local Contract Review Board award a contract for a turn-key restroom building at Cook Park to Public Restroom Company through a permissive cooperative procurement as allowed under ORS 279A.215.

KEY FACTS AND INFORMATION SUMMARY

- A Cook Park shelter and restroom were destroyed by fire in 2009. The shelter has since been rebuilt.
- This item authorizes the replacement of the restroom.
- Staff has determined that the most efficient manner to procure the restroom was through a permissive cooperative procurement, as allowed under ORS 279A.215 and the City's own Public Contracting Rules, with the Public Restroom Company through a contract originally let by Leon County, Florida. The City is eligible to utilize this agreement through language required by ORS 279A.215 that is contained in the source contract between Leon County and the Public Restroom Company. By utilizing permissive cooperative procurement the City receives pricing that is typically reserved for larger volume purchasing agencies as well as saves the cost of issuing a formal solicitation. This is a frequent practice by agencies throughout Oregon and the nation.
- The total cost of the turn-key restroom, including the structure and installation, is \$121,550. The City will be required to perform some preparation work on the site including excavation, installation of the concrete pad, and electrical and plumbing work. Compaction testing and civil engineering services may also be required. The anticipated cost of this preparation work is approximately \$28,000.

OTHER ALTERNATIVES

Council could direct staff to issue a formal Invitation to Bid for the construction of the restroom. Staff advises that this method will likely lead higher costs, both in terms of the restroom construction and staff resources.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

None

DATES OF PREVIOUS COUNCIL CONSIDERATION

None

Fiscal Impact

Cost: \$121,550

Budgeted (yes or no): Yes

Where budgeted?: Parks Capital Fund - 420

Additional Fiscal Notes:

The Capital Improvement Plan contains a \$150,000 in fiscal year 2010-2011 to construct this project. The project is budgeted in the Parks Capital Fund with a portion of the funding, (\$32,000), provided by insurance to replace the destroyed restroom. The balance, (\$118,000), will come from the General Fund. This contract is estimated at \$121,550, well under the budgeted amount. Remaining funds will be used to complete the additional site preparation work.

AIS-300

Item #: A.

Business Meeting

Date: 02/22/2011

Length (in minutes): 10 Minutes

Agenda Title: Discussion of Downtown Gateway Feature at Hall Blvd./Pacific Hwy. Intersection

Submitted By: Sean Farrelly
Community Development

Item Type: Update, Discussion, Direct Staff

Meeting Type:

Council Business
Mtg - Study Sess.

ISSUE

Give direction to staff for the design of a gateway feature on a City-owned site at the intersection of Hall Blvd. and Pacific Hwy.

STAFF RECOMMENDATION / ACTION REQUEST

Review and give direction to staff on the design of a potential gateway feature at Hall Blvd and Pacific Hwy. The CCDA could direct staff to:

- Develop interim options for a gateway feature with costs ranging between \$5,000 and \$25,000;
- Develop permanent gateway feature with costs ranging between \$45,000 and \$60,000 or more, or
- Not take action on a gateway feature at this time.

KEY FACTS AND INFORMATION SUMMARY

As part of the Pacific Highway/Hall Blvd intersection redesign, the Hall/99 Auto Repair property was purchased. After the construction of the turn lane and sidewalk, a publicly owned site of approximately 1800 square feet remains.

The Tigard Downtown Improvement Plan (TDIP) recommends that the area in the vicinity of the Hall Blvd. / Pacific Hwy intersection be redeveloped with mid-sized retail land uses. A Downtown gateway feature is also part of the recommendation. Its purpose is to serve as a visible entry and landmark into Downtown. The TDIP does not propose a specific gateway design, but it does recommend that it be designed as an element which "brands" the Downtown. A more immediate need to screen the views into neighboring properties (a garage and the Mixers Bar and Grill's trash collection area).

The CCDA is requested to give direction to staff as to whether to proceed with either an "interim" feature or a more permanent one.

"Interim" Design

A final design for the site could be deferred until a future larger redevelopment project occurs that would include the City-owned site and the adjacent sites (Mixers and 12005 SW Hall- a single family house, and the neighboring shopping centers.) In the meantime an aesthetically pleasing "interim" gateway feature could be developed.

Both of the following interim options would address the immediate need for aesthetics and screening. Also, features of both could be adapted into a permanent feature.

Interim Option 1- Landscaping/Trees: This option would implement a simple landscape plan including planting of large trees. These trees, alone or with additional treatment, such lawn, shrubs of flower beds serve as an attractive Downtown entryway feature. The cost of the option is variable - between \$5,000 and \$15,000 For example, planting several 10' tall trees and associated irrigation would likely be under \$5,000. Lawn, shrub or flower beds and an expanded irrigation system could increase the price as would a wooden fence or other elements to screen the adjacent sites.

Interim Option 2- Landscaping/Benches/Path: The City’s on-retainer landscape architect was requested to design a more refined interim gateway plan (attachment 3). The site’s small size and its proximity to extremely high traffic volumes made it a challenge to develop usable space that would attract people. Placeholder ideas included a chess table or a site for temporary art installation. The cost of this option is also variable and is estimated at between \$18,000 to \$25,000 depending on its refinement. This includes the cost of a decomposed granite pathway, benches, a trash receptacle, irrigation, and a fence screening the adjacent properties.

Permanent Option- Entryway Monument Feature

CCDA may also direct staff to develop a “permanent” gateway feature, recognizing that the neighboring properties may not realistically redevelop for several more years. Such a feature could be integrated into any future redevelopment of the surrounding properties (see conceptual design in Attachment 4).

A permanent option would include a monument feature to serve as a visual focal point. It could be similar in design (though smaller in scale) to the gateway at Burnham and Hall and include significant trees, landscaping, a bench, and screening fences. The cost of this of the permanent option, based on the the Burnham Street gateway design would be \$60,000 or more. The stonework is estimated to be about \$45,000 with landscaping, paving, irrigation, and site furniture costing between \$15,000 and \$20,000.

CCAC Recommendation

At its January, 2011 meeting the CCAC’s general consensus was to recommend the permanent option, with an entryway stone monument, significant trees, and screening. They expressed a reluctance to spend money for an interim feature and then spend more money to replace it later.

OTHER ALTERNATIVES

CCDA could direct staff and the CCDA to pursue another option for the site. For example, the project could be scaled down which could involved screening the adjacent properties only and do minimal unirrigated landscaping such wildflower planting. Another option is that the site could be improved and it could be a location for public art.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

Goal 2. Implement Downtown and Town Center Redevelopment Opportunities
Downtown Streetscape Design Plan
Tigard Downtown Improvement Plan

DATES OF PREVIOUS COUNCIL CONSIDERATION

September 26, 2006. City Center Development Agency Resolution 06-02 adopted the Streetscape Design Plan as the guiding document for improvements to Downtown streetscapes, gateways, public spaces, and green streets.

Fiscal Impact

Cost: \$5,000- \$60,000

Budgeted (yes or no): no

Where Budgeted (department/program): CCDA budget

Additional Fiscal Notes:

The 2010-11 CCDA budget includes sufficient funds to pay for an interim or a permanent gateway treatment. This project was not budgeted for in FY2010-11, however it could be paid for by reprioritizing a combination of the budgeted \$65,000 Opportunity Fund (as yet unspent) and funds from Redevelopment/Marketing/ Real Estate Studies and Assistance professional services (likely to have approximately \$30,000 of unspent budget capacity). Reprioritizing budget capacity to the Gateway Feature will mean that the funds are not available for the other purposes this fiscal year.

In addition to the capital cost, the annual Public Works maintenance costs (for any of the options) are estimated at up to \$5,000. This high visibility location would require a higher than typical degree of maintenance.

Attachments

Aerial Map

Existing Conditions

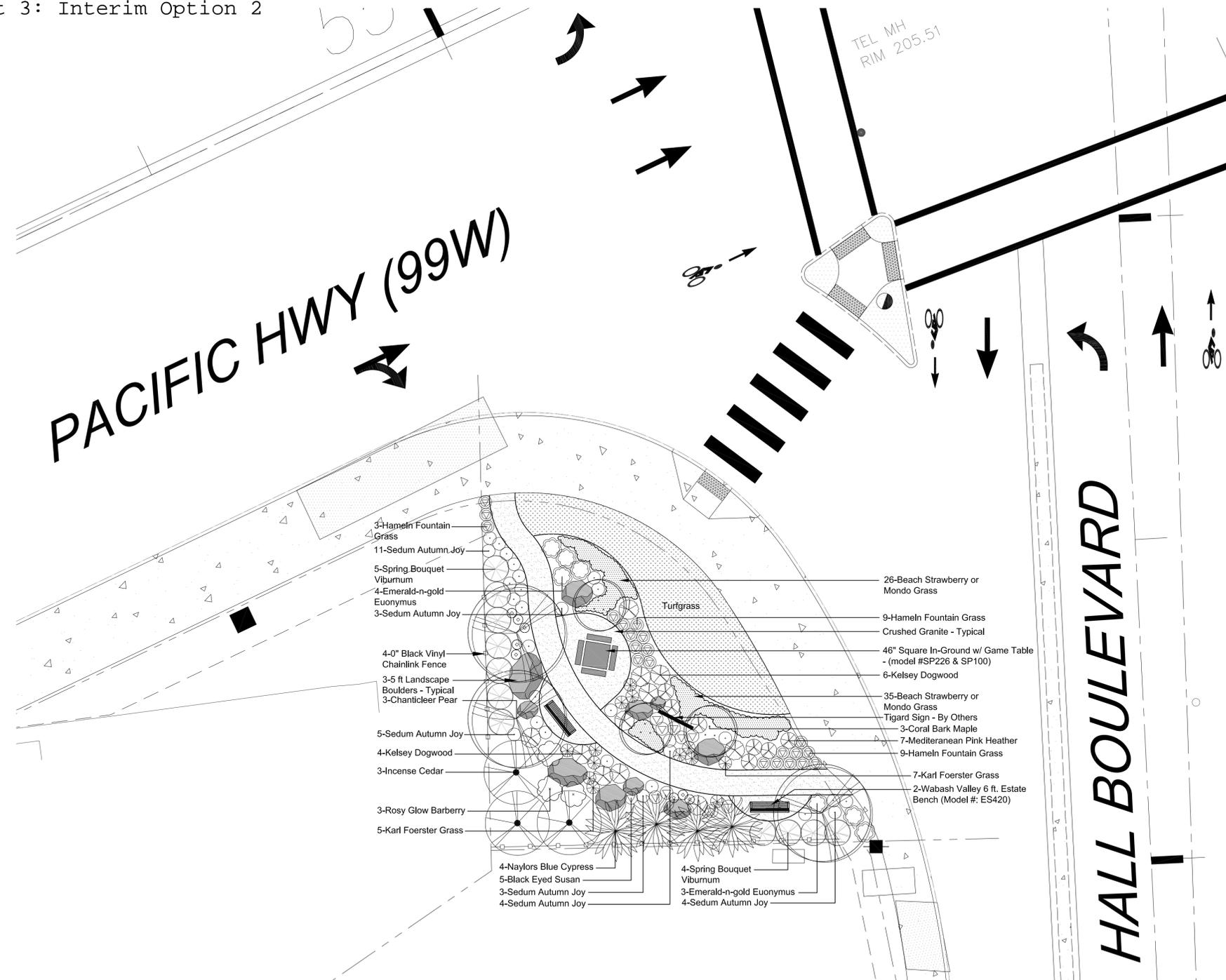
Interim Option 2

Monument Option



Hall/Pacific Hwy. existing conditions





- 3-Hamel Fountain Grass
- 11-Sedum Autumn Joy
- 5-Spring Bouquet Viburnum
- 4-Emerald-n-gold Euonymus
- 3-Sedum Autumn Joy
- 4-0" Black Vinyl Chainlink Fence
- 3-5 ft Landscape Boulders - Typical
- 3-Chanticleer Pear
- 5-Sedum Autumn Joy
- 4-Kelsey Dogwood
- 3-Incense Cedar
- 3-Rosy Glow Barberry
- 5-Karl Foerster Grass
- 4-Naylor's Blue Cypress
- 5-Black Eyed Susan
- 3-Sedum Autumn Joy
- 4-Sedum Autumn Joy
- 26-Beach Strawberry or Mondo Grass
- 9-Hamel Fountain Grass
- Crushed Granite - Typical
- 46" Square In-Ground w/ Game Table - (model #SP226 & SP100)
- 6-Kelsey Dogwood
- 35-Beach Strawberry or Mondo Grass
- Tigard Sign - By Others
- 3-Coral Bark Maple
- 7-Mediterranean Pink Heather
- 9-Hamel Fountain Grass
- 7-Karl Foerster Grass
- 2-Wabash Valley 6 ft. Estate Bench (Model #: ES420)
- 4-Spring Bouquet Viburnum
- 3-Emerald-n-gold Euonymus
- 4-Sedum Autumn Joy

PLANT MATERIALS LISTING:					
BOTANICAL NAME COMMON NAME					
SYM	TREES	QTY.	SIZE	CONDITION	REMARKS
○	<i>Acer palmatum 'Sango kaku'</i> Coral Bark Maple	3	5-6'	B&B	
⊗	<i>Cupressocyparis leylandii 'Naylor's Blue'</i> Naylor's Blue Cypress	4	7-8'	B&B	
⊗	<i>Calocedrus decurrens</i> Incense Cedar	3	6-7'	B&B	
⊗	<i>Pyrus calleryana 'Chanticleer'</i> Chanticleer Pear	3	2" Cal.	B&B	
SYM	SHRUBS	QTY.	SIZE	CONDITION	REMARKS
⊗	<i>Berberis thunbergii 'Rose Glow'</i> Rosy Glow Barberry	3	5 Gal.	Can	
⊗	<i>Erica x darleyensis 'Mediterranean Pink'</i> Mediterranean Pink Heather	7	1 Gal.	Can	
⊗	<i>Euonymus fortunei 'Emerald 'n Gold'</i> Emerald 'n Gold Euonymus	7	3 Gal.	Can	
⊗	<i>Cornus sericea 'Kelsey'</i> Kelsey Dogwood	11	1 Gal.	Can	
⊗	<i>Sedum telephium 'Autumn Joy'</i> Autumn Joy Sedum	29	1 Gal.	Can	
⊗	<i>Viburnum tinus 'Spring Bouquet'</i> Spring Bouquet Viburnum	11	5 Gal.	Can	
SYM	GRASSES	QTY.	SIZE	CONDITION	REMARKS
⊗	<i>Calamagrostis x acutiflora 'Karl Foerster'</i> Karl Foerster Feather Reed Grass	13	1 Gal.	Can	10-12"
⊗	<i>Imperata cylindrica 'Rubra'</i> Japanese Blood Grass	2	1 Gal.	Can	10-12"
⊗	<i>Pennisetum alopecuroides 'Hamel'</i> Hamel Dwarf Fountain Grass	21	1 Gal.	Can	10-12"
⊗	<i>Rudbeckia fulgida 'Goldstrum'</i> Black Eyed Susan	10	1 Gal.	Can	10-12"
SYM	GROUND COVER	QTY.	SIZE	CONDITION	REMARKS
⊗	Turf as Specified (sod)	470 SF			
⊗	<i>Fragaria chiloensis</i> or <i>Ophiopogon Nigrens</i> Beach Strawberry or Black Mondo Grass	61	4"	Pots	18" o/c.
SYM	LEGEND	QTY.	SIZE	CONDITION	REMARKS
⊗	Landscape Boulder - Grey Basalt - Verify w/ Owner (3 to 5 cu. ft.)	10			
⊗	Crushed Granite Pathway	480 SF			
⊗	Wabash Valley 6 ft. Estate Bench (Model #: ES420)	2			
⊗	46" Square In-Ground w/ Game Table - (model #SP226 & SP100)	1			
⊗	4-0" Black Vinyl Fence	85 LF			
APPROXIMATE LANDSCAPE AREA					
TOTAL TURF AREA:		470 sq.ft.			
Total Planting Area:		1,370 sq.ft.			



PACIFIC HWY AND HALL BLVD.
LANDSCAPE CONCEPT
PACIFIC HWY/HALL BLVD.
CITY OF TIGARD, OREGON

REVISIONS		
REV.	DATE	DESCRIPTION

SHEET NAME:
PLANTING PLAN

DRAWN BY: TAM
CHECKED BY: TAM
ISSUE DATE: 10/7/2010
JOB NO.: 1001-D

SHEET:
L1
OF 2



Attachment 4: Conceptual Entryway Monument



AIS-381

Item #: 3. A.

Business Meeting

Date: 02/22/2011

Length (in minutes): Consent Item

Agenda Title: Approve City Council Meeting Minutes

Submitted By: Cathy Wheatley
Administration

Item Type: Motion Requested

Meeting Type: Consent Agenda -
Approve Minutes

ISSUE

STAFF RECOMMENDATION / ACTION REQUEST

Approve minutes as proposed.

KEY FACTS AND INFORMATION SUMMARY

Minutes will be attached to this Agenda Item Summary statement when final drafts are ready to submit to the City Council.

OTHER ALTERNATIVES

Amend draft minutes.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

N/A

DATES OF PREVIOUS COUNCIL CONSIDERATION

N/A

Attachments

November 16, 2010 Meeting

January 25, 2011 Meeting Minutes



City of Tigard

Tigard Workshop Meeting – Minutes

Agenda Item No. 3.A.1

Meeting of February 22, 2011

TIGARD CITY COUNCIL

MEETING DATE AND TIME: November 16, 2010 - 6:30 p.m.

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

1. WORKSHOP MEETING

A. Mayor Dirksen called the Council Workshop meeting to order at 6:35 p.m.

B. Roll Call

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

C. Pledge of Allegiance

D. Council Communications & Liaison Reports – None

E. Call to Council and Staff for Non-Agenda Items - City Manager Prosser said that the City Attorney RFP process and schedule would be discussed at the end of the meeting. He said there will also be a discussion on recognizing outgoing Councilor Webb whose term expires at the end of December 2010.

2. ~~JOINT MEETING WITH TREE BOARD~~ Due to scheduling conflicts with the Tree Board members, this joint meeting is postponed until the December 21, 2010 Council Workshop meeting.

TIGARD CITY COUNCIL WORKSHOP MEETING

3. UPDATE ON TUALATIN VALLEY CABLE TELEVISION (TVCTV)

Information Technology Manager Sears introduced this item. He said TVCTV recently lost their leased space with the Beaverton School District. The Metropolitan Area Communications Commission (MACC) and TVCTV have consolidated their offices in a new building but paying for space now affects the TVCTV and MACC budgets.

Councilor Henderson gave Council some background on negotiations he participated in as the City's MACC Commissioner.  Discussions were held on what services TVCTV could reduce. He said it was hard to make cuts, but keeping services the same was not sustainable. He said Tigard partnered with Beaverton and Tualatin in support of public education and government programming. He said the stage area is lost but the public can still get their programs on cable access.

 Information Technology Manager Sears noted that of five options presented to the MACC Commissioners, Options 2 and 3 (attached to Council's staff report) were the final proposals. He said Option 3 was adopted after receiving a lot of public input.

In response to a question from Mayor Dirksen, Councilor Henderson said TVCTV will be located in a warehouse near MACC and has the ability to build out in the future, possibly bringing back the studio setting. Councilor Henderson thanked Information Technology Manager Sears for his assistance. Mayor Dirksen acknowledged their effort to come up with a workable compromise.

4. DISCUSS CHANGES TO LAND USE DECISION MAKING PROCESS TO BE IMPLEMENTED JANUARY 1, 2011

 Assistant Community Development Director Hartnett introduced this item which focuses on land-use processes rather than procedures (which are specified in the Development Code). The regulations in the Development Code give steps and tasks associated with decisions necessary to meet the minimum land-use decision making requirements under the law. She said these provisions do not provide the needed details to make sure the City is following best practices. She put this proposal in context by saying it is the work that needs to be done to implement and be consistent with the Comprehensive Plan.

Assistant Community Development Director Hartnett read the process goals:

- Modify the procedures and processes followed by City staff, Planning Commission and Council in land-use decisions to improve opportunities for public input, enhance the quality of findings and conditions of approval, and assure the greatest chance of sustained decisions in the event of an appeal to LUBA.

TIGARD CITY COUNCIL WORKSHOP MEETING

- Assure that procedures and processes are clearly understood by all participants through training, written materials, and Development Code amendments.
- Clarify land-use review requirements and approval criteria as needed.

She said meeting the goals will take a lot of interrelated activity which begins with Council review tonight. Community Development and Public Works staff training will start in December and will include discussions on this process and how to write findings and conditions of approval. This training is being developed by Assistant Community Development Director Hartnett and City Attorney Ramis. A discussion similar to this one with Council has been scheduled with the Planning Commission. The next package of regulatory improvement initiatives and Development Code amendments is expected to focus on land-use decision making components.



Assistant Community Development Director Hartnett said land-use decision making is a complex process but has four main phases:

- Proposal
- Recommendation
- Decision
- Post-Adoption

She referred to Attachment 1 in the Council Packet. Major activities and work products of each phase were discussed. She said the proposed changes are most directly applicable to legislative land-use decisions and some apply to quasi-judicial land-use decisions. She spoke briefly about specific changes, summarized on the last page of Attachment 2.



She said, “Council, in its legislative role will get a lot of deference when something is taken to LUBA. But the only way we can achieve that is if your thoughts and what persuaded you are contained in the findings. Otherwise, you get no deference.”

Assistant Community Development Director Hartnett said one big change is that prior to the public hearing, the decision-making body (Council or Planning Commission) focus should be on understanding the factual aspects of the proposal or recommendation (laws, regulations, approval criteria, public outreach and responses received, etc.) It is really not geared towards presenting or discussing desired changes or amendments. The opportunity to propose changes should come during the public hearing process. She said it needs to be in a public setting so they can hear what is on your minds and be able to comment if they wish. It is also critical that once all the information is on the table and the decision-making body needs more time for discussion, a workshop be scheduled. She said that is the appropriate stage for additional discussion; not before you’ve heard from the public. She asked Council to keep in mind that if there are critical amendments, an opportunity for additional public testimony should be allowed. She said the final decision making may need to be set over to a future meeting so proposed amendments or issues raised can be addressed formally or if findings need modification. She said Tigard always has a City Attorney present, when Council is in the decision-making phase, who can help determine if the findings need to be amended. She asked for Council’s comments.

TIGARD CITY COUNCIL WORKSHOP MEETING

Councilor Buehner said she was pleased about getting more detail to Council from the Planning Commission. She said Council hears few quasi-judicial hearings so they may not have context of what was raised at Planning Commission hearings unless more information is given. She expressed concerns about suggested change 2.4. Many questions and suggestions come up during Council Workshop presentations; waiting until a public hearing is not as useful for Council because it is a more constrained environment, making it difficult for Council to ask very many questions. She said she wants a better handle on things before the public hearing so focus can be on what the public feels about the final product.

Council President Wilson said he agreed with some of those comments, and said, “Sometimes I already feel that Council is so high up the food chain that by the time it gets to us, we are sort of rubber stamping things. I want to be engaged and involved from the beginning.” He said public testimony doesn’t entirely inform Council on how to make a decision.

Councilor Henderson asked for clarification on the schedule for Council approval and staff training for this process. Assistant Community Development Director Hartnett said staff training is scheduled to start in December but if there are concerns tonight, implementation can be delayed. He asked if she thought the system was broken and needed to be fixed. She replied, “I don’t think it’s broken but in my opinion we are not following best practices.” She said the City Attorney said the proposed process is the way it used to be done and he is recommending we return to it.

 Assistant Community Development Director Hartnett said a concern is that the more time Council or the Planning Commission spends directing staff to make changes to a proposal before the public has had an opportunity to comment on the initial proposal or recommendation, the more we are denying the tenets of Goal 1, which is to provide an opportunity for the public to influence decision making. She referred to an earlier comment by Councilor Buehner that she wanted the public’s comment on the final document. Assistant Community Development Director Hartnett said that waiting to get the public’s opinion on the final document is counter to Goal 1 which says we are looking for input throughout the process. She said this was also at the crux of the City Attorney’s concerns.

Councilor Buehner said she understands the City Attorney’s concerns but respectfully disagrees. She said the proposed process creates confusion for the public. She said she is, “very interested in what the public has to say through Planning Commission hearing testimony, written testimony, staff contact, etc. But they have to understand what they are looking at. If Council needs help understanding it, how is the public going to understand?” She said she doesn’t want to have a discussion about various proposals with staff or the City Attorney during a public hearing.

Assistant Community Development Director Hartnett said there is a difference between understanding it and having an opportunity to give input on things you’d like to see changed.

Mayor Dirksen said he agrees with his fellow Councilors but for a different reason. He said in looking back at the legislative process, Council is the legislative body, so theoretically changes would come from them. But there is no place for input until it has gone through the public process. When

TIGARD CITY COUNCIL WORKSHOP MEETING

it goes through the public process they will assume Council came up with it, but what the public is looking at Council actually had nothing to do with.

Assistant Community Development Director Hartnett replied that one of the things the Planning Commission transmittal memo does is to make it clear that what Council is considering is the Planning Commission's recommendation. Council will take public testimony on it and consider whether the testimony influenced or convinced them that changes were needed. Mayor Dirksen said he didn't think this is staff's intent, but it sounds like they don't want Council to have an opportunity to initiate legislative changes. Councilor Buehner agreed.

City Manager Prosser responded that this was "absolutely not the intent." He expressed concern that in the findings stage, "We are trying to write findings 'on the fly' to justify decisions and changes. But this is something we need to be more careful and deliberative about."  He said a lot of it is perception – by the time we get to the public hearing, if the proposal as it came out of the Planning Commission has been changed, it looks to the public that they were cut out of the process. We are drawing lines to create a process that helps bring the public along.

 Mayor Dirksen said he was talking about something that goes on before it gets to the Planning Commission recommendation stage. He said he didn't see any Council input in the Proposal stage. Assistant Community Development Director Hartnett said that can easily be changed. She said it is not listed in Attachment 1, but the Planning Commission and Council will receive briefings all along.

Council President Wilson said he supports giving the public the opportunity to give testimony on the specific proposal. But the problem is that this needs to be an iterative process rather than a linear one. He suggested running the big picture/concept by the Council (decision makers) to make sure it is generally what they want, hone in, run it by Council again, and then put it into this linear process.

Councilor Buehner said Council sometimes is not aware of things until the day of a workshop meeting. She gave the Transportation Plan as an example. She said she found the Council briefings insufficient and had she not gone to the Planning Commission workshop and hearing, she would have felt totally unprepared to make a decision at the Council meeting. She said it is her perception that between the times something goes before the Planning Commission and when they make a decision, staff is choosing what materials from the Planning Commission will come to the Council. She asked, "Are you planning to have the transmittal memo approved by the Planning Commission before it comes to us? That is a critical piece." She said she was very concerned that Council is not getting enough information to know what the Planning Commission meant.

Councilor Buehner suggested the City do better outreach to smaller groups within the community. Generic calls to the public to come to City Hall might be intimidating to people. Meeting with neighborhood or special interest groups may bring out segments of the public who don't feel invested in the community. She also suggested that when workshops on a particular issue are scheduled, we do a better job of telling the public what will be discussed.

TIGARD CITY COUNCIL WORKSHOP MEETING

 Community Development Director Bunch said his experiences at other jurisdictions have shown him the importance of preventing cases from going to LUBA by having good processes and standards in place. He said the City needs time to develop failsafe findings. Decisions cannot be made outside the process. He mentioned a specific Tigard situation where the Homebuilders Association appeal of the tree policies tied it up for two years. He said a good process has efficiency, money savings, and prevents legal problems.

Councilor Buehner clarified that she didn't hear anyone on Council questioning post-hearing finding amendments. She said Council is on board on that issue. Community Development Director Bunch said he was glad to hear that as it is the basis of the process. He reiterated that Council members are the legislators who initiate legislative changes and staff is here to make sure everything that comes forward is effective.

Councilor Henderson if there is training to be done, he wants to be involved. Assistant Community Development Director said what City Attorney Ramis will be covering is what the consequences are when writing findings a certain way.

Councilor Buehner said in her experience as a hearing officer she found it difficult to write findings during the hearings. She suggested a Council workshop on the do's and don'ts of writing findings.

City Manager Prosser said staff training would proceed but didn't feel the detailed and technical nature of the training was appropriate for Council. He suggested that staff develop a series of "Land Use 101" sessions for Council members, which would address Councilor Henderson's desire for training and Councilor Buehner's focus on developing findings. He said do's and don'ts of writing findings could be an item for a Council workshop session, not so much to teach how to write them, but to explain consequence of not doing them correctly.

 Council President Wilson said recommendations at decision points have legal ramifications. He said the intent of public hearings is to listen to public comments and to respond to them. He said, "By the time we get to the decision stage our wordsmithing should have been done. Council should have blessed it at the proposal stage." He said if that is the case, there are many details left out of the proposal section in Attachment 1."

City Manager Prosser said the intent was not to reduce the Council input and was surprised that Councilor Buehner felt Council was hearing about things for the first time at their Workshop meetings. He said staff tries to keep Council informed of things along the way. He asked, "If we spent a lot of time in the proposal stage with Council wordsmithing, what is the role of the Planning Commission?"

Mayor Dirksen agreed but said that during the proposal process it may go back and forth from Council to staff first and then the Planning Commission. Council and the Planning Commission need a chance to work on it first, before public hearings.

Assistant Community Development Director Hartnett said City Attorney Ramis will attend the next discussion. There can be detrimental financial outcomes if a decision is not backed up with findings.

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Councilor Buehner said her experience is that Council only gets a 15-20 minute Workshop presentation on an issue, yet the Planning Commission gets one-half hour to an hour. She advocates more joint Council/Planning Commission workshops on proposed legislation, which would save staff having to do the same presentation twice. Mayor Dirksen said staff could look into that but the scheduling may not always be possible.

Mayor Dirksen commented that the problem is that Council wants to be involved up front in the Proposal stage. He said he disagreed with the suggestion that the Planning Commission doesn't get to make any changes before it goes to the first public hearing. He said they should be able to fine tune it beforehand.

Community Development Director Bunch we are all committed to meaningful engagement with the public. The Planning Commission makes recommendations to the Council. Council formulates legislation and provides policy direction, but ultimately, the public informs. This is a participatory process where citizens have process rights they can exercise. He said upcoming planning issues are going to be more complex and we need a process that is failsafe. He said he would take Council's comments from tonight, look at the due process elements and put together another proposal that includes more Council briefings and opportunities to be engaged and ensures that citizens are part of this. The City Attorney will be involved to make sure it is legally sound.

5. DISCUSS WITH OREGON DEPARTMENT OF TRANSPORTATION REGION 1
DIRECTOR JASON TELL UPCOMING AND ONGOING PLANNING AND
CONSTRUCTION OF ODOT/TIGARD PROJECTS

 Mayor Dirksen welcomed ODOT Region 1 Director Jason Tell. Region Director Tell introduced Area Manager David Kim who works closely with staff on projects in the Tigard. He said a series of good things came together on Pacific Highway because of Tigard's Council and their good partnership with ODOT, including the \$600,000 signal optimization project and the intersection improvements at Hall and Greenburg, for which ODOT provided \$6 million. He noted that ODOT is putting together their 2014 budget and there is no money available for modernization. He said they have \$4 million for an engineering study of the Gaarde and McDonald intersection. They are hopeful that a federal reauthorization bill could fund construction. He commented that Tigard's leadership has resulted in tangible improvements for the citizens of Tigard. He noted that Mayor Dirksen is a member of JPACT and the partnership between Tigard and ODOT is at an all-time high and he wants to keep that going.

Mayor Dirksen asked Mr. Tell for his comments on the draft Guiding Principles document. Region Director Tell said he agreed with all of the principles, but there might need to be some wording clarifications. He said he discuss this with his staff and will get back to City staff later this week. He said ODOT would work with the City to strike a balance between the use of the Pacific Highway for mobility purposes and land use desires, with multi-modal options and to create communities the way you want.

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Region Director Tell said the top priority of the Regional Transportation Plan is to look at high capacity transit in this region. He said Tigard has the foundation and forums are coming up for more discussion on Tigard's specific needs. Trade-offs will be weighed in the decision-making process. Councilor Buehner commented that one requirement of Tigard's involvement in the high-capacity transit process is to have a local citizen committee; Tigard has appointed the Transportation Committee. She noted that there are two ODOT employees on the City's citizen committee.

Region Director Tell said Tigard's Council has stepped up and has put a lot of focus towards high capacity transit. He said ODOT needs to match that intensity and engagement with a higher level of communication.

Council President Wilson said he is thrilled about the momentum of projects along Pacific Highway. He said the Transportation Planning Rule is the most urgent issue to him. He said Tigard has opportunities to adjust the downtown density but is bumping up against the TPR. He suggested that ODOT's calculation change to take into account a more efficient use of land. He noted that the League of Oregon Cities has identified this as a priority, and said "We all have the same goal."

City Manager Prosser asked Region Director Tell, "When we run into access management or other issues, what is the best way to approach ODOT about these roadblocks and work together?" Region Director Tell proposed that he and Area Manager Kim assemble a list of primary ODOT staff contacts for City staff to connect with on particular issues. Tigard could also create list for ODOT so everyone knows who the primary contacts are. He said if both sides are meeting on an issue and not coming to a resolution, then the issue can brought to the next level.

 Mayor Dirksen said there have been recent proposals that local jurisdictions be given authority over state highways that are within cities. He said if this were to happen, Tigard would get everything – Pacific Highway and Hall Boulevard. He asked ODOT Region Director Tell for his comments. In response, Region Director Tell said he was not a big fan of piecemeal approaches. He said a better example is the current conversation being held around Highway 43, which ODOT is considering transferring to different jurisdictions. He said this makes sense to him because although the highway is a high mobility route, it is not a major freight route, and future use is focused on other modes besides automobiles. He said if a road's focus changes and there is agreement of the other jurisdictions he would support it. He said there must be mutual agreement. He said he would first ask someone who was considering this to see how far they could get stretching the existing rules, before taking the drastic step of shifting responsibility. After that has been done and there still dissatisfaction, the local government and ODOT could have that conversation. Mayor Dirksen referred to Region Director Tell's description of Highway 43 and said "You could substitute Hall Boulevard for it and have the same discussion. And we need to have that talk." Region Director Tell said his staff is working on that right now and concepts will be coming forward.

Councilor Buehner said the City is working on long-term planning for streets around the Pacific Highway viaduct and needs to know the future plans for that bridge. She asked Region Director Tell if a replacement or modification is planned. City Manager Prosser said he remembered that the viaduct replacement project appeared on a list at one time but then it was changed to deck

TIGARD CITY COUNCIL WORKSHOP MEETING

replacement. Council President Wilson said it was an OTIA project but the expense of rerouting traffic and replacing the bridge was cost prohibitive. Region Director Tell said he would look into it.

Council President Wilson referred to the TPR and said what is often lost in the discussion is that simply allowing density does not always actually create it. He understands that downtown Portland has the freedom to raise their density. He said Areas 63 and 64 are planned for moderate high density and asked if ODOT got a chance to comment on Washington County's plan. He said, "We object to it on the grounds that it would impact Highway 99 and Scholls Ferry Road through Tigard...Density isn't the issue so much as it is patterns of development." He said if we put all that housing on the fringes, it impacts the ODOT facilities even more than if it was spread around into areas such as the Tigard Triangle, which are well served by transportation investments. Region 1 Manager Tell said there has been much feedback on the TPR and agreed that while the intention of the TPR is good, the implementation and impacts need to be fine-tuned. He said he hoped there would be some clarification or flexibility of the rules coming out of the discussions on the TPR. He expected new direction coming out next spring or summer.

Councilor Buehner suggested that Mr. Tell advocate for a reallocation of funding due to recent census changes so ODOT Region 1 gets their fair share.

Streets and Transportation Senior Project Engineer McCarthy thanked Region Director Tell, Area Manager Kim, and the ODOT staff for being easy to work with and solution-oriented.

City Manager Prosser clarified that Region Director Tell will get feedback from ODOT staff on the Guiding Principles and e-mail it to him so a final document can be prepared.

6. COUNCIL LIAISON REPORTS – None

7. NON AGENDA ITEMS - Assistant City Manager Newton discussed the draft RFP for city attorney services. She distributed a memo outlining the City's RFP process and schedule. She said staff proposed more than one RFP be issued: one for the regular city attorney and others for specialists such as labor or real estate attorneys. The regular city attorney reports to Council and the specialists report to the City Manager. She distributed to Council the draft RFP to be issued on December 13, 2010. Responses are due by January 11, 2011. Interviews could be scheduled for the week of January 30th (no Council meeting that week).

Assistant City Manager Newton asked Council to give feedback to her by November 23 on the city attorney's scope of work or the RFP schedule. She said Council will be involved in the City Attorney interviews. Mayor Dirksen asked if Council should have a representative on the specialized services attorney interview panel. Councilor Buehner said she wrote a memo to the City Manager suggesting that the City hire a real estate expert and that she would like to be involved with the selection of that particular specialist. City Manager Prosser asked Council what staff they would like

TIGARD CITY COUNCIL WORKSHOP MEETING

to see involved. Mayor Dirksen suggested the City Manager and Finance and Information Services Director.

City Manager Prosser announced there will be a reception honoring Councilor Webb on December 28, 2010. The public is invited.

8. EXECUTIVE SESSION: None held

9. ADJOURNMENT

At 8:32 PM Councilor Buehner moved for adjournment and Council President Wilson seconded the motion. All voted in favor and the meeting was adjourned.

	Yes	No
Councilor Henderson	X	
Councilor Webb	Absent	
Council President Wilson	X	
Councilor Buehner	X	
Mayor Dirksen	X	

Carol A. Krager, Deputy City Recorder

Attest:

Mayor, City of Tigard

Date: _____

TIGARD CITY COUNCIL WORKSHOP MEETING



City of Tigard

Tigard Business Meeting – Minutes

Agenda Item No. 3.A.2

Meeting of February 22, 2011

TIGARD CITY COUNCIL, LOCAL CONTRACT REVIEW BOARD, AND CITY CENTER DEVELOPMENT AGENCY

MEETING DATE AND TIME: January 25, 2011

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

STUDY SESSION

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

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

Staff Present: City Manager Prosser, Assistant City Manager Newton, Police Chief Orr, Public Works Director Koellermeier, Community Development Director Bunch, Assistant Community Development Director Hartnett, Police Assistant Chief Bell, Redevelopment Project Manager Farrelly, Senior Management Analyst Wyatt, Police Captain deSully, Associate Planner/Arborist Prager, Parks Facilities Manager Martin, City Attorney Ramis, City Recorder Wheatley

A. Update on Urban Forestry Code Revisions Project Schedule

Associate Planner/Arborist Prager presented the staff report.

Issue before the City Council: Proposal to extend the Urban Forestry Code Revisions project timeline by 6 months to allow the Citizen Advisory Committee more time to deliberate and staff more time to develop a well-prepared proposal. Staff would like Council to provide direction on the proposed revised timeline.

Consensus of City Council was to accept the staff's proposed revised timeline as submitted in the Council packet materials.

TIGARD CITY COUNCIL MINUTES – January 25, 2011



B. Discuss City's 50th Birthday Celebration (This item was discussed after the business meeting.)

Assistant City Manager Newton presented the staff report.

Issue before the City Council: Update and discussion on the City's 50th Birthday Celebration.

During the 2010 - 2011 budget process last spring, the city's Events Coordinator position was eliminated. During the discussions with the Budget Committee, staff advised the members that funding for city events was also discontinued. The 2010 - 2011 budget was adopted last June without funding for Family Fest or recognition of the city's 50th birthday.

In the requested budget for 2011 - 2012, staff will request \$5,000 for the city's birthday celebration. That would fund an event the afternoon of Sunday, September 11 (the City's actual 50th birthday) in the Community Room at the Library. The event would feature music, cake, and remarks by Mayor Dirksen and Curtis Tigard. In addition, attendees would have the opportunity to read "Tigard memories" previously submitted by current and former residents or write their own. The scale of this event could be planned, promoted and coordinated by existing staff. The event would be promoted in Cityscape, on the Neighborhood Network web pages, and local media. Involvement could be solicited from Tigard citizens and businesses.

C. Administrative Items – City Manager Prosser reviewed the following with the City Council:

- Agenda Item No. 5, *Consider Amending Tigard Municipal Code Chapter 12, Water and Sewers*, set over to the March 22, 2011 Tigard City Council Business Meeting.
- Updated draft of the 2011 City Council goals was distributed to the City Council for consideration during the business meeting; Agenda Item No. 7
- Pacific Highway/Hall/Greenburg/Main Completion Celebration. Council input for invitations sought and City Council members were asked to send feedback to Streets and Transportation Senior Project Engineer McCarthy on invitation suggestions. During brief discussion, the following groups/individuals were suggested: Transportation Committee, ODOT staff member Jason Tell and Matt Garrett, former members of the Financial Strategies Task Force.
- City Attorney interviews scheduled for Tuesday, February 1, 2011, 6:30 p.m. in Town Hall or Red Rock Creek Conference Room.
- Dinner meeting proposed with Tualatin Valley Fire & Rescue, Tigard City Council, and key staff members of both agencies at new headquarters located in Tigard. Proposed date is March 29, the fifth Tuesday of the month. Meeting agenda to be developed for topics of mutual interest. Council members were asked to give some thought of agenda topics and send suggestions to Assistant City Manager Newton before March 10. Mayor Dirksen

TIGARD CITY COUNCIL MINUTES – January 25, 2011

suggested two topics for discussion: 1) How are the building/rebuilding efforts by TVF&R proceeding and 2) How is the economy affecting TVF&R.

- Council agreed to a special meeting on Tuesday, March 1, 6:30 p.m. to discuss a proposed work program implementing 2011 City Council goals with Executive Staff members.
- March 15, 2011 City Council workshop is canceled (NLC Conference week).
- Time is now to consider whether the City of Tigard will present an Exemplary Citizen Award. After discussion, consensus of City Council was this does not need to be an every year event; however, the preference would be that if the award were given that it is done at the Chamber's Shining Stars Banquet. Assistant City Manager Newton will send out the list of criteria for nominations to the City Council for review as the members think about nominees. This item will be discussed again at the February 8, 2011 Council Study Session.
- West Linn Councilor Mike Jones expressed a desire for a Tigard and/or Lake Oswego elected official to attend the February 7, 2011 West Linn Council meeting for an elected official's perspective on the water partnership. After discussion, Council consensus was for a Lake Oswego City Council member to attend this West Linn City Council meeting with a Tigard City Councilor accompanying him or her. Council President Buehner volunteered to attend as the Tigard City Council member representative.
- Council Meeting Calendar:
 - February 1, City Attorney Interviews, 6:30 p.m.
 - February 8, Business Meeting, 6:30 p.m.
 - February 15, Workshop Meeting, 6:30 p.m.
 - February 22, Business Meeting, 6:30 p.m.
- TIGARD CITY COUNCIL AND CITY CENTER DEVELOPMENT AGENCY EXECUTIVE SESSIONS (CCDA): The Tigard City Council went into Executive Session at 6:50 p.m. to discuss real property transaction negotiations and for consultation with legal counsel regarding pending litigation or litigation likely to be filed under ORS 192.660(2) (e) and (h). The Tigard CCDA was also scheduled to go into Executive Session to discuss real property transaction negotiations under ORS 192.660(2) (e). Due to time constraints, the Council/CCDA Executive Session recessed before the business meeting and then resumed after the business meeting.

Executive Session recessed at 7:28 p.m.

1. **BUSINESS MEETING - JANUARY 25, 2011**

A. Mayor Dirksen called the meeting to order at 7:37 p.m. 

B. Roll Call

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

TIGARD CITY COUNCIL MINUTES – January 25, 2011

- Councilor Wilson ✓
Councilor Woodard ✓
- C. Pledge of Allegiance
D. Call to Council and Staff for Non-Agenda Items 

City Manager Prosser announced the successful sale of \$17 million Parks Bond and the \$9 million Library Bond refunding. Bids were awarded based on the lowest total interest costs:

- Wells Fargo Bank, NA was awarded the parks bond bid. The cost will be \$0.275 per \$1,000 of assessed value in the first year of the 20-year bond, equating to \$56.84 to a homeowner with a median assessed value of \$207,000. This is a savings from what was stated in the ballot, which was \$60 in the first year for the same average home. In summary, the sale represents a total savings of \$1,421,093 from what was stated in the ballot.
- Citigroup Global Marks, Inc., was awarded the refunding of the library bond. With this award, Tigard property taxpayers will save \$863,289 over the remaining 12 years of the library bond.

Tigard will save property taxpayers \$2,284,382 over the next 20 years based on January 25's bond sale results.


2. CITIZEN COMMUNICATION

- A. Follow-up to Previous Citizen Communication: None
- B. Tigard High School Student Envoy Tracie Tran presented update on Tigard High School activities as well as events for athletics and academics. A copy of the highlights of her report is on file with the meeting packet materials.



- C. Tigard Area Chamber of Commerce Executive Director Debi Mollihan presented a report on upcoming Chamber events. A copy of the highlights of her report is on file with the meeting packet materials.

- D. Citizen Communication – Sign Up Sheet  No one signed up.



Mayor Dirksen reviewed.
3. CONSENT AGENDA:

- A. Draft minutes will be distributed to the City Council and included in the electronic meeting packet no later than Monday, January 24, 2011 or rescheduled to a future date.

TIGARD CITY COUNCIL MINUTES – January 25, 2011

1. October 26, 2010
2. November 9, 2010
3. ~~November 23, 2010~~ Set over to February 8, 2010

B. Appoint Kim Moreland and Donald Schmidt to the Transportation Advisory Committee

RESOLUTION NO. 11 - 01 - A RESOLUTION APPOINTING KIM MORELAND AND DONALD SCHMIDT AS VOTING MEMBERS OF THE TRANSPORTATION ADVISORY COMMITTEE

C. Change the Name of the Committee for Citizen Involvement to the Neighborhood Involvement Committee and Adopt New Bylaws

RESOLUTION NO. 11-02 - A RESOLUTION CHANGING THE NAME OF THE COMMITTEE FOR CITIZEN INVOLVEMENT (CCI) TO THE NEIGHBORHOOD INVOLVEMENT COMMITTEE (NIC) AND ADOPTING NEW BYLAWS

D. Schedule a Public Hearing for Vacation of Right-of-Way on Burnham Street Adjacent to Matsumoto Property

RESOLUTION NO. 11-03 -- A RESOLUTION SETTING A DATE OF A PUBLIC HEARING REGRADING THE VACATION OF AN APPROXIMATELY 114 SQUARE FOOT PORTION OF THE BURNHAM STREET PUBLIC RIGHT OF WAY, WHICH IS ADJACENT TO 8770 SW BURNHAM STREET (WASHINGTON COUNTY TAX MAP 2S102DA, TAX LOT 300) AND LIES APPROXIMATELY 200 FEET WEST OF HALL BOULEVARD

E. Approve Hall Blvd. Right-of-Way Dedication Located at the Knoll @ Tigard Project to the Oregon Department of Transportation

RESOLUTION NO. 11-04 -- A RESOLUTION APPROVING A QUITCLAIM DEED TO THE OREGON DEPARTMENT OF TRANSPORTATION FOR RIGHT OF WAY ON HALL BOULEVARD PREVIOUSLY DEDICATED TO THE CITY OF TIGARD FOR RIGHT-OF-WAY PURPOSES

F. Local Contract Review Board:

1. Approve Purchase of a Vactor Truck from Owens Equipment
2. Award Contract for Meter Reading Services to Metereaders, LLC



Council Woodard advised he would abstain from voting on the Council meeting minutes listed in Item 3A as these meetings took place before his term of office began.

Motion by Council President Buehner, seconded by Councilor Wilson, to approve the Consent Agenda.

TIGARD CITY COUNCIL MINUTES – January 25, 2011

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

Mayor Dirksen	Yes
Council President Buehner	Yes
Councilor Henderson	Yes
Councilor Wilson	Yes
Councilor Woodard	Yes* - Abstained from voting on Item 3A.



4. INFORMATIONAL PUBLIC HEARING TO ESTABLISH SW 100TH AVENUE SANITARY SEWER REIMBURSEMENT DISTRICT NO. 42

- Mayor Dirksen opened the public hearing.
- This is an informational public hearing in which any person shall be given the opportunity to comment. The formation of the reimbursement district does not result in an assessment against the property or lien against the property.
- City Engineer Kyle presented the staff report, summarizing the key elements of the proposed district and the process to date. He reviewed the nature of the comments received from residents located within the District. In general, owners are supportive of the project although there are concerns about future development changing the character of the neighborhood.
- Public Testimony
 - Mary Bauman, 10270 SW View Terrace advised she would like her property to be included in the project. City Engineer Kyle confirmed for the City Council that Mr. and Mrs. Bauman are now within the proposed district.
 - Rob Ruedy presented oral testimony and a copy of his presentation to the City Council is on file with meeting packet.



Mayor Dirksen commented that the method of assessing the costs to property owners in this district is consistent with how all previous districts were calculated. The method appears to be fair.



City Engineer Kyle responded to key points in Mr. Ruedy's testimony:

- If the district is delayed a year, it is possible someone might develop and pay for a large part of the costs; however he pointed out that the bid climate at this time is favorable.

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- City Engineer Kyle suggested bids be sought at this time and then work with the contractor if a longer time period for the construction is needed. The current bidding climate is good.
- City Engineer Kyle advised there is some cleanup work to be done on the construction documents. He said staff would confirm with each property owner the best location for sewer service.
- City Engineer Kyle agreed with Mayor Dirksen's statement that the proposed assessment method has proven to be a good way to proceed and has been used for a number of years for prior districts.
- City Engineer Kyle referred to concerns about depth of sewers. He advised of the preference for full gravity service for every lot because full gravity is more reliable than service requiring a pump.
- City Engineer Kyle pointed out that no one needs to incur any cost for hooking up to the sewer until they choose to connect.



- City Engineer Kyle advised that staff recommended that the City Council proceed to form the district.
- Council Discussion:

Councilor Woodard said reimbursement districts appear to be a good deal and, in the long term, is the right thing to do.



Mayor Dirksen gave background for establishing the sewer reimbursement program, which represented the City Council's effort to get entire city connected to the sewer system in reasonable amount of time. Dense population growth spurred the preference to get sewer services away from septic systems because of groundwater contamination concerns.

- Mayor Dirksen closed the public hearing 
- City Council Consideration:

Motion by Councilor Wilson, seconded by Council President Buehner, to adopt Resolution No. 11-05.

RESOLUTION NO. 11-05 -- A RESOLUTION ESTABLISHING SANITARY SEWER REIMBURSEMENT DISTRICT NO.42 (SW 100TH AVENUE)

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

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

5. ~~CONSIDER AMENDING TIGARD MUNICIPAL CODE CHAPTER 12, WATER AND SEWERS – ORDINANCE~~

This item was set over to the March 22, 2011 Tigard City Council Meeting Agenda.



6. REPORT ON NATIONAL LEAGUE OF CITIES CONGRESS OF CITIES - COUNCILOR HENDERSON

Councilor Henderson presented information on *Local Governments for Sustainability*. He referred to two documents, which were distributed to the City Council and reviewed during his report:

1. Sustainability Goals & Guiding Principles – Star Community Index – ICLEI, Local Governments for Sustainability.
 - o Document contains the release of 81 goals and 10 guiding principles that collectively define community-scale sustainability and form the foundation of STAR – a national rating system that will offer local governments a roadmap for creating healthy, inclusive, and prosperous communities. The Goals provide a vocabulary that local governments and their communities can use to strategize and define their sustainability planning efforts.
2. LEED for Neighborhood Development
 - o Contact information for a system for rating and certifying green neighborhoods.

During his report, Councilor Henderson reviewed the guiding principles of the Star Community Index and the future plans to give local governments the tools to accelerate their efforts and achieve greater success for economic prosperity, health/safety, and climate protection. This product represents thousands of volunteer hours and the engagement of more than 160 sustainability experts and stakeholders from broad disciplines using a collaborative and consensus-based process, drawn from government, the nonprofit and private sectors, and academia.

Councilor Henderson said this is the beginning of a huge program that would work within our community. He said it would take about ten years to realize the benefits in employing the sustainable community principles.

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Mayor Dirksen noted his interest in the rating system under development and would like to see how our community compares with others for sustainable practices. Councilor Henderson advised there will be a scoring system available in 2012 and a new LEED program level has been added.

Council President Buehner said she had become aware of the sustainable community efforts and was glad to hear of the substantive progress made in recent years.

Councilor Woodard said he has long been interested in LEEDS certification opportunities. He commented that it appears there are a number of components that could be applied in the City of Tigard.



Council meeting recessed: 8:40 p.m.



Council meeting reconvened: 8:51 p.m.

7. CONSIDER APPROVAL OF THE 2011 CITY COUNCIL GOALS

City Manager Prosser introduced this agenda item and reviewed this year's goal setting process.

Mayor Dirksen reviewed the City Council goals:

2011 TIGARD CITY COUNCIL GOALS

On December 30, 2010, 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.

1. Implement Comprehensive Plan
 - a. Show substantial progress on new Tigard Triangle Master Plan.
 - b. Update Tree Code.
 - c. Participate in the Southwest Corridor Study.
 - d. Work with state and regional partners to modify the Transportation Planning Rule.
 - e. Work with partners on urbanization policy issues.
2. Implement Downtown and Town Center Redevelopment Opportunities
 - a. Develop strategy and materials to attract developers and tenants.
 - b. Advance Ash Avenue Railroad Crossing.
3. Complete Plans for Parkland Acquisition

TIGARD CITY COUNCIL MINUTES – January 25, 2011

4. Advance Methods of Communication
 - a. Communication is a part of everyone’s job.
 - b. Support efforts to change organizational culture.
5. Continue Coordination with Lake Oswego on Water Partnership.
6. Financial Stability
 - a. Hold the line on the General Fund Budget.
 - b. Work with partners on long-range solutions to statewide structural problems.
 - c. Evaluate the City’s internal sustainability efforts.

Five-Year Council Goals

- Obtain Ash Avenue railroad crossing in downtown
- Explore 99W Urban Renewal District
- Continue to support the Legislature in addressing the financial needs of state and local governments in Oregon
- Develop long-term financial strategy
- Start implementing plan for City facility needs
- Develop Sustainability Plan

Long-Term Council Goals

- Continue pursuing opportunities to reduce traffic congestion
- Continue implementing Downtown Urban Renewal Plan
- Continue to monitor the Tigard/Lake Oswego Water Partnership

Motion by Council President Buehner, seconded by Councilor Wilson, to approve the 2011 City Council goals.

Councilor Henderson commented that these goals were developed with consideration given to proposals from the staff and community.

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

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



TIGARD CITY COUNCIL MINUTES – January 25, 2011

8. RECEIVE CITY COUNCIL 4TH QUARTER GOAL UPDATE

Senior Management Analyst Wyatt presented the staff report. A summary of progress made is contained in the report on file with the packet meeting materials.



9. CONSIDER RESOLUTION URGING THE CITY OF PORTLAND TO REJOIN THE PORTLAND JOINT TERRORISM TASK FORCE

- Mayor Dirksen noted Portland is soliciting input regarding rejoining the Portland Joint Terrorism Task Force. Councilor Wilson brought forward the suggestion that the Tigard City Council formally submit its support for Portland to rejoin.
- Councilor Wilson shared his reasoning for his proposal:
 - Portland was a member of the FBI's terrorism task force from 1997 to 2004. Portland withdrew in 2005 out of concerns for civil liberties and liability because Portland officers would not be under Portland's direct command.
 - While no one was in danger with regard to the recent alleged terrorist bombing threat at the Tree Lighting event in Portland last year, it was a graphic representation of what could have occurred. Major events held in Portland impact everyone in the region.
 - Portland is and has always been cooperative with the FBI and they are now reconsidering membership on the Portland Joint Terrorism Task Force.
 - It is important that our state's largest City participate on the Task Force as does every other major city in the Country.
 - Adopting the proposed resolution would inform the City of Portland that suburban communities are also concerned.

Council discussion/comments on the proposed resolution include the following:

- Council President Buehner advised she has spoken with Councilor Wilson about concerns she has with transmitting Tigard's proposal in the format of a resolution. She noted prior experience with uncomfortable circumstances between the cities of Portland and Tigard when the City of Tigard was considering using the Willamette River as a drinking water source.
- Councilor Woodard commented that he supported the resolution insofar as it appears to be the best tool to use to make a strong statement. He pointed out the potential for casualties and the need to exercise due diligence. If the terrorist threat had been carried out, the aftermath is unfathomable to contemplate. If we do not make a strong statement using the best vehicle to do so, then we probably would commit an injustice.
- Councilor Henderson advised he supports the proposed resolution and added that he agreed with Councilor Woodard's remarks.

TIGARD CITY COUNCIL MINUTES – January 25, 2011

- Mayor Dirksen said he would be comfortable sending either a letter or a resolution. However, he noted that Councilor Woodard made a good point about always using the best tool to do the job, which would be the resolution.
- Councilor Wilson reported that his original suggestion was to send a letter. In thinking about it further, a resolution is better because it is direct. He does not believe the Portland City Council would receive the message in the resolution in a negative way. The City of Tigard is not intending for the resolution to be disrespectful. With a resolution, a vote will be recorded and it becomes an official position.
- Council President Buehner reiterated her concerns about how a more formal action on the part of the City of Tigard might be perceived by Portland and referred to past experience. She said she was also concerned about setting a precedent. She said if it is the will of the rest of the City Council to adopt a resolution, she would respectfully abstain from voting on the matter. In response to a proposal from Mayor Dirksen that she cast a “no” vote rather than abstain, Council President Buehner said she would abstain because she supports the substance of the resolution, but it is an inappropriate vehicle to use to express our concerns.
- In response to a question from Councilor Henderson, Councilor Wilson advised that consideration to rejoin the task force appears to be less controversial in Portland than it was in 2005. The City of Portland is actively soliciting comments and the Portland Council is scheduled to take formal action on the matter on February 24.

Motion by Councilor Wilson, seconded by Councilor Henderson, to adopt Resolution No. 11-06.

Council President Buehner advised she will abstain as she feels a resolution is an inappropriate vehicle for delivering the City of Tigard’s concerns to the City of Portland.

RESOLUTION NO. 11-06 -- A RESOLUTION URGING THE CITY OF PORTLAND TO REVERSE ITS DECISION OF 2005 TO WITHDRAW FROM THE PORTLAND JOINT TERRORISM TASK FORCE (JTTF) AND COMMIT RESOURCES TO THE CURRENT MAKEUP OF THE JTTF

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

Mayor Dirksen	Yes
Council President Buehner	Abstain
Councilor Henderson	Yes
Councilor Wilson	Yes
Councilor Woodard	Yes

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10. COUNCIL LIAISON REPORTS: None

11. NON AGENDA ITEMS



City's 50th Birthday Celebration This item was discussed at this point in the meeting. Please see the Study Session notes above for a summary.



12. EXECUTIVE SESSION: The Tigard City Council/CCDA reconvened into an Executive Session at 9:18 p.m., which was continued from the Executive Session as noted above (Page 3).

13. ADJOURNMENT : 10:14 p.m.

Catherine Wheatley, City Recorder

Attest:

Mayor, City of Tigard

Date: _____

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TIGARD CITY COUNCIL MINUTES – January 25, 2011

AIS-382

Item #: 3. B.

Business Meeting

Date: 02/22/2011

Length (in minutes): Consent Item

Agenda Title: Receive and File: Meeting Minutes of the November 8, 2010 Joint Meeting with the Lake Oswego City Council

Submitted By: Cathy Wheatley
Administration

Item Type: Receive and File

Meeting Type: Consent - Receive
and File

ISSUE

Receive and file the Council Calendar and the Tentative Agenda for future Council meetings.

STAFF RECOMMENDATION / ACTION REQUEST

No action requested; this is a receive and file item for information.

KEY FACTS AND INFORMATION SUMMARY

The Council Calendar and the Tentative agenda for future Council meetings are attached.

OTHER ALTERNATIVES

N/A

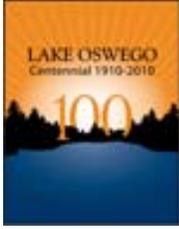
COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

DATES OF PREVIOUS COUNCIL CONSIDERATION

N/A - Receive and File Items

Attachments

Joint Lake Oswego/Tigard City Council Meeting Minutes - November 8, 2010



CITY COUNCIL SPECIAL MEETING MINUTES

November 8, 2010

Mayor Jack Hoffman called the special City Council meeting to order at 7:06 p.m. on November 8, 2010, in the Willamette Room, West End Building, 4010 Kruse Way.

Present: Mayor Hoffman, Councilors Hennagin, Jordan, Tierney, Vizzini, Olson, and Moncrieff; Councilors Elect Gudman and Kehoe

Tigard: Mayor Dirksen, Councilors Wilson, Webb, Buehner, and Henderson; Councilor Elect Woodward

Staff Present: Alex McIntyre, City Manager; David Powell, City Attorney; Robyn Christie, City Recorder; Joel Komarek, Project Director; Jane Heisler, Communications Director; Christine Kirk, Public Affairs Manager; Kari Duncan, Water Treatment Plant Manager; Jon Holland, Brown & Caldwell; Dave Prock, Deputy Project Director; Clark Worth, Barney & Worth; Vaughn Brown, Kristen Kibler MGS Engineers; Guy Graham, Public Works Director

Tigard: Craig Prosser, City Manager; Dennis Koellermeier, Public Works Director; Kent Wyatt, Senior Management Analyst; Liz Newton, Asst City Manager; John Goodrich, Utility Division Manager; Rob Murchison, Senior Project Engineer

3. STUDY SESSION

3.1 Mayors' Updates

Mayor Hoffman welcomed the Tigard City Council and staff.

Mayor Dirksen presented an update for the City of Tigard. He pointed out that Tigard's Urban Renewal District (URD), begun in 2006, did not have a lot of increment yet, but it still formed the basis of revenue for bonding for projects. He explained that the City was currently loaning funds to the District in order to move forward with some projects, including the rebuilding of Burnham Street.

He described the \$4 million plus URD improvement project to turn Burnham Street into a green street, noting that it solved the pollution problems of its proximity to Fanno Creek. He indicated that their next proposed project was the south end of Main Street, which should cost half as much as the Burnham Street project. He mentioned that the City was re-adjusting its codes for the downtown area to encourage the pedestrian-friendly and transit-friendly development, as well as more residential development.

He discussed transit in Tigard. He mentioned the WES commuter rail service that tied in with the MAX system in Beaverton. He observed that, even though WES got off to a slow start because they started it in winter in the same year that the economy tanked, the ridership was up 23% today. He commented that he expected that number to increase as people discovered the convenience of WES.

He mentioned that Tigard was chosen as part of the Southwest Corridor Study, the next high capacity transit corridor for the Portland area, which would run from downtown Portland to Sherwood along the Barbur Blvd/99W corridor. He observed that with that line and WES crossing on Tigard's Main Street, Tigard was poised to become a transit hub. Tigard saw a real opportunity for transit-oriented development and mixed use development.

He discussed the provisions of the Tigard open space and parks bond measure that passed last Tuesday, which split up to \$17 million between property purchases (80%) and park improvements (20%). He mentioned that the City was ready to move forward with sales agreements on two or three properties already. He spoke of the possibility of purchasing up to 100 acres of land within the city to add to the City's park system for protection and preservation.

Mayor Hoffman presented an update for the City of Lake Oswego. He reviewed the history of Lake Oswego's URD, created in 1979. He explained that the base froze at \$46 million in 1986 with the adoption of the East End plan. At today's value of \$240 million, the increment was now around \$200 million and yielded approximately \$3 million a year in tax increment revenue. He pointed out that the \$193 million of private investment and \$50 million in public investment provided a classic example of how urban renewal would work in mature districts. He mentioned the 12 amendments made to the plan since 1986 and the pay off of all bonds in 35 years.

He noted that Lake Oswego's transit project was right ahead of the Portland-Tigard project in terms of regional priority. He observed that Lake Oswego, having started its alternatives analysis in 2004/2005 and having now reached the draft environmental impact analysis (DEIS), was five to six years ahead of Tigard. He explained that the DEIS belonged to the Federal Transit Administration, which determined the publication date, currently scheduled for November 19.

He reviewed the remaining process, which included a public comment period and the Metro decision on the locally preferred alternative. He indicated that the alternatives were no-build, bus or rapid transit, and some sort of fixed rail. He observed that the fixed rail technology was changing so fast that transit planners focused more on how to move people along the corridor than the type of fixed rail.

3.2 Water

Mr. Komarek mentioned that he was one of a number of dedicated professional staff charged by Lake Oswego as the managing partner with bringing this project to fruition by 2016. He noted that Mr. Koellermeier from Tigard was joining him in giving this PowerPoint presentation.

He presented a map showing the location of the supply facilities (p.13, Slide1). He indicated that Lake Oswego constructed the bulk of these facilities in the mid to late 1960s, following its acquisition of water rights in the Clackamas River in 1967 as its preferred water source alternative. He described the water supply system physical structure and pipeline routes, which crossed multiple jurisdictions. He mentioned that Lake Oswego constructed the water treatment plant in what was then unincorporated Clackamas County, and that the system already connected to Tigard to provide water to that city at the Bonita Road pump station.

He indicated that the Lake Oswego-Tigard partnership began with a study in 2005 on the possibility of a partnership. He reviewed Lake Oswego's several objectives in looking for a water partner (p.13, Slide 2). He explained that HB 3038 passed by the State legislature in 2005 shifted the paradigm in terms of how the State reviewed and approved municipal water rights extensions, which left Lake Oswego needing to preserve and protect its water rights. He observed that, as part of providing their residents with safe and reliable drinking water, Lake Oswego needed to address capacity and aging facility issues as well as explore regional interconnections.

Mr. Koellermeier mentioned that, due to Tigard not incorporating as a city until relatively late for the area, it was not until the mid-1990s that the City took over the water supply business from the several water districts that had historically provided water to the area, including King City and Durham. Without its own water source, Tigard became predominantly dependent on buying water on the spot market from Lake Oswego and Portland.

He reviewed Tigard's goals in pursuing the partnership (p.14, Slide 1). He discussed the advantages of ownership, which provided certainty of supply and rate setting. He explained that Oregon State law did not allow communities to use SDCs unless they owned the infrastructure, which put the entire financial load on the ratepayer and did not allow Tigard to spread those costs

to the development community. He mentioned that Tigard had to give notice to the City of Portland next year if it did not intend to renew their 10-year contract in 2016.

He discussed the partnership study objectives (p.14, Slide 2), which looked at the long-term needs and how a partnership would work. He indicated that the study conclusions (2007) were promising (p.15, Slide 1). He mentioned that partnership with Lake Oswego was clearly the best of the four potential supply scenarios Tigard had been exploring. He noted that this option was local, and that the two communities understood each other, were roughly the same size, and had similar issues. He noted the benefits of making substantial improvements to the system, including capacity, reliability, and long-term security. He pointed out that the partnership was also the least expensive option for community.

He discussed the intergovernmental agreement (IGA) signed by both cities in 2008 (p.15, Slide 2). He explained that the work since then has been staff filling in the holes of information that had not been available in 2008. He noted that the IGA dealt with the technical and organizational aspects and identified the political structure and Lake Oswego as the managing partner (p.16, Slide 1). He commented that Lake Oswego was the managing partner because it needed a surety of supply from the same system that the process would overhaul. He mentioned the proportional system ownership as an end result. He reviewed the decisions that each Council would have to make.

Mr. Komarek presented a route and facilities location map (p.16, Slide 2). He indicated that the project definition, launched in February 2010, refined and reaffirmed the 2007 engineering study work, as well as developing new information to fill in any gaps. He discussed the findings relative to the water treatment plant (p.17, Slide 1). He noted that an expanded plant would not meet lot coverage requirements because the existing plant covered a large part of the City's property already. He explained that the finished water clearwell was too small to meet regulatory requirements.

He explained that the need to reduce the footprint of the water treatment plant drove the need to look at alternate treatment technologies. He referenced the joint Councils' direction in March to conduct a business case evaluation of water treatment technologies in order to match up the high quality resource of Clackamas River water with the appropriate treatment technology. He described the evaluation process, which involved an expert panel and a citizen sounding board. He presented the conclusion of both groups to include ozone as an additional treatment technology (p.17, Slide 2).

He explained that an emerging concern (p.18, Slide 1) for water regulators and the drinking water community was pharmaceuticals and personal care products finding their way into the nation's water supplies. Another concern was the interaction of chlorine with biological matter creating disinfection byproducts (DBPs), which had potential carcinogenic properties. He indicated that the proven technology of ozone addressed those concerns as well as taste and odor issues.

He referenced other concerns identified by the project definition (p.18, Slide 2), including seismic vulnerability in the system. He summarized the point of the slide as Lake Oswego's facilities were 40 plus years old and in need of upgrades, replacements, and renewals in order to provide a more reliable water system for both now and in the future.

He noted the updated estimate of \$230 million based on the project definition (p.19, Slide 1). He explained that the bulk of that update represented the \$18 million for the ozone treatment. It also included a slightly larger reservoir at the Waluga site. He reviewed the shift in the proportional allocations. He mentioned the program team's commitment to work hard to find ways to reduce the costs. He discussed the value engineering/value planning phase beginning in 2011, which would engage an independent third party to review the work done so far to help identify further economies and cost savings. He expressed their hope to take advantage of market conditions to reduce program costs similarly to what happened with the LOIS project (\$125 million reduced to \$90 million).

He discussed the concept of net present value (p.19, Slide 2). He presented Lake Oswego's net present value (p.20, Slide 1) for three options over 25 years: ozone/no ozone, going it alone, and a 25% reduction in overall water demand.

He reviewed the effect of the new estimates on Lake Oswego's water rates (p.20, Slide 2). He pointed out that the updated program costs required a slight upward adjustment, but it was very close to the original December 2008 financial plan. He noted that a single-family homeowner in Lake Oswego would pay \$4.22 extra each month for the ozone treatment, which worked out to less than 17 cents a day. He observed that the cost was even less for Tigard with its larger rate base.

Mr. Koellermeier indicated that the Tigard Council would consider its financial plan tomorrow night. He reviewed the proposed Tigard rate package based around the \$118 million (p.21, Slide 2). He explained that Tigard had been far enough long in its planning effort that staff decided not to change over to the revised \$123 million estimate; if that estimate held true at the end of this very long project, staff would then deal with it. He mentioned that Tigard had some coverage issues with the lending institutions that required raising rates more on the front end in order to allow flattening them out on the back end.

He discussed the Supply Facilities Capital Improvement Plan (p.22, Slide 1). He reviewed the recommendation that the Technical Committee made to the Oversight Committee two weeks ago. He indicated that this recommendation would become an attachment to the original IGA.

Mr. Komarek indicated that the Oversight Committee members were Tigard Councilors Sydney Webb and Gretchen Buehner and Lake Oswego Councilors Bill Tierney and Mary Olson. The Technical Committee members were Joel Komarek, Dennis Koellermeier, Kari Duncan, and Rob Murchison.

COUNCIL QUESTIONS

Mayor Hoffman noted that the Lake Oswego Council was scheduled to approve the Supply Facilities CIP on December 7 and the Tigard Council on December 14.

Mr. Komarek indicated to **Councilor-elect Kehoe** that there were other communities in Oregon currently using the ozone system. These included Wilsonville and the Medford Water Commission. He noted that Tacoma and Seattle also used ozone. **Ms. Duncan** said that there was another small community in Oregon using ozone.

Mr. Komarek indicated to **Councilor-elect Kehoe** that Lake Oswego largely decommissioned its wells after developing the Clackamas River source, and no longer used even the one remaining well as a backup water source. He mentioned that the City started looking for another water source because its well water had a high iron and mineral content that caused taste and operational issues in the distribution system.

Mayor Hoffman asked for the latest information on Portland and its reservoirs and Washington County and Scoggins Dam. **Mr. Komarek** reported that the Portland residential water rates went up at least 17% last year. He said that he expected them to continue to rise in order to pay for Portland's large capital improvement projects, such as another 50 million gallon reservoir to work in parallel with its Powell Butte system and an ultra-violet (UV) system for its Bull Run system.

Mr. Koellermeier said that Tigard, as a wholesale water customer of Portland, has experienced double-digit wholesale rate increases for the last several years, which he expected to continue. He commented that, of the four water supply options investigated by Tigard, Portland became the most expensive option over time.

He reported that the Scoggins Dam (TVWD project) has run into permitting problems. He explained that it was a federal facility, which meant that the agency had to get the federal dollars necessary to make the project affordable and it had to get the federal government to allow the project to happen. He mentioned that that supply option doubled Tigard's investment compared to the Lake Oswego partnership.

Mr. Komarek confirmed to **Councilor Jordan** that the Technical Committee recommended building to the 32mgd size with the opportunity to expand to 38mgd when needed. He clarified that the costs reflected the Technical Committee's recommendation to build the easily expandable facilities to the 32mgd size. However, other facilities, such as the pipeline and the river intake, the Committee recommended building to the 38mgd size in order to do the expensive environmental permitting and disruption only once. He pointed out that it also eliminated the uncertainty that they might not be able to expand again in the future.

Councilor Jordan asked if using the ozone system and less chlorine and other chemicals meant that they could size the storage area smaller. **Mr. Komarek** indicated that, in determining the storage area size, they would consider the amount of chemicals, the neighborhood disruption caused by more frequent deliveries if they stored less, and the short shelf life of some chemicals.

Mr. Komarek indicated to **Councilor Jordan** that either party to the IGA could trigger the long-term expansion; it depended on who reached their capacity portion of the 32mgd first. He explained that the parties would work through the specifics of any expansion at the time of the request.

Mr. Komarek indicated to **Councilor Olson** that the less than 17 cents a day cost of the ozone treatment included capital and operating costs, since staff based that figure on the net present value. He clarified that certain portions of the water treatment plant, such as the ozone system, would be sized for 38mgd. He noted that they would size the pump station structure to accommodate additional pumps and equipment but only install enough for the 32mgd. He said that filters and sedimentation tanks were other modular components.

Councilor Tierney asked for more detail on the paradigm shift on the allocation of water rights occasioned by State law. **Mr. Komarek** explained that, prior to the passage of that law, the State effectively 'rubber-stamped' jurisdictions' requests for time extensions for developing their water rights. However, because of the Coos Bay/North Bend lawsuit that went to the State Supreme Court in the late 1990s, the State no longer allowed municipalities to bank water without using it but instead imposed a fixed time frame on the permit extensions. In addition, the State raised the bar on the due diligence standards it required municipalities to meet in order to get a permit extension. He mentioned another new rule addressing endangered fish concerns.

Mr. Komarek indicated to **Councilor Tierney** that in 2000 the City applied to extend its water rights to 38mgd to meet the anticipated demand in 2045. He reported that the State Water Department recommended approval of the City's' request, having found it reasonable and showing due diligence, with the condition that further development not harm fish.

Councilor Tierney asked what the difference in capital costs would be if they built the system entirely to 32mgd, instead of the combination of 32mgd and 38mgd sized pieces estimated at \$230 million. **Mr. Komarek** indicated that the figure, on a program level, was \$6 million. He noted that, on the partner level, that figure was different for each partner because of the allocation formula. He explained that the formula committed Lake Oswego either to finding another supply source if it went beyond its 18mgd portion or to another increment of expansion at significant additional cost.

Councilor Hennagin commented that he has had no complaints about the quality of Lake Oswego water during the 40 years he has lived here. He asked why the experts recommended adding ozone to the existing chlorine treatment process, given that the existing process consistently met the water quality standards. He wondered whether they could delay adding the ozone treatment.

Mr. Komarek confirmed that ozone reduced the amount of chlorine used. He confirmed that moving to ozone was in anticipation of stricter federal and state regulations regarding disinfectant byproducts and emerging contaminants. He described ozone as an appropriate additional public health barrier to include in any expansion of the plant. He indicated that the staff exploration of when to add the ozone treatment found that it was more cost effective to do it now than later.

Ms. Duncan explained that the potential DBP stricter regulations would likely change the current practice of averaging test results over a year to determine if the water met the regulatory standards

to using a single occurrence test to determine those levels. She indicated that the levels changed over the seasons, and staff had a concern of possible seasonal violations.

Mr. Komarek recalled hearing Ms. Duncan say that she might get three to four calls a month from people complaining about taste and odor issue, but that number increased to 30 or 40 during seasonal incidents. He commented that staff did not want to spend this amount of money on a system expansion and continue to get those calls; ozone proactively addressed taste and odor before they became a problem.

Mr. Komarek indicated to **Councilor Wilson** that the staff was trying to route both pipelines along the existing right-of-ways and also avoid sensitive environmental zones as much as possible, given the 50,000 plus linear feet of pipeline. He mentioned that they have hired a team of environmental experts to assist the project team with the permitting effort and included right-of-way specialists and land-use attorneys on the project team to help with those issues.

Mr. Komarek indicated to **Councilor Olson** that staff did look at UV technologies. **Ms. Duncan** explained that UV alone served as a disinfectant and would help reduce the amount of chlorine but it did not address the pharmaceuticals and other toxins that ozone did. She indicated that a combination of UV and another oxidant was a more expensive and energy-intensive process than ozone.

Councilor-elect Gudman asked what the new piping would do to decrease the percentage of water loss in the system. **Mr. Komarek** cited the 16% system water loss suggested by the last Water Conservation Management Plan update. He mentioned the industry standard of 9% to 10%. He reported that the extensive leak detection investigation of the pipelines conducted as part of the project definition found tight connections and little leakage in the pipes themselves. He indicated that he expected the improved materials and construction standards to improve the system.

Mr. Komarek concurred with **Councilor-elect Gudman** that the 16% leakage would not be occurring in the new pieces of the system. He mentioned the water audit that the City was currently conducting and staff's thought that they did not have a physical water loss but rather a reporting and information collection 'apparent' water loss. He indicated that staff was working hard to understand where those water losses were and how they might tighten up the City's business practices beyond the best industry practices that the City already used.

Mr. Komarek indicated to **Councilor-elect Gudman** that the 10% represented 6 to 8mgd. **Mr. Koellermeier** said that Tigard's water loss was at 3% to 4%.

Mr. Komarek indicated to **Councilor-elect Gudman** that the City had a performance standard of 50 to 100 years for the pipelines. He explained that they had the same standard on the concrete structures at the water treatment plant but not on motors and electrical equipment, which typically had a 20 to 30 year life span.

Councilor-elect Gudman asked what assumptions staff made in terms of the service territory currently served versus the service territory projected to be served over the next 50 years. He wondered whether the system would pick up currently unserved areas and the smaller water systems. **Mr. Komarek** indicated that, for long-term water planning purposes, staff did look at the potential requirements for service outside the USBs of both cities. He noted that the IGA included small portions of Bull Mountain outside of Tigard and a small portion of the Stafford area outside Lake Oswego's USB.

Councilor-elect Gudman asked if staff had an estimate of the approximate number of mgd that the areas currently not served would take from each of the city's allocations. **Mr. Komarek** mentioned about 2mgd for the Lake Oswego side. **Mr. Koellermeier** indicated that he did not have that information for Tigard but it would be a small number.

Councilor-elect Gudman asked whether the assumption was that this partnership would take over all the other independently operating water districts. **Mr. Komarek** indicated that Lake Oswego's planning and water demand forecasts assumed that the special districts currently operating within

its USB would disappear around 2030 and become retail customers of the City. He clarified that the 2 to 2.5mgd figure included those districts.

Mr. Komarek indicated to **Councilor Vizzini** that staff did consider SDCs as a source of reimbursement for increased capacity, particularly for new development areas. He mentioned that Lake Oswego's SDC methodology updated last year included services potentially available to Stafford. He confirmed that the user fee rate projections assumed the SDCs bearing a certain percentage of the project costs.

Mr. Koellermeier indicated that theoretically SDCs could pay for 40% of the \$118 million of Tigard's share. He pointed out that in order to generate SDCs, a city must have growth, and Tigard's growth projections in its rate model were very small. He said that they did expect things to turn around.

Councilor Vizzini spoke to thinking of what new ways that the cities could devise to make the projected rate increases manageable for the ratepayers. **Mr. Komarek** concurred. He commented that one way to manage those rate increases was to share the cost of the infrastructure and the long-term operating and maintenance costs, just as the partnership was doing. He mentioned water conservation as another tool that could delay the expansion of the next increment beyond the 32mgd expansion. He spoke of the possibility of other communities in the region wanting to join the partnership or form other regional partnerships that would expand the rate base for water.

Mr. Koellermeier mentioned that tomorrow night the Tigard Council would discuss going from a bimonthly to a monthly billing system, as well as automated meter reading and other emerging technologies that allowed the consumer to better manage his/her water purchase.

Councilor-elect Woodward asked if Lake Oswego used variable frequency drives at the water treatment plant pump station. **Mr. Komarek** indicated that they had one variable frequency drive pump at the river intake pump station; all the pumps at the water treatment plant were constant speed pumps. He concurred with **the Councilor-elect** that there were great efficiencies gained with variable frequency drives. He pointed out that, unless they upgraded all their pumps to variable speed, trying to match the variable speed with the constant speed presented many challenges.

Councilor-elect Woodward asked if Lake Oswego intended to leave the existing raw water pipeline in place to serve as a back up or to remove it. **Mr. Komarek** confirmed that the project planned to remove the existing intake and replace it with a new and larger intake. While the project also proposed replacing the existing raw water pipeline with a new one, staff has not yet decided on the disposition of the existing pipeline, although they would leave it in place. He indicated that the raw water line from the intake to the water treatment plant was 14,000 feet long, with the river crossing at 2500 feet.

Mr. Komarek indicated to **Councilor-elect Woodward** that using the existing raw water line as a redundant system was a possibility. He agreed that, even if they capped it, they would want to continue operations and maintenance on the pipeline in order to keep it available for use some day. He indicated that he did not know what the cost would be, although the operations and maintenance budget for the water treatment plant was around \$2.5 million.

Mr. Komarek indicated to **Councilor-elect Gudman** that the cost of service analysis that Lake Oswego used for the current financial plan included an expectation of a 5% to 10% reduction in revenues due to people conserving water more because of the increased rates. He confirmed that it did not include decreased water usage. He clarified that staff based the 38mgd sizing on the best reasonable estimates of population and demand forecasting, assuming only the water conservation program in place today.

Councilor Vizzini observed that allowing the staging of the increased capacity in modular increases from 32 to 38mgd provided an incentive for future Councils to try to defer those incremental increases as much as possible through water conservation. **Mr. Komarek** concurred. **Councilor Vizzini** mentioned Portland's experience in seeing a small reduction every year in

household demand on the wastewater side due to the price increases. He conjectured that that could help provide the safety margin they needed in the system beyond water conservation.

Mr. Komarek indicated to **Councilor Henderson** that the only major part of the existing system that the new system would utilize was a portion of the finished water pipeline between the north side of Lakewood Bay to the City's River reservoir. He said that everything else was in bad enough shape to need replacing with an upgrade to a larger system.

Mr. Komarek indicated to **Councilor Olson** that the scope of work for the independent review so far called for engaging an expert in value engineering and value planning. He mentioned that Brown & Caldwell, the program manager, was already in discussions with the proposed firm. He described the work as conducting a comprehensive review of the project definition information and helping the partners find ways to reduce costs through more refined design or performance goals. He recalled doing something similar with the LOIS project with Barnard Construction.

Councilor-elect Gudman asked if the Bull Mountain and Stafford areas and the independent water agencies had any other alternative available to them besides Lake Oswego. **Mr. Komarek** reviewed the relationship between Lake Oswego and the River Grove Water District, the Lake Grove Water District, the Glenmorrie Water Cooperative and the Skylands Water Company. He noted that River Grove had wells and has never purchased water from Lake Oswego, while Lake Grove purchased half of its annual volume from Lake Oswego. He indicated that both Glenmorrie and Skylands peaked off Lake Oswego's system in the summer.

Mr. Komarek indicated that if Lake Oswego refused to sell water, Lake Grove could switch over to Portland completely, but he was not sure where Glenmorrie or Skylands would go for an additional source of water because there was no other water provider within an affordable distance. He speculated that economics and the best interests of the community would determine the course of action chosen.

Mr. Koellermeier pointed out that Tigard already worked as a cooperative with its Water Consortium of five different governments. He indicated that Tigard represented about 70% of the Consortium's consumption. The other governments wanting to do something else would impact about 30% of Tigard's volume needs on a regular basis. He commented that, financially, Tigard had no other alternatives.

Mayor Dirksen said that the estimated cost to extend Tigard's system into the West Bull Mountain area was \$8 million and the estimate for it to hook up with the Tualatin Valley Water District was around \$25 million.

Councilor Jordan commented that an important aspect of the partnership that they have not discussed was the possibility of Lake Oswego, in case of a low water event on the Clackamas River, purchasing water from another source and routing it through its partner Tigard. **Mr. Komarek** discussed the opportunities for leveraging regional interconnections with other systems and sources of supply. He mentioned the potential of connections to other systems, particularly near the Bonita Road pump station, such as the Bull Run system.

Mr. Komarek mentioned that Lake Oswego did have an existing connection to the Bull Run system, but it has not been used in decades; still, the City could reactivate it. He commented that Portland might be interested in having a connection to the Clackamas system, particularly in the winter. He noted that both Lake Oswego and Tigard have been members of the Regional Water Providers Consortium since its inception in the mid-1990s. He referenced the long-term supply viewpoint of interconnecting all these sources and having the ability to move water around between sources to optimize environmental benefits, costs, reliability, and certainty of supply. He described this partnership as the best example of the way in which communities were moving with regards to supplying water.

Mr. Koellermeier explained that, out of necessity, Tigard became a pioneer in Aquifer Storage Recovery (ASR). This system pumped water into the ground during the abundant winter water season and took it out of the ground during the drier summer season. He indicated that Tigard

could store 4.5 million gallons per day (gpd) in the ground for summer peak, and hoped to expand that storage capacity to 6 million gpd. The City had the infrastructure in place to take 8 to 9 million gpd of inexpensive winter water from Portland. He said that they would leave that infrastructure in place as Tigard transitioned from a take and pay contract to an emergency contract with Portland. He mentioned that Tigard also had a 2.5 million gpd connection to the Trask/Tualatin system. He described Tigard as a regional hub of water sources.

Mr. Komarek described to **Councilor-elect Woodward** the methodology that staff used to determine the 46.5% and 53.5% proportional allocations for the two cities. He explained that Lake Oswego's ratio was 24mgd (forecasted peak day needs)/38mgd (maximum available) and Tigard's was 14 mgd/38mgd.

Mr. Komarek indicated that, unless he heard differently tonight, the Technical Committee would bring back to the Councils in December the recommendation it made to the Oversight Committee.

3.3 Upcoming Legislative Issues

Mr. Wyatt discussed the three major issues of interest to the Tigard City Council in the upcoming legislative session. He mentioned the Transportation Planning Rule and its surrounding issues, the state-shared revenues, and the telecommunications pre-emption. He indicated that the Tigard Mayor and City Manager made monthly trips to Salem to present updates to the City's legislative group on the City's positions on various issues. He noted that staff sent weekly updates to Salem as well.

He explained that a major issue surrounding the Transportation Planning Rule was the lack of provision in the transportation corridors in the Tigard Triangle for alternate means of transportation, such as buses and bikes. He indicated that the Council felt that the Rule as currently worded encouraged spreading out to the suburbs. With some minor tweaks, the Rule could do a better job of encouraging density within the city.

Mayor Hoffman observed that Lake Oswego had the same issue in the Foothills area. He described the challenge as not being able to densify to an urban standard along a state highway corridor because ODOT's mission and regulation focus was throughput and moving people from one area to another. He noted the tension between access and throughput, in that mayors wanted access to the highways in order to make great cities and to honor the 2040 concept of a great urban environment within a compact UGB.

Mayor Dirksen pointed out that this was a statewide problem. He mentioned Hillsboro running up against the same roadblock with development in the Tanasbourne area, as well as Eugene and Medford having similar problems.

Mr. Wyatt mentioned that Tigard also tracked the West Bull Mountain area potential development in Washington County and kept its representatives informed on its stance regarding that issue. He distributed a handout laying out the four main legislative priorities for the Tigard City Council this session.

Ms. Kirk pointed out that Lake Oswego was just entering the realm of intergovernmental relations and determining its level of commitment and involvement in this area. She pointed out that the City's investment in its infrastructure involved significant financing and regulations with many attendant questions. She mentioned how helpful Mr. Wyatt has been as a resource on how things worked in Oregon, and thanked the Tigard Council for that resource.

She mentioned that issues that have come up from the Council had to do with defining local priorities and how the State taxing structure might impact the community's support of the school district. She spoke of the City weighing in in support of the things that the community valued and things that it would like to see changed in Salem. She indicated that the first question posed by the Council was how to approach intergovernmental relations as a city in light of the community values, the impacts to property values, and the community's ability to define its future.

4. ADJOURNMENT

Mayor Hoffman adjourned the meeting at 8:59 p.m.

Respectfully submitted,

Robyn Christie /s/

Robyn Christie
City Recorder

APPROVED BY THE CITY COUNCIL:
ON February 15, 2011

Jack D. Hoffman /s/
Jack D. Hoffman, Mayor

AIS-310

Item #: 3. C.

Business Meeting

Date: 02/22/2011

Length (in minutes): Consent Item

Agenda Title: Approve an Intergovernmental Agreement with ODOT for Administration of Right-of-Way Services for the Main Street/Green Street Retrofit Project

Submitted By: Kim McMillan
Public Works

Item Type:

Meeting Type:

Consent Agenda

ISSUE

Shall the Council approve the intergovernmental agreement (IGA) with the Oregon Department of Transportation (ODOT) to administer funds for right-of-way services for the Main Street/Green Street Retrofit project and authorize the Mayor to execute the agreement?

STAFF RECOMMENDATION / ACTION REQUEST

Staff recommends the Council approves the IGA and authorizes the Mayor to execute the agreement.

KEY FACTS AND INFORMATION SUMMARY

- The Council was briefed on this IGA during a study session on February 8.
- The Main Street/Green Street Retrofit project, funded by a Metropolitan Transportation Improvement Program grant, will rebuild portions of Main Street to incorporate "green street" elements like stormwater planters, LED street lights, and additional pedestrian amenities.
- The City received a \$2.5 million federally funded grant from Metro to complete the project.
- Although Metro awarded the grant, federally funded transportation grants are administered by ODOT. The Council has already approved an IGA giving ODOT the authority to administer grant funds for project design and construction.
- Preliminary work on the project indicates minor right-of-way adjustments will be needed.
- ODOT requires a separate IGA to administer grant funds for right-of-way acquisition and to ensure federal right-of-way requirements are met.
- The IGA caps ODOT's fees to administer right-of-way services at \$10,000. This amount can only be increased by mutual agreement of the City and ODOT. Right-of-way administration fees will be billed to the project.
- The IGA was reviewed by the City Attorney's office.

OTHER ALTERNATIVES

The Council could decide not to approve the IGA. However, failure to approve the IGA will prevent the City from using federal grant dollars for right-of-way acquisition and may also jeopardize the City's federal funding for other aspects of the project.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

2010 Council Goal No. 2, "Implement Downtown Urban Renewal"

Adopted Plans:

Tigard Downtown Streetscape Design Plan, (2006)

City Center Urban Renewal Plan, (2005)

DATES OF PREVIOUS COUNCIL CONSIDERATION

The Council was briefed on this IGA during its February 8, 2011 study session.

Fiscal Impact

Cost: \$10,000
Budgeted (yes or no): Yes
Where Budgeted (department/program): Downtown CIP

Additional Fiscal Notes:

This project is funded by a combination of a \$2.5 million grant from Metro and City resources. In the Adopted 2010-2015 Capital Improvement Plan (CIP), the City is providing \$450,000 from the Gas Tax Fund as well as an additional \$200,000 from the Water Fund during fiscal year 2010-2011. The Gas Tax resources will be used for the City's portion of design and engineering, construction, construction management, and project management. The Water Fund resources will be used for water line work that will be done during the construction phase of this project.

Charges resulting from this IGA are capped at \$10,000 and will come out of the \$53,333 for the design and engineering portion of the project.

Most of the grant funds are expected to be used during fiscal year 2011-2012.

Attachments

IGA

**INTERGOVERNMENTAL AGREEMENT
FOR RIGHT OF WAY SERVICES
SW Main Street: 99W to Rail Corridor**

THIS AGREEMENT is made and entered into by and between the STATE OF OREGON, acting by and through its Department of Transportation, hereinafter referred to as "State"; and the CITY OF TIGARD, acting by and through its elected officials, hereinafter referred to as "Agency," both herein referred to individually or collectively as "Party" or "Parties."

RECITALS

1. By the authority granted in Oregon Revised Statute (ORS) 190.110, 283.110, 366.572 and 366.576, state agencies may enter into agreements with units of local government or other state agencies for the performance of any or all functions and activities that a Party to the agreement, its officers, or agents have the authority to perform.
2. By the authority granted in ORS 366.425, State may accept deposits of money or an irrevocable letter of credit from any county, city, road district, person, firm, or corporation for the performance of work on any public highway within the State. When said money or a letter of credit is deposited, State shall proceed with the Project. Money so deposited shall be disbursed for the purpose for which it was deposited.
3. That certain SW Main Street is a city street under the jurisdiction and control of Agency and Agency may enter into an agreement for the acquisition of real property.
4. n/a, is a part of the state highway system under the jurisdiction and control of the Oregon Transportation Commission (OTC).
5. This Agreement shall define roles and responsibilities of the Parties regarding the real property to be used as part of right of way for road, street or construction of public improvement. The scope and funding may be further described in Local Agency Agreement number 25365. Hereinafter, all acts necessary to accomplish services in this Agreement shall be referred to as "Project."

NOW THEREFORE, the premises being in general as stated in the foregoing recitals, it is agreed by and between the Parties hereto as follows:

TERMS OF AGREEMENT

1. Under such authority, State and Agency agree to perform certain right of way activities shown in Special Provisions - Exhibit A, attached hereto and by this reference made a part hereof. If the State performs right of way services on behalf of the Agency, under no conditions shall Agency's obligations for said services exceed a maximum of \$10,000, including all expenses, unless agreed upon by both Parties.
2. The work shall begin on the date all required signatures are obtained and shall be completed no later than (ten) 10 calendar years, on which date this Agreement automatically terminates unless extended by a fully executed amendment.
3. The process to be followed by the Parties in carrying out this Agreement is set out in Exhibit A.
4. It is further agreed both Parties will strictly follow the rules, policies and procedures of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, ORS Chapter 35 and the "State Right of Way Manual".

STATE OBLIGATIONS

1. State shall perform the work described in Special Provisions - Exhibit A.
2. With the exception of work related to appraisals, State shall not enter into any subcontracts for any of the work scheduled under this Agreement without obtaining prior written approval from Agency.
3. If the State performs right of way services on behalf of the Agency, State shall perform the service under this Agreement as an independent contractor and shall be exclusively responsible for all costs and expenses related to its employment of individuals to perform the work under this Agreement including, but not limited to, retirement contributions, workers compensation, unemployment taxes, and state and federal income tax withholdings.
4. State's right of way contact person for this Project is Matt Gossett, Right-of-Way Agent, 123 NW Flanders St, Portland, OR 97209-4012 , 503-731-8425, matthew.c.gossett@odot.state.or.us, or assigned designee upon individual's absence.

AGENCY OBLIGATIONS

1. Agency shall perform the work described in Special Provisions - Exhibit A.
2. Agency certifies, at the time this Agreement is executed, that sufficient funds are available and authorized for expenditure to finance costs of this Agreement within

Agency's current appropriation or limitation of current budget. Agency is willing and able to finance all, or its pro-rata share of all, costs and expenses incurred in the Project up to its maximum.

3. Agency may utilize its own staff or subcontract any of the work scheduled under this Agreement provided Agency receives prior written approval of any staff, consultant or contractor by the State's Region Right of Way office.
4. Agency represents that this Agreement is signed by personnel authorized to do so on behalf of Agency.
5. Agency's right of way contact person for this Project is Kim McMillan, Project Manager, City of Tigard, 13125 SW Hall Blvd., Tigard, OR 97223, 503-639-4171, kim@tigard-or.gov, or assigned designee upon individual's absence.

PAYMENT FOR SERVICES AND EXPENDITURES:

1. In consideration for the services performed by State (as identified in the attached Exhibit A), Agency agrees to pay or reimburse State a maximum amount of \$10,000. Said maximum amount shall include reimbursement for all expenses, including travel expenses. Travel expenses shall be reimbursed to State in accordance with the current Oregon Department of Administrative Services' rates. Any expenditure beyond federal participation will be from, or reimbursed from, Agency funds. Payment in Agency and/or federal funds in any combination shall not exceed said maximum, unless agreed upon by both Parties.
2. Agency agrees to reimburse salaries and payroll reserves of State employees working on Project, direct costs, costs of rental equipment used, and per-diem expenditures.

GENERAL PROVISIONS:

1. This Agreement may be terminated by either Party upon thirty (30) days' notice, in writing and delivered by certified mail or in person, under any of the following conditions:
 - a. If either Party fails to provide services called for by this Agreement within the time specified herein or any extension thereof.
 - b. If either Party fails to perform any of the other provisions of this Agreement or so fails to pursue the work as to endanger performance of this Agreement in accordance with its terms, and after receipt of written notice fails to correct such failures within ten (10) days or such longer period as may be authorized.
 - c. If Agency fails to provide payment of its share of the cost of the Project.

- d. If State fails to receive funding, appropriations, limitations or other expenditure authority sufficient to allow State, in the exercise of its reasonable administrative discretion, to continue to make payments for performance of this Agreement.
 - e. If federal or state laws, regulations or guidelines are modified or interpreted in such a way that either the work under this Agreement is prohibited or State is prohibited from paying for such work from the planned funding source.
2. Any termination of this Agreement shall not prejudice any rights or obligations accrued to the Parties prior to termination.
3. Agency acknowledges and agrees that State, the Oregon Secretary of State's Office, the federal government, and their duly authorized representatives shall have access to the books, documents, papers, and records of Agency which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcripts for a period of six (6) years after final payment. Copies of applicable records shall be made available upon request. Payment for costs of copies is reimbursable by State.
4. Agency shall comply with all federal, state, and local laws, regulations, executive orders and ordinances applicable to the work under this Agreement, including, without limitation, the provisions of ORS 279B.220, 279B.225, 279B.230, 279B.235 and 279B.270 incorporated herein by reference and made a part hereof. Without limiting the generality of the foregoing, Agency expressly agrees to comply with (i) Title VI of Civil Rights Act of 1964; (ii) Title V and Section 504 of the Rehabilitation Act of 1973; (iii) the Americans with Disabilities Act of 1990 and ORS 659A.142; (iv) all regulations and administrative rules established pursuant to the foregoing laws; and (v) all other applicable requirements of federal and state civil rights and rehabilitation statutes, rules and regulations.
5. All employers, that employ subject workers who work under this Agreement in the State of Oregon shall comply with ORS 656.017 and provide the required workers' compensation coverage unless such employers are exempt under ORS 656.126. Both Parties shall ensure that each of its subcontractors complies with these requirements.
6. Both Parties shall, to the extent permitted by the Oregon Constitution and the Oregon Tort Claims Act, indemnify, defend, save, and hold harmless each other, their officers and employees from any and all claims, suits, or actions may occur in their respective performance of this Project. Agency's total liability shall not exceed the tort claims limits provided in Oregon Tort Claims Act, ORS 30.260 to 30.300, for 'local public bodies'.

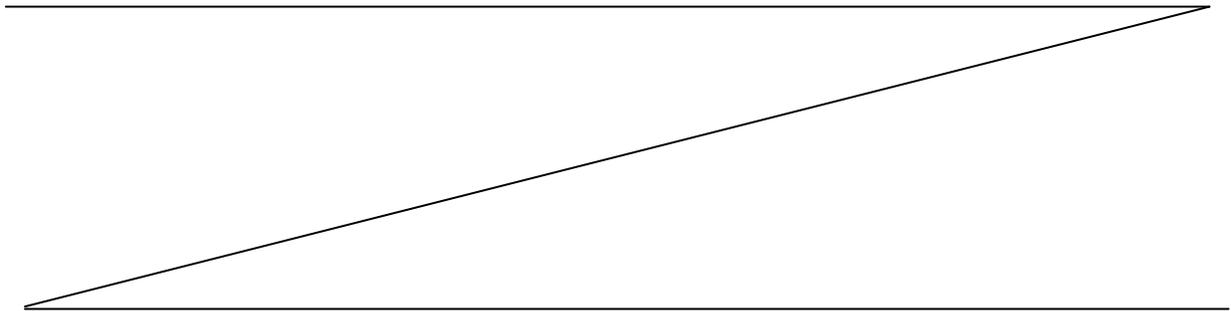
7. Notwithstanding the foregoing defense obligations under the paragraph above, neither Party nor any attorney engaged by either Party shall defend any claim in the name of the other Party or any agency/department/division of such other Party, nor purport to act as legal representative of the other Party or any of its agencies/departments/divisions, without the prior written consent of the legal counsel of such other Party. Each Party may, at anytime at its election assume its own defense and settlement in the event that it determines that the other Party is prohibited from defending it, or that other Party is not adequately defending its interests, or that an important governmental principle is at issue or that it is in the best interests of the Party to do so. Each Party reserves all rights to pursue any claims it may have against the other if it elects to assume its own defense.
8. If federal funds are involved in this Agreement, Exhibits B and C are attached hereto and by this reference made a part of this Agreement, and are hereby certified to by Agency.
9. If federal funds are involved in this Agreement, Agency, as a recipient of federal funds, pursuant to this Agreement with the State, shall assume sole liability for Agency's breach of any federal statutes, rules, program requirements and grant provisions applicable to the federal funds, and shall, upon Agency's breach of any such conditions that requires the State to return funds to the Federal Highway Administration, hold harmless and indemnify the State for an amount equal to the funds received under this Agreement; or if legal limitations apply to the indemnification ability of Agency, the indemnification amount shall be the maximum amount of funds available for expenditure, including any available contingency funds or other available non-appropriated funds, up to the amount received under this Agreement.
10. The Parties hereto agree that if any term or provision of this Agreement is declared by a court of competent jurisdiction to be invalid, unenforceable, illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the Parties shall be construed and enforced as if the Agreement did not contain the particular term or provision held to be invalid.
11. This Agreement may be executed in several counterparts (facsimile or otherwise) all of which when taken together shall constitute one agreement binding on all Parties, notwithstanding that all Parties are not signatories to the same counterpart. Each copy of this Agreement so executed shall constitute an original.
12. This Agreement and attached exhibits constitute the entire agreement between the Parties on the subject matter hereof. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement. No waiver, consent, modification or change of terms of this Agreement shall bind either

Party unless in writing and signed by both Parties and all necessary approvals have been obtained. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. The failure of State to enforce any provision of this Agreement shall not constitute a waiver by State of that or any other provision.

THE PARTIES, by execution of this Agreement, hereby acknowledges that its signing representatives have read this Agreement, understand it, and agree to be bound by its terms and conditions.

The Oregon Transportation Commission on May 20, 2009, approved Delegation Order No. 3, which authorizes the Director and Deputy Director, Highways to approve and execute all agreements pertaining to real property transactions.

On July 7, 2005, the Director and Deputy Director, Highways approved Subdelegation Order No. 4, in which the Director and Deputy Director, Highways delegates authority to the Technical Services Manager/Chief Engineer to approve and execute all agreements pertaining to real property transactions.



Signature Page to Follow

Pursuant to a Letter of Authority dated August 3, 2005, the Technical Services Manager/Chief Engineer authorized the State Right of Way Manager to approve and sign all Department real property deeds, contracts, agreements, and other documents pertaining to real property transactions and to approve and execute agreements with other governmental jurisdictions to employ Right of Way Section staff.

CITY OF TIGARD, by and through
its elected officials

By _____
Mayor

Date _____

By _____
Recorder

Date _____

APPROVED AS TO LEGAL SUFFICIENCY

By _____
City Attorney

Date _____

Agency Contact:

Kim McMillan
13125 SW Hall Blvd
Tigard, OR 97223
503-718-2643
kim@tigard-or.gov

State Contact:

Michele Thom
123 NW Flanders
Portland, OR 97209
503-731-8279
Michele.R.Thom@odot.state.or.us

STATE OF OREGON, by and through
its Department of Transportation

By _____
State Right of Way Manager

Date _____

APPROVAL RECOMMENDED

By _____
Region 1 Right of Way Manager

Date _____

By _____

Date _____

APPROVED AS TO LEGAL SUFFICIENCY

By n/a
Assistant Attorney General

Date _____

APPROVED

(If Litigation Work Related to Condemnation is
to be done by State)

By n/a
Chief Trial Counsel

Date _____

SPECIAL PROVISIONS EXHIBIT A
Right of Way Services

THINGS TO BE DONE BY STATE OR AGENCY

1. Pursuant to this Agreement, the work performed on behalf of the Agency can be performed by the Agency, the Agency's consultant, or a State Flex Services consultant. The work may be performed by Agency staff or any of these representatives on behalf of Agency individually or collectively provided they are qualified to perform such functions and after receipt of approval from the State's Region 1 Right of Way Manager. Said approval must be obtained, in writing, prior to the performance of said activities.
2. With the exception of work related to appraisals, State shall not enter into any subcontracts for any of the work scheduled under this Agreement without obtaining prior written approval from Agency.
3. Both Parties will strictly follow the rules, policies and procedures of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, ORS Chapter 35 and the "State Right of Way Manual".

Instructions: Insert either: State, Agency, or N/A on each line.

A. Preliminary Phase

1. Agency shall provide preliminary cost estimates.
2. Agency shall make preliminary contacts with property owners.
3. Agency shall gather and provide data for environmental documents.
4. Agency shall develop access and approach road list.
5. Agency shall help provide field location and Project data.

B. Acquisition Phase

1. General:
 - a. When doing the Acquisition work, Agency shall provide State with a status report of the Project quarterly.
 - b. Title to properties acquired shall be in the name of the Agency.

- c. Prior to the initiation of acquisitions, if title to the properties is to be acquired in the name of the Agency, the Agency shall adopt a resolution of intention and determination of necessity in accord with ORS 35.235 and ORS 35.610, authorizing acquisition and condemnation. If the Oregon Department of Justice is to handle condemnation work, prior approval evidenced by Chief Trial Counsel, Department of Justice, signature on this Agreement is required; and authorization for such representation shall be included in the resolution adopted by the Agency. Prior approval by Oregon Department of Justice is required.

2. Legal Descriptions:

- a. Agency shall provide sufficient horizontal control, recovery and retracement surveys, vesting deeds, maps and other data so that legal descriptions can be written.
- b. Agency shall provide construction plans and cross-section information for the Project.
- c. Agency shall write legal descriptions and prepare right of way maps. If the Agency acquires any right of way on a State highway, the property descriptions and right of way maps shall be based upon centerline stationing and shall be prepared in accordance with the current "State Right of Way & Rail/Utility Coordination Manual", "Contractor Services Guide" and the "Right of Way Engineering Manual". The preliminary and final versions of the property descriptions and right of way maps must be reviewed and approved by the State.
- d. Agency shall specify the degree of title to be acquired (e.g., fee, easement).

3. Real Property and Title Insurance:

- a. Agency shall provide preliminary title reports, if State determines they are needed, before negotiations for acquisition commence.
- b. Agency shall determine sufficiency of title (taking subject to). If the Agency acquires any right of way on a State highway, sufficiency of title (taking subject to) shall be determined in accordance with the current "State Right of Way Manual" and the "Contractor Services Guide". Agency shall clear any encumbrances necessary to conform to these requirements, obtain Title Insurance policies as required and provide the State copies of any title policies for the properties acquired.

- c. Agency shall conduct a Level 1 Hazardous Materials Study within project limits to detect presence of hazardous materials on any property purchase, excavation or disturbance of structures, as early in the project design as possible, but at a minimum prior to property acquisition or approved design.
 - d. Agency shall conduct a Level 2 Site Investigation of sufficient scope to confirm the presence of contamination, determine impacts to properties and develop special provisions and cost estimates, if the Level 1 Corridor study indicates the potential presence of contamination that could impact the properties.
 - If contamination is found, a recommendation for remediation will be presented to State.
 - e. Agency shall be responsible for arrangement of any necessary remediation.
 - f. Agency shall conduct asbestos, lead paint and other hazardous materials surveys for all structures that will be demolished, renovated or otherwise disturbed. Asbestos surveys must be conducted by an AHERA (asbestos hazard emergency response act) certified inspector.
4. Appraisal:
- a. Agency shall conduct the valuation process of properties to be acquired.
 - b. Agency shall perform the Appraisal Reviews.
 - c. Agency shall recommend Just Compensation, based upon a review of the valuation by qualified personnel.
5. Negotiations:
- a. Agency shall tender all monetary offers to land-owners in writing at the compensation shown in the appraisal review. Conveyances taken for more or less than the approved Just Compensation will require a statement justifying the settlement. Said statement will include the consideration of any property trades, construction obligations and zoning or permit concessions. If State performs this function, it will provide the Agency with all pertinent letters, negotiation records and obligations incurred during the acquisition process.
 - b. State and Agency shall determine a date for certification of right of way and agree to cosign the State's Right of Way Certification form. State and Agency agree possession of all right of way shall occur prior to advertising of any

construction contract, unless appropriate exceptions have been agreed to by Agency and State.

- c. Agency agrees to file all Recommendations for Condemnation at least seventy (70) days prior to the right of way certification date if negotiations have not been successful on those properties.

6. Relocation:

- a. Agency shall perform any relocation assistance, make replacement housing computations, and do all things necessary to relocate any displaced Parties on the Project.
- b. Agency shall make all relocation and moving payments for the Project.
- c. Agency shall perform the relocation appeal process.

C. Closing Phase

1. Agency shall close all transactions. This includes drawing of deeds, releases and satisfactions necessary to clear title, obtaining signatures on release documents, and making all payments. If Agency is handling the closing, State shall submit all signed Final Report packets, information required by the Uniform Act, and agreements to the Agency.
2. Agency shall record conveyance documents, only upon acceptance by appropriate agency.

D. Property Management

1. Agency shall take possession of all the acquired properties. There shall be no encroachments of buildings or other private improvements allowed upon the State highway right of way.
2. Agency shall dispose of all improvements and excess land.

E. Condemnation

1. N/A may offer mediation if the Parties have reached an impasse.
2. Agency shall perform all administrative functions in preparation of the condemnation process, such as preparing final offer and complaint letters.

3. Agency shall perform all legal and litigation work related to the condemnation process. (If State agrees to handle legal and litigation work, prior approval evidenced by Chief Trial Counsel, Department of Justice, signature on this Agreement is required. Where it is contemplated that property will be obtained for Agency for the Project, such approval will be conditioned on passage of a resolution by Agency substantially in the form attached hereto as Exhibit D, and by this reference made a part hereof, specifically identifying the property being acquired.)
4. Where State shall perform legal or litigation work related to the condemnation process, Agency acknowledges, and agrees and undertakes to assure that no member of Agency's board or council, nor Agency's mayor, when such member or mayor is a practicing attorney, nor Agency's attorney nor any member of the law firm of Agency's attorney, board or council member, or mayor, will represent any Party, except Agency, against the State of Oregon, its employees or contractors, in any matter arising from or related to the Project which is the subject of this Agreement.

F. Transfer of Right of Way to State

If applicable, Agency agrees to transfer to the State all right of way acquired on the State highway which was acquired in the Agency's name. The specific method of conveyance will be determined by the Agency and the State at the time of transfer and shall be coordinated by the State's Region Right of Way Manager. Agency agrees to provide the State all information and file documentation the State deems necessary to integrate the right of way into the State's highway system. At a minimum, this includes: copies of all recorded conveyance documents used to vest title in the name of the Agency during the right of way acquisition process, and the Agency's Final Report or Summary Report for each acquisition file that reflects the terms of the acquisition and all agreements with the property owner(s).

APPLICABLE ONLY IF FEDERAL FUNDS INVOLVED

For purposes of Exhibits B and C, references to Department shall mean State, references to Contractor shall mean Agency, and references to Contract shall mean Agreement.

EXHIBIT B (Local Agency or State Agency)

CONTRACTOR CERTIFICATION

Contractor certifies by signing this Contract that Contractor has not:

- (a) Employed or retained for a commission, percentage, brokerage, contingency fee or other consideration, any firm or person (other than a bona fide employee working solely for me or the above Contractor) to solicit or secure this Contract,
- (b) agreed, as an express or implied condition for obtaining this Contract, to employ or retain the services of any firm or person in connection with carrying out the Contract, or
- (c) paid or agreed to pay, to any firm, organization or person (other than a bona fide employee working solely for me or the above Contractor), any fee, contribution, donation or consideration of any kind for or in connection with, procuring or carrying out the Contract, except as here expressly stated (if any):

Contractor further acknowledges that this certificate is to be furnished to the Federal Highway Administration, and is subject to applicable State and Federal laws, both criminal and civil.

DEPARTMENT OFFICIAL CERTIFICATION

Department official likewise certifies by signing this Contract that Contractor or his/her representative has not been required directly or indirectly as an expression of implied condition in connection with obtaining or carrying out this Contract to:

- (a) Employ, retain or agree to employ or retain, any firm or person or
- (b) pay or agree to pay, to any firm, person or organization, any fee, contribution, donation or consideration of any kind except as here expressly stated (if any):

Department official further acknowledges this certificate is to be furnished to the Federal Highway Administration, and is subject to applicable State and Federal laws, both criminal and civil.

Exhibit C
Federal Provisions
Oregon Department of Transportation

CERTIFICATION OF NONINVOLVEMENT IN ANY DEBARMENT AND SUSPENSION

Contractor certifies by signing this Contract that to the best of its knowledge and belief, it and its principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency;
 2. Have not within a three-year period preceding this Contract been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (federal, state or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery falsification or destruction of records, making false statements or receiving stolen property;
 3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 4. Have not within a three-year period preceding this Contract had one or more public transactions (federal, state or local) terminated for cause or default.
2. The inability to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The Contractor shall explain why he or she cannot provide the certification set out below. This explanation will be considered in connection with the Department determination to enter into this transaction. Failure to furnish an explanation shall disqualify such person from participation in this transaction.
 3. The certification in this clause is a material representation of fact upon which reliance was placed when the Department determined to enter into this transaction. If it is later determined that the Contractor knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government or the Department may terminate this transaction for cause of default.
 4. The Contractor shall provide immediate written notice to the Department if at any time the Contractor learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
 5. The terms "covered transaction", "debarred", "suspended", "ineligible", "lower tier covered transaction", "participant", "person", "primary covered transaction", "principal", and "voluntarily excluded", as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the Department's Program Section (Tel. (503) 986-3400) to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

Where the Contractor is unable to certify to any of the statements in this certification, such prospective participant shall submit a written explanation to Department.

List exceptions. For each exception noted, indicate to whom the exception applies, initiating agency, and dates of action. If additional space is required, attach another page with the following heading: Certification Exceptions continued, Contract Insert.

EXCEPTIONS:

Exceptions will not necessarily result in denial of award, but will be considered in determining Contractor responsibility. Providing false information may result in criminal prosecution or administrative sanctions.

The Contractor is advised that by signing this Contract, the Contractor is deemed to have signed this certification.

II. INSTRUCTIONS FOR CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS--PRIMARY COVERED TRANSACTIONS

1. By signing this Contract, the Contractor is providing the certification set out below.
6. The Contractor agrees by entering into this Contract that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transactions with a person who is debarred, suspended, declared ineligible or voluntarily excluded from participation in this covered transaction, unless authorized by the Department or agency entering into this transaction.
7. The Contractor further agrees by entering into this Contract that it will include the Addendum to Form FHWA-1273 titled, "Appendix B--Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered

Transactions", provided by the Department entering into this covered transaction without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List published by the U. S. General Services Administration.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government or the Department, the Department may terminate this transaction for cause or default.

III. ADDENDUM TO FORM FHWA-1273, REQUIRED CONTRACT PROVISIONS

This certification applies to subcontractors, material suppliers, vendors, and other lower tier participants.

- Appendix B of 49 CFR Part 29 -

Appendix B--Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion--Lower Tier Covered Transactions

Instructions for Certification

1. By signing and submitting this Contract, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this Contract is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction", "debarred", "suspended", "ineligible", "lower tier covered transaction", "participant", "person", "primary covered transaction", "principal", "proposal", and "voluntarily excluded", as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this Contract is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this Contract that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this Contract that it will include this clause titled, "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transaction", without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible or voluntarily excluded from the covered

transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the nonprocurement list.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

**Certification Regarding Debarment,
Suspension, Ineligibility, and Voluntary
Exclusion--Lower Tier Covered
Transactions**

- a. The prospective lower tier participant certifies, by entering into this Contract, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal department or agency.
- b. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall submit a written explanation to Department.

IV. EMPLOYMENT

1. Contractor warrants that he has not employed or retained any company or person, other than a bona fide employee working solely for Contractor, to solicit or secure this Contract and that he has not paid or agreed to pay any company or person, other than a bona fide employee working solely for Contractors, any fee, commission,

percentage, brokerage fee, gifts or any other consideration contingent upon or resulting from the award or making of this Contract. For breach or violation of this warranting, Department shall have the right to annul this Contract without liability or in its discretion to deduct from the Contract price or consideration or otherwise recover, the full amount of such fee, commission, percentage, brokerage fee, gift or contingent fee.

2. Contractor shall not engage, on a full or part-time basis or other basis, during the period of the Contract, any professional or technical personnel who are or have been at any time during the period of this Contract, in the employ of Department, except regularly retired employees, without written consent of the public employer of such person.
3. Contractor agrees to perform consulting services with that standard of care, skill and diligence normally provided by a professional in the performance of such consulting services on work similar to that hereunder. Department shall be entitled to rely on the accuracy, competence, and completeness of Contractor's services.

V. NONDISCRIMINATION

During the performance of this Contract, Contractor, for himself, his assignees and successors in interest, hereinafter referred to as Contractor, agrees as follows:

1. Compliance with Regulations. Contractor agrees to comply with Title VI of the Civil Rights Act of 1964, and Section 162(a) of the Federal-Aid Highway Act of 1973 and the Civil Rights Restoration Act of 1987. Contractor shall comply with the regulations of the Department of Transportation relative to nondiscrimination in Federally assisted programs of the Department of Transportation, Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the Regulations), which are incorporated by reference and made a part of this Contract. Contractor, with regard to the work performed after award and prior to completion of the Contract work, shall not discriminate on grounds of race, creed, color, sex or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. Contractor shall not participate

either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices, when the Contract covers a program set forth in Appendix B of the Regulations.

2. Solicitation for Subcontractors, including Procurement of Materials and Equipment. In all solicitations, either by competitive bidding or negotiations made by Contractor for work to be performed under a subcontract, including procurement of materials and equipment, each potential subcontractor or supplier shall be notified by Contractor of Contractor's obligations under this Contract and regulations relative to nondiscrimination on the grounds of race, creed, color, sex or national origin.
3. Nondiscrimination in Employment (Title VII of the 1964 Civil Rights Act). During the performance of this Contract, Contractor agrees as follows:
 - a. Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex or national origin. Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, sex or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notice setting forth the provisions of this nondiscrimination clause.
 - b. Contractor will, in all solicitations or advertisements for employees placed by or on behalf of Contractor, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, sex or national origin.
4. Information and Reports. Contractor will provide all information and reports required by the Regulations or orders and instructions issued pursuant thereto, and will permit

access to his books, records, accounts, other sources of information, and his facilities as may be determined by Department or FHWA as appropriate, and shall set forth what efforts he has made to obtain the information.

5. Sanctions for Noncompliance. In the event of Contractor's noncompliance with the nondiscrimination provisions of the Contract, Department shall impose such agreement sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:
 - a. Withholding of payments to Contractor under the agreement until Contractor complies; and/or
 - b. Cancellation, termination or suspension of the agreement in whole or in part.
6. Incorporation of Provisions. Contractor will include the provisions of paragraphs 1 through 6 of this section in every subcontract, including procurement of materials and leases of equipment, unless exempt from Regulations, orders or instructions issued pursuant thereto. Contractor shall take such action with respect to any subcontractor or procurement as Department or FHWA may direct as a means of enforcing such provisions, including sanctions for noncompliance; provided, however, that in the event Contractor becomes involved in or is threatened with litigation with a subcontractor or supplier as a result of such direction, Department may, at its option, enter into such litigation to protect the interests of Department, and, in addition, Contractor may request Department to enter into such litigation to protect the interests of the State of Oregon.

VI. DISADVANTAGED BUSINESS ENTERPRISE (DBE) POLICY

In accordance with Title 49, Code of Federal Regulations, Part 26, Contractor shall agree to abide by and take all necessary and reasonable steps to comply with the following statement:

DBE POLICY STATEMENT

DBE Policy. It is the policy of the United States Department of Transportation (USDOT) to practice nondiscrimination on the basis of race, color, sex and/or national origin in the award

and administration of USDOT assist contracts. Consequently, the DBE requirements of 49 CFR 26 apply to this Contract.

Required Statement For USDOT Financial Assistance Agreement. If as a condition of assistance the Agency has submitted and the US Department of Transportation has approved a Disadvantaged Business Enterprise Affirmative Action Program which the Agency agrees to carry out, this affirmative action program is incorporated into the financial assistance agreement by reference.

DBE Obligations. The Department and its Contractor agree to ensure that Disadvantaged Business Enterprises as defined in 49 CFR 26 have the opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds. In this regard, Contractor shall take all necessary and reasonable steps in accordance with 49 CFR 26 to ensure that Disadvantaged Business Enterprises have the opportunity to compete for and perform contracts. Neither Department nor its contractors shall discriminate on the basis of race, color, national origin or sex in the award and performance of federally-assisted contracts. The Contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of such contracts. Failure by the Contractor to carry out these requirements is a material breach of this Contract, which may result in the termination of this Contract or such other remedy as Department deems appropriate.

The DBE Policy Statement and Obligations shall be included in all subcontracts entered into under this Contract.

Records and Reports. Contractor shall provide monthly documentation to Department that it is subcontracting with or purchasing materials from the DBEs identified to meet Contract goals. Contractor shall notify Department and obtain its written approval before replacing a DBE or making any change in the DBE participation listed. If a DBE is unable to fulfill the original obligation to the Contract, Contractor must demonstrate to Department the Affirmative Action steps taken to replace the DBE with another DBE. Failure to do so will result in withholding payment on those items. The monthly documentation will not be required after the DBE goal commitment is satisfactory to Department.

Any DBE participation attained after the DBE goal has been satisfied should be reported to the Departments.

DBE Definition. Only firms DBE certified by the State of Oregon, Department of Consumer & Business Services, Office of Minority, Women & Emerging Small Business, may be utilized to satisfy this obligation.

CONTRACTOR'S DBE CONTRACT GOAL

DBE GOAL 0 %

By signing this Contract, Contractor assures that good faith efforts have been made to meet the goal for the DBE participation specified in the Contract for this project as required by ORS 200.045, and 49 CFR 26.53 and 49 CFR, Part 26, Appendix A.

VII. LOBBYING

The Contractor certifies, by signing this agreement to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress in connection with this agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into.

Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U. S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The Contractor also agrees by signing this agreement that he or she shall require that the language of this certification be included in all lower tier subagreements, which exceed \$100,000 and that all such subrecipients shall certify and disclose accordingly.

FOR INQUIRY CONCERNING
DEPARTMENT'S DBE PROGRAM
REQUIREMENT CONTACT OFFICE OF
CIVIL RIGHTS AT (503)986-4354.

RESOLUTION EXERCISING THE POWER OF EMINENT DOMAN EXHIBIT D
Right of Way Services

WHEREAS City of Tigard may exercise the power of eminent domain pursuant to (Agency's charter) (statutes conferring authority) and the Law of the State of Oregon generally, when the exercise of such power is deemed necessary by the City of Tigard's governing body to accomplish public purposes for which City of Tigard has responsibility;

WHEREAS City of Tigard has the responsibility of providing safe transportation routes for commerce, convenience and to adequately serve the traveling public;

WHEREAS the project or projects known as Main St.: Rail Corridor to 99W have been planned in accordance with appropriate engineering standards for the construction, maintenance or improvement of said transportation infrastructure such that property damage is minimized, transportation promoted, travel safeguarded; and

WHEREAS to accomplish the project or projects set forth above it is necessary to acquire the interests in the property described in "Exhibit A," attached to this resolution and, by this reference incorporated herein; now, therefore

BE IT HEREBY RESOLVED by (Agency's Council, Commission, or Board)

1. The foregoing statements of authority and need are, in fact, the case. The project or projects for which the property is required and is being acquired are necessary in the public interest, and the same have been planned, designed, located, and will be constructed in a manner which will be most compatible with the greatest public good and the least private injury;
2. The power of eminent domain is hereby exercised with respect to each of the interests in property described in Exhibit A. Each is acquired subject to payment of just compensation and subject to procedural requirements of Oregon law;
3. The City of Tigard's staff and the (Agency's Attorney, Counsel, or District's Counsel) are authorized and requested to attempt to agree with the owner and other persons in interest as to the compensation to be paid for each acquisition, and, in the event that no satisfactory agreement can be reached, to commence and prosecute such condemnation proceedings as may be necessary to finally determine just compensation or any other issue appropriate to be determined by a court in connection with the acquisition. This authorization is not intended to expand the jurisdiction of any court to decide matters determined above or determinable by the (Agency's Council, Commission, or Board).
4. City of Tigard expressly reserves its jurisdiction to determine the necessity or propriety of any acquisition, its quantity, quality, or locality, and to change or abandon any acquisition.

DATED this ____ day of _____, 20__

[Complete in the usual style for resolutions of this entity]

AIS-372

Item #: 3. D.

Business Meeting

Date: 02/22/2011

Length (in minutes): Consent Item

Agenda Title: Financial Impact Report of the City of Tigard's Urban Renewal Plan for Fiscal Year 2009-10

Submitted By: Sean Farrelly
Community Development

Item Type: Receive and File

Meeting Type:

Consent Agenda -
CCDA

ISSUE

Review the Financial Impact Report of the City of Tigard's Urban Renewal Plan for Fiscal Year 2009-10.

STAFF RECOMMENDATION / ACTION REQUEST

That the City Center Development Agency (CCDA) review the report as provided.

KEY FACTS AND INFORMATION SUMMARY

Urban renewal agencies must prepare an annual financial report for the governing body and public in accordance with Oregon Revised Statutes 457.460. The attached Financial Impact report for the Fiscal Year that ended June 30, 2010, meets the requirement under the statute. The report includes a financial summary of the preceding year and the budget for the new fiscal year. It also includes an analysis of the financial impact of carrying out the urban renewal plan on the tax collections for all affected taxing districts. Recent changes to state law pushed back the date to prepare this report, to allow audited financial statements to be used.

As summarized in the report, there were expenditures of \$72,613 charged to the City Center Development Agency for fiscal year 2009-10 primarily related to planning designs for the downtown area. Since the establishment of the district in 2006, a total of \$529,133 in resources have been realized from tax increments generated and loans from the City's general fund. This amount is balanced with the total urban renewal requirements of \$529,133, which includes debt service, capital outlay and ending funding balance. The majority of the ending fund balance is in the Debt Service Fund and is limited to the retirement of debt, per the Oregon Revised Statutes, Chapter 457.

The District uses the funds it receives from the division-of-taxes method of calculating property taxes to finance various urban renewal projects and activities. These property taxes totaled \$255,601 in FY 2009-10 and are expected to increase to \$339,379 in FY 2010-11 per the Washington County assessment summary received after budget adoption. This projected jump in the tax increment distribution was partially due to an assessment on utilities (which is distributed by the State on an intermittent basis).

A summary of the report (see Attachment 2) will be advertised in The Tigard Times for two consecutive weeks before March 1, as per ORS requirements. The report is understandable by the public, professional in appearance, and provides the required information.

OTHER ALTERNATIVES

Not applicable

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

Council Goal 2. Implement Downtown and Town Center Redevelopment Opportunities

City Center Urban Renewal Plan

DATES OF PREVIOUS COUNCIL CONSIDERATION

August 25, 2009, Financial Impact Report for FY 2008-09 received

Fiscal Impact

Cost: N/A

Budgeted (yes or no): N/A

Where Budgeted (department/program): CCDA

Additional Fiscal Notes:

The report before the CCDA Board for its consideration is a summary of the financial impact of Tigard's Urban Renewal Agency.

Attachments

CCDA Financial Impact Report

Impact Report ad



Tigard City Center Development Agency

Financial Impact Report

of the City of Tigard's Urban Renewal Plan

for the fiscal impact year ended
June 30, 2010



Tigard City Center Development Agency
Financial Impact Report of the City's Urban Renewal Plan
For the fiscal impact year ended June 30, 2010

Introduction

URBAN RENEWAL AGENCIES must prepare an annual financial report for the governing body and public in accordance with Oregon Revised Statutes 457.460. The report includes a financial summary of the preceding year and the budget for the new fiscal year. It also includes an analysis of the financial impact of carrying out the urban plan on the tax collections for all taxing districts.

Urban Renewal – An Overview

The purpose of urban renewal is to improve specific areas of a community that are poorly developed, under-utilized, or that have declined over time. These areas can have old, deteriorated buildings; streets and utilities in serious need of upgrades (or the areas can simply lack streets and utilities altogether), weak business activity, and few or aging parks and public facilities. Urban renewal is a process authorized by Oregon law (ORS 457) to finance improvements in these areas using “tax increment financing.” A portion (the increment) of property tax revenues from properties within the urban renewal district are designated to support financing for improvements to the urban renewal area. While urban renewal provides for unique funding of improvements to a district, it is not intended that tax increment financing be the only source of funding. Other sources including ones typically used for capital improvements such as the gas tax, Traffic Impact Fee (TIF), System Development Charges (SDC), inter-agency funding, or state grants are programmed to support downtown projects.

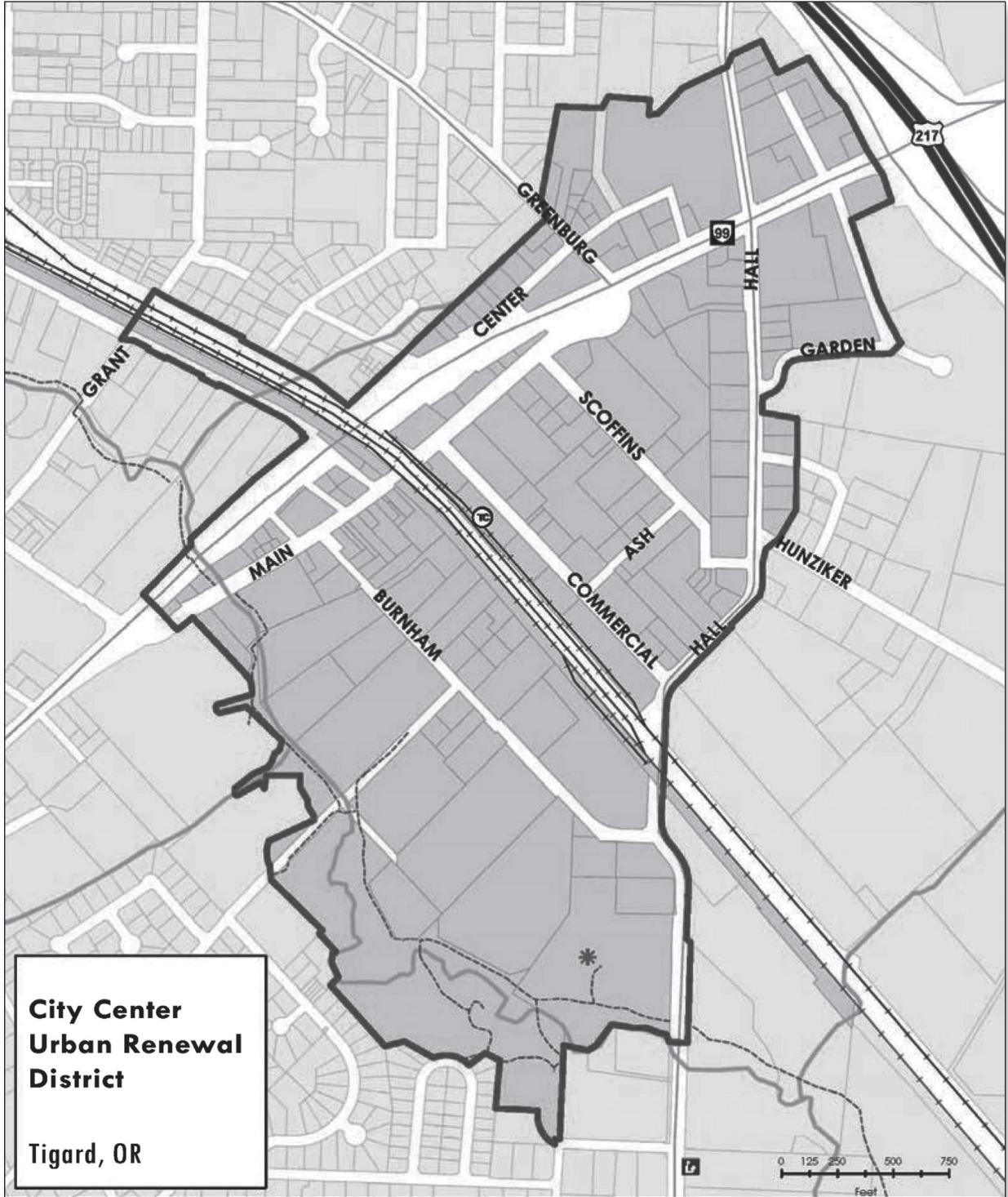
For a city government to utilize urban renewal as a funding mechanism, it must establish an urban renewal agency, and it must adopt an urban renewal plan. The Tigard City Council approved the City Center Urban Renewal Plan for Downtown in December of 2005. In May 2006, a special ballot measure was passed by the voters, authorizing the use of tax increment financing (urban renewal) in downtown.

Urban Renewal Finance – A Summary

Urban renewal is a process authorized by Oregon law to finance improvements in those neighborhoods and districts that need special attention and revitalization. Once a district is established, the tax valuation for the district is “frozen.” As properties appreciate in value, the increase in taxes (the “increment”) generated above the frozen base are used to pay for debt on specific projects within the urban renewal plan.

These tax increments are used to repay municipal bonds. Bond proceeds are used to finance improvements that will revitalize the district. New taxes are not imposed to fund urban renewal. Bonds and tax increment financing will be used to fund projects in the urban renewal plan. Under this system, the increment portion of property taxes generated within the urban renewal area is temporarily shifted to repay the bonds used to finance projects in the City Center.

Tigard City Center Urban Renewal District



Under tax increment financing, when the value of a property within the urban renewal district increases, the proceeds from property taxes on the *increased* value (the “tax increment”) go to the urban renewal district. These proceeds fund further urban renewal projects, either directly or by providing for the repayment of municipal bonds that fund improvements. The tax increment is unique as a source of funding, because it is usable only for projects identified in the urban renewal plan.

How Does Urban Renewal Affect Taxes?

With urban renewal and the use of tax increment financing, there is no net change on Tigard property tax bills. New property taxes are not created as a result of urban renewal. Under today's Oregon law, property tax rates are fixed. Tigard's City Center Urban Renewal Plan also does not authorize any “local option” tax levies or special assessments. Tax revenues are generated from the increase in property values multiplied by *current* tax rates. These revenues pay for urban renewal under Oregon law.

History of Tax Increment Financing

In less than two decades, three Ballot Measures – Measure 5 (1990), and Measure 50 (1997) – have made significant changes to Oregon's system of property taxation. Those changes have influenced urban renewal programs and tax increment revenue calculations. The provisions of these changes to the property tax system, Ballot Measures 5 and 50, now are incorporated into Oregon's Constitution, and into Oregon Urban Renewal Statutes. Those provisions provide the basic framework for revenue calculations in this report.

Tax Increment Calculations

To determine the amount of the taxes levied, the total assessed value within each urban renewal area is segregated by the County Assessor into two parts: (a) the total taxable assessed value in the district at the time the Urban Renewal Plan was adopted (the base or “frozen” value); and (b) the difference between the frozen base value and the current total assessed value (the incremental value or “excess”). Revenues derived from the application of the tax rate for each affected taxing district to the amount of the incremental value may be collected by the urban renewal agency and deposited in its debt service fund. This revenue is used to repay indebtedness incurred in carrying out the projects.

Tigard City Center Urban Renewal Plan – Purpose

The stated purpose of the City Center Urban Renewal Plan is to provide improvements in the downtown area so that it will be economically healthy while maintaining its “uniquely Tigard” character. The establishment of the Urban Renewal district provides a funding mechanism for projects in downtown Tigard. For more information, you may review the City Center Urban

Renewal Plan and the Report Accompanying the City Center Urban Renewal Plan on line at: www.tigard-or.gov/downtown/urban_renewal/about/docs/urban_renewal_plan.pdf or request a copy from the City of Tigard.

How was the Urban Renewal Plan developed?

In late 2005, the same citizen-business-City partnership that worked on the Tigard Downtown Improvement Plan collaborated to find financing for the “catalyst” projects identified in the Downtown Improvement Plan. Urban renewal and tax increment financing was identified as a potential source of financing and an urban renewal plan was prepared. The voter-approved Tigard City Center Urban Renewal Plan provides the special financing for the public improvement projects identified in the Tigard Downtown Improvement Plan.

What are Tigard’s Specific Plans for Urban Renewal?

Under Oregon law, urban renewal can provide special funding for a wide variety of projects and programs. Tigard’s approved City Center Urban Renewal Plan authorizes funding for up to 35 different projects in the City Center over twenty years. Most of the proposed projects in Tigard’s plan are for public improvements and facilities, although some assistance for private businesses and property owners is provided. The intent of the projects such as new streets, parks, plazas, is to stimulate new investment in Downtown and create a vibrant, new Town Center with public spaces that the community can use. As property values rise in the downtown urban renewal district, the increase in tax revenues generated supports the payment of bonds used to improve the area. Over time, it is expected that the value of property and taxes generated will be higher through the use of urban renewal than if left alone.

The Tigard City Council, working closely with dozens of citizens (and after numerous hearings and meetings) included the following categories of projects in the urban renewal plan: Street Improvements, Streetscape Improvements, Bicycle and Pedestrian Facilities, Parks, Public Spaces, Public Facilities, Planning and Development Assistance (for privately owned properties).

Effect of Urban Renewal on Taxing Districts

Carrying out an urban renewal plan has an effect on the County Assessor’s calculation for each taxing district that shares values with Tigard’s urban renewal agency. Some property taxes that may have been received by the taxing bodies that levy property taxes within Tigard’s urban renewal area are being paid to Tigard’s urban renewal agency.

Passage of Ballot Measure 50 (Article XI, Section 11 of the Oregon Constitution) resulted in converting most property taxes from a levy-based system to a rate-based system. Page 8 of this report shows the financial impact by taxing district for Tigard’s urban renewal agency.

Financial Reports

The financial reports on page 7 and 8 below account for the activities of Tigard's urban renewal agency. In accordance with ORS 457.460 (1), these reports were prepared by the Finance Department of the City of Tigard using the same basis of accounting it uses to prepare its financial statements — modified accrual basis of accounting. These reports are due annually by January 31, so the information and figures contained herein are based upon audited financial statements. At the end of each fiscal year, June 30, this financial impact report is prepared which shows the urban renewal tax impact by taxing district. Copies are available by January 31 at the Tigard Permit Center, 13125 SW Hall Blvd., Tigard, 97223.

Statement of Resources and Requirements

As summarized below, City Center Development Agency's 2009–10 total requirements were \$72,613 for expenditures charged to the District as of June 30, 2010. For fiscal year 2010–11, total budgeted resources were balanced with requirements of \$1,125,318.

The District uses the funds it receives from the division-of-taxes method of calculating property taxes to finance various urban renewal projects and activities. These property taxes totaled \$255,601 in FY 2009–10 and are expected to increase to \$339,379 in FY 2010–11 per the Washington County assessment summary received after budget adoption.

	Debt Service Fund		Capital Projects Fund		Total	
	Actual 2009-10	Budget 2010-11	Actual 2009-10	Budget 2010-11	Actual 2009-10	Budget 2010-11
Resources:						
Beginning Fund Balance	157,579	414,993	27,967	42,500	185,546	457,493
Tax Increment Property Taxes	255,601	212,600	-	-	255,601	212,600
Interest Income	895	6,225	-	-	895	6,225
Other Financing Sources	-	-	87,091	449,000	87,091	449,000
Total Resources	414,075	633,818	115,058	491,500	529,133	1,125,318
Requirements:						
Debt Service	-	249,000	-	-	-	249,000
Capital Outlay	-	-	72,613	491,500	72,613	491,500
Ending Fund Balance	414,075	384,818	42,445	-	456,520	384,818
Total Requirements	414,075	633,818	115,058	491,500	529,133	1,125,318

Note: Figures are based upon audited financial statements.



Tigard City Center Development Agency
 Financial Impact Report of the City's Urban Renewal Plan
 For the fiscal impact year ended June 30, 2010

Detail of Purpose

Capital Projects Fund	
Actual	Budget
2009-10	2010-11

Detail of Purpose:

Capital Outlay:

Burnham Street Reconstruction	-	200,000
Land Purchase		65,000
Downtown Pre-Design	72,613	226,500
	<u>72,613</u>	<u>491,500</u>

Note: Figures are based upon audited financial statements.

Financial Impact of Urban Renewal Plan on Tax Collections

Taxing District	FY 2009-10			Base year	Change in	Impact	Taxes levied	Percent of
	Total Assessed Value	Permanent Tax Rate	Incremental Assessed Value	FY 2005-06 Incremental Assessed Value				
Education								
PCC	4,914,142,310	0.2828	89,594,452	69,207,378	20,387,074	5,765.46	1,389,719	1.82%
NW Regional ESD	4,914,142,310	0.1538	89,594,452	69,207,378	20,387,074	3,135.53	755,795	1.82%
Tigard/Tualatin School District	4,141,385,137	4.9892	89,594,452	69,207,378	20,387,074	101,715.19	20,662,199	2.16%
Local Government								
Washington County	4,914,142,310	2.2484	89,594,452	69,207,378	20,387,074	45,838.30	11,048,958	1.82%
Metro	4,914,142,310	0.0966	89,594,452	69,207,378	20,387,074	1,969.39	474,706	1.82%
Port of Portland	4,914,142,310	0.0701	89,594,452	69,207,378	20,387,074	1,429.13	344,481	1.82%
TV Fire & Rescue	4,914,142,310	1.5252	89,594,452	69,207,378	20,387,074	31,094.37	7,495,050	1.82%
City of Tigard	4,914,142,310	2.5131	89,594,452	69,207,378	20,387,074	51,234.76	12,349,731	1.82%
Excluded from M-5 rate limitation								
Washington County bonds	4,914,142,310	0.1456	89,594,452	69,207,378	20,387,074	2,948.50	715,499	1.82%
Metro bonds	4,914,142,310	0.1538	89,594,452	69,207,378	20,387,074	2,948.50	755,795	1.82%
PCC bonds	4,914,142,310	0.1751	89,594,452	69,207,378	20,387,074	3,439.91	860,466	1.82%
Tigard/Tualatin School District	4,141,385,137	0.7821	89,594,452	69,207,378	20,387,074	15,737.32	3,238,977	2.16%
Tri-Met bonds	4,914,142,310	0.0863	89,594,452	69,207,378	20,387,074	1,474.25	424,090	1.82%

Note: The division-of-taxes process results in some property taxes that may have been received by the "taxing districts" that levy property taxes within the urban renewal area (for example, Washington County, NW Regional ESD) being paid over to Tigard's urban renewal agency. The taxing districts forgo a share of the property tax income during the life of an urban renewal plan so that the urban renewal agencies can carry out activities that increase property values in the long term. The above table shows the urban renewal tax impact by taxing district using permanent rates established pursuant to Measure 50.

Attachment: Notice of Report Availability – published twice in the Tigard Times.



Notice of Availability of Financial Impact Report of the *Tigard City Center Development Agency (CCDA)* for the fiscal impact year ended June 30, 2010

This notice is a summary of the information available in the Financial Impact Report of the Tigard City Center Development Agency (CCDA), prepared pursuant to ORS 457.460. Copies of the full report are available at the Tigard Permit Center, 13125 SW Hall Blvd., Tigard, OR 97223. The report is also on the city's website: www.tigard-or.gov.

Part I

As summarized below, City Center Development Agency's 2009–10 total requirements were \$72,613 for expenditures charged to the District as of June 30, 2010. For fiscal year 2010–11, total budgeted resources of were balanced with requirements of \$1,125,318.

The District uses the funds it receives from the division-of-taxes method of calculating property taxes to finance various urban renewal projects and activities. These property taxes totaled \$255,601 in FY 2009–10 and are expected to increase to \$339,379 in FY 2010–11 per the Washington County assessment summary received after budget adoption.

Part II

The financial impact of the City's Urban Renewal Plan on property tax collections by Taxing District is summarized below. The division-of-taxes process results in some property taxes that may have been received by the "taxing districts" that levy property taxes within the urban renewal area (for example, Washington County, NW Regional ESD) being paid over to Tigard's urban renewal agency. The taxing districts forgo a share of the property tax income during the life of an urban renewal plan so that the urban renewal agencies can carry out activities that increase property values in the long term. The above table shows the urban renewal tax impact by taxing district using permanent rates established pursuant to Measure 50.

Financial Impact of Urban Renewal Plan on Tax Collections

Taxing District	FY 2009-10			Base year	Change in Incremental Assessed Value	Impact on Taxes	Taxes levied on total Assessed Value	Percent of Taxes Divided for Urban Renewal
	Total Assessed Value	Permanent Tax Rate	Incremental Assessed Value	FY 2005-06 Incremental Assessed Value				
Education								
PCC	4,914,142,310	0.2828	89,594,452	69,207,378	20,387,074	5,765.46	1,389,719	1.82%
NW Regional ESD	4,914,142,310	0.1538	89,594,452	69,207,378	20,387,074	3,135.53	755,795	1.82%
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Local Government								
Washington County	4,914,142,310	2.2484	89,594,452	69,207,378	20,387,074	45,838.30	11,048,958	1.82%
Metro	4,914,142,310	0.0966	89,594,452	69,207,378	20,387,074	1,969.39	474,706	1.82%
Port of Portland	4,914,142,310	0.0701	89,594,452	69,207,378	20,387,074	1,429.13	344,481	1.82%
TV Fire & Rescue	4,914,142,310	1.5252	89,594,452	69,207,378	20,387,074	31,094.37	7,495,050	1.82%
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Tigard/Tualatin School District	4,141,385,137	0.7821	89,594,452	69,207,378	20,387,074	15,737.32	3,238,977	2.16%
Tri-Met bonds	4,914,142,310	0.0863	89,594,452	69,207,378	20,387,074	1,474.25	424,090	1.82%

Statement of Resources and Requirements

	Debt Service Fund		Capital Projects Fund		Total	
	Actual 2009-10	Budget 2010-11	Actual 2009-10	Budget 2010-11	Actual 2009-10	Budget 2010-11
Resources:						
Beginning Fund Balance	157,579	414,993	27,967	42,500	185,546	457,493
Tax Increment Property Taxes	255,601	212,600	-	-	255,601	212,600
Interest Income	895	6,225	-	-	895	6,225
Other Financing Sources	-	-	87,091	449,000	87,091	449,000
Total Resources	414,075	633,818	115,058	491,500	529,133	1,125,318
Requirements:						
Debt Service	-	249,000	-	-	-	249,000
Capital Outlay	-	-	72,613	491,500	72,613	491,500
Ending Fund Balance	414,075	384,818	42,445	-	456,520	384,818
Total Requirements	414,075	633,818	115,058	491,500	529,133	1,125,318

Note: Figures are based upon audited financial statements.

AIS-363

Item #: . E.

Business Meeting

Date: 02/22/2011

Length (in minutes): Consent Item

Agenda Title: Award a Contract for a Turn-Key Restroom Building at Cook Park to Public Restroom Company

Prepared For: Joseph Barrett

Submitted By:

Joseph Barrett
Financial and
Information
Services

Item Type: Motion Requested

Meeting Type:

Consent Agenda -
LCRB

ISSUE

Shall the Local Contract Review Board award a contract for the purchase and installation of a turn-key restroom building at Cook Park and further authorize the City Manager to take any necessary steps to execute the purchase.

STAFF RECOMMENDATION / ACTION REQUEST

Staff recommends the Local Contract Review Board award a contract for a turn-key restroom building at Cook Park to Public Restroom Company through a permissive cooperative procurement as allowed under ORS 279A.215.

KEY FACTS AND INFORMATION SUMMARY

- A Cook Park shelter and restroom were destroyed by fire in 2009. The shelter has since been rebuilt.
- This item authorizes the replacement of the restroom.
- Staff has determined that the most efficient manner to procure the restroom was through a permissive cooperative procurement, as allowed under ORS 279A.215 and the City's own Public Contracting Rules, with the Public Restroom Company through a contract originally let by Leon County, Florida. The City is eligible to utilize this agreement through language required by ORS 279A.215 that is contained in the source contract between Leon County and the Public Restroom Company. By utilizing permissive cooperative procurement the City receives pricing that is typically reserved for larger volume purchasing agencies as well as saves the cost of issuing a formal solicitation. This is a frequent practice by agencies throughout Oregon and the nation.
- The total cost of the turn-key restroom, including the structure and installation, is \$121,550. The City will be required to perform some preparation work on the site including excavation, installation of the concrete pad, and electrical and plumbing work. Compaction testing and civil engineering services may also be required. The anticipated cost of this preparation work is approximately \$28,000.

OTHER ALTERNATIVES

Council could direct staff to issue a formal Invitation to Bid for the construction of the restroom. Staff advises that this method will likely lead higher costs, both in terms of the restroom construction and staff resources.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

None

DATES OF PREVIOUS COUNCIL CONSIDERATION

None

Fiscal Impact

Cost: \$121,550

Budgeted (yes or no): Yes

Where budgeted?: Parks Capital Fund - 420

Additional Fiscal Notes:

The Capital Improvement Plan contains a \$150,000 in fiscal year 2010-2011 to construct this project. The project is budgeted in the Parks Capital Fund with a portion of the funding, (\$32,000), provided by insurance to replace the destroyed restroom. The balance, (\$118,000), will come from the General Fund. This contract is estimated at \$121,550, well under the budgeted amount. Remaining funds will be used to complete the additional site preparation work.

AIS-363

Item #: . E.

Business Meeting

Date: 02/22/2011

Length (in minutes): Consent Item

Agenda Title: Award a Contract for a Turn-Key Restroom Building at Cook Park to Public Restroom Company

Prepared For: Joseph Barrett

Submitted By:

Joseph Barrett
Financial and
Information
Services

Item Type: Motion Requested

Meeting Type:

Consent Agenda -
LCRB

ISSUE

Shall the Local Contract Review Board award a contract for the purchase and installation of a turn-key restroom building at Cook Park and further authorize the City Manager to take any necessary steps to execute the purchase.

STAFF RECOMMENDATION / ACTION REQUEST

Staff recommends the Local Contract Review Board award a contract for a turn-key restroom building at Cook Park to Public Restroom Company through a permissive cooperative procurement as allowed under ORS 279A.215.

KEY FACTS AND INFORMATION SUMMARY

- A Cook Park shelter and restroom were destroyed by fire in 2009. The shelter has since been rebuilt.
- This item authorizes the replacement of the restroom.
- Staff has determined that the most efficient manner to procure the restroom was through a permissive cooperative procurement, as allowed under ORS 279A.215 and the City's own Public Contracting Rules, with the Public Restroom Company through a contract originally let by Leon County, Florida. The City is eligible to utilize this agreement through language required by ORS 279A.215 that is contained in the source contract between Leon County and the Public Restroom Company. By utilizing permissive cooperative procurement the City receives pricing that is typically reserved for larger volume purchasing agencies as well as saves the cost of issuing a formal solicitation. This is a frequent practice by agencies throughout Oregon and the nation.
- The total cost of the turn-key restroom, including the structure and installation, is \$121,550. The City will be required to perform some preparation work on the site including excavation, installation of the concrete pad, and electrical and plumbing work. Compaction testing and civil engineering services may also be required. The anticipated cost of this preparation work is approximately \$28,000.

OTHER ALTERNATIVES

Council could direct staff to issue a formal Invitation to Bid for the construction of the restroom. Staff advises that this method will likely lead higher costs, both in terms of the restroom construction and staff resources.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

None

DATES OF PREVIOUS COUNCIL CONSIDERATION

None

Fiscal Impact

Cost: \$121,550

Budgeted (yes or no): Yes

Where budgeted?: Parks Capital Fund - 420

Additional Fiscal Notes:

The Capital Improvement Plan contains a \$150,000 in fiscal year 2010-2011 to construct this project. The project is budgeted in the Parks Capital Fund with a portion of the funding, (\$32,000), provided by insurance to replace the destroyed restroom. The balance, (\$118,000), will come from the General Fund. This contract is estimated at \$121,550, well under the budgeted amount. Remaining funds will be used to complete the additional site preparation work.

AIS-343

Item #: 4.

Business Meeting

Date: 02/22/2011

Length (in minutes): 15 Minutes

Agenda Title: Consider Resolution to Renew Annexation Incentives

Prepared For: Gary Pagenstecher

Submitted By:

Carol Krager
Administration

Item Type: Resolution

Meeting Type:

Council Business
Meeting - Main

ISSUE

Should Council renew the City's annexation incentives for another year, until February, 2012.

STAFF RECOMMENDATION / ACTION REQUEST

Staff recommends that Council approve the appended resolution (Attachment 1) to renew annexation incentives for another year, until February 2012.

KEY FACTS AND INFORMATION SUMMARY

As stipulated in Resolution 10-09, Council's annual review of its annexation policy, including annexation incentives, is to occur in February 2011.

It is the intent of the current annexation incentives to make the annexation application process essentially free to individual property owners who voluntarily choose to annex to the City, plus provide a financial incentive through phasing in of city property taxes. Prior to Council adoption of Res. 07-13, the City 1) waived the annexation pre-application conference fee for individual property owners interested in voluntary annexation, and 2) waived application fees for adjacent property owners who join an annexation.

Res. 07 - 13 expanded the incentives to include: 1) waiver of the City annexation application fee for all annexation requests, and 2) phasing in of city property taxes over a three-year period at the rate of 33%, 67%, and 100%. The resolution required an annual review of these practices. Later Council decided to pay Metro annexation mapping fees by Resolution 07-47. City staff then began the practice of assisting applicants with property descriptions provided it does not involve field work. Resolutions extending the incentives were adopted in 2008, 2009 and 2010.

During calendar year 2010 there was only one annexation of 0.78 acres on SW Spruce Street within the Metzger area for a church expansion project. Most annexations are motivated by the need to extend City services needed for proposed development sites. The number of future annexations will likely be dependent on economic factors affecting development.

OTHER ALTERNATIVES

If Council desires to change the current annexation policy it has a variety of options. For example Council could:

- Rescind all annexation incentives;
- Return to the previous practice of not charging the annexation fee if contiguous properties join in;
- Rescind incentives for lands needing city services to develop, but maintain them for property that has them, or
- Increase monetary incentives through either a longer phase in of City property taxes or waiving them completely for a period of time.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

Implement the Comprehensive Plan.

Comprehensive Plan Urbanization Goal 14.2: "Implement the Tigard Urban Services Agreement (TUSA) through all reasonable and necessary steps, including the appropriate annexation of unincorporated properties."

DATES OF PREVIOUS COUNCIL CONSIDERATION

- March 13, 2007, City Council Resolution 07-13
- July 24, 2007, City Council Resolution 07-47, amending Resolution 07-13 to expand the incentives to include City payment of the Metro mapping/ filing fee .
- March 25, 2008 (annexation policy annual review), City Council Resolution 08-12 extending the offer of annexation incentives until February 2009.
- February 24, 2009,(annexation policy annual review), City Council passed Resolution 09-12 extending the offer of annexation incentives until February 2010.
- February 9, 2010,(annexation policy annual review), City Council passed Resolution 10-09 extending the offer of annexation incentives until February 2011.

Fiscal Impact

Cost: \$28,000

Budgeted (yes or no): Yes

Where Budgeted (department/program): Current Planning

Additional Fiscal Notes:

The fiscal impact of maintaining these incentives is highly variable and related mostly to development activity. For example, in 2010, there was only one annexation in Metzger and the City lost approximately \$3,349 in fees and paid \$150 in Metro mapping fees. Also a small amount of staff time was spent assisting the owner with the property the required property description. However, over the four-year period that the incentives have been in place the City has foregone and spent about \$28,000. If activity increases significantly, the budget may need an adjustment to compensate for the fees and staff time.

In addition to the forgone fee revenue, the City also did not receive the full amount of property taxes. It is estimated that, during the last four years, the City did not receive about \$8,600 in property tax revenue because of the tax phase-in incentive.

Attachments

Annexation Incentives Resolution

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 11- 08

A RESOLUTION AMENDING RESOLUTION NO. 07-13 TO EXTEND THE INCENTIVES FOR VOLUNTARY ANNEXATION OF UNINCORPORATED LANDS TO THE MUNICIPAL CITY LIMITS TO FEBRUARY 2012.

WHEREAS, Resolution 07-13 establishes policy to guide City actions pertaining to annexation of unincorporated lands to the municipal City limits, and provides incentives to annex, including waiver of the City annexation application fee until July 1, 2008 and phasing in of increased property taxes over a three-year period at the rate of 33 percent, 67 percent, and 100 percent, for properties that annex during the period of March 13, 2007, to February 2008 per Oregon Administrative Rule (OAR 150-222.111); and

WHEREAS, Resolution 07-47 amends Resolution 07-13 to expand the incentives to include City payment of the Metro mapping/ filing fee until July 1, 2008; and

WHEREAS, the City's operational and administrative procedures have been to assist in the preparation of legal descriptions as long as they do not require field survey work and to waive the pre-application conference fee for individual property owners interested in voluntary annexation; and

WHEREAS, Resolution 08-12 amends Resolution 07-13 to extend the offer of incentives to annex until February, 2009; and

WHEREAS, the City Council passed Resolution 09-12 on February 24, 2009 to continue to offer incentives to property owners who voluntarily annex to the City until February 2010;

WHEREAS, the City Council passed Resolution 010-12 on February 9, 2010 to continue to offer incentives to property owners who voluntarily annex to the City until February 2011;

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

SECTION 1: Resolution 07-13 is hereby amended to renew the offer of incentives to annex until February 2012, including:

- Waiver of the City annexation application fee;
- Phasing in of increased property taxes for properties that annex during the period of March 13, 2007, to February, 2012, per Oregon Administrative Rule (OAR 150-222.111);
- City payment of the Metro mapping/filing fee;
- Assistance in the preparation of legal descriptions, not to include field survey work; and
- Waiver of the pre-application conference fee for individual property owners interested in voluntary annexation.

SECTION 2: An annual review of the annexation policy and associated incentives shall occur concurrently.

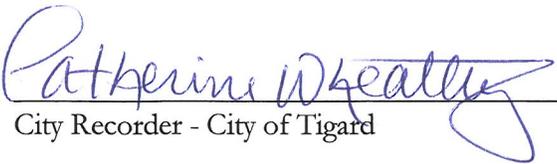
SECTION 3: This resolution is effective immediately upon passage.

PASSED: This 22nd day of February 2011.



Mayor - City of Tigard

ATTEST:



City Recorder - City of Tigard

**CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 11-**

A RESOLUTION AMENDING RESOLUTION NO. 07-13 TO EXTEND THE INCENTIVES FOR VOLUNTARY ANNEXATION OF UNINCORPORATED LANDS TO THE MUNICIPAL CITY LIMITS TO FEBRUARY 2012.

WHEREAS, Resolution 07-13 establishes policy to guide City actions pertaining to annexation of unincorporated lands to the municipal City limits, and provides incentives to annex, including waiver of the City annexation application fee until July 1, 2008 and phasing in of increased property taxes over a three-year period at the rate of 33 percent, 67 percent, and 100 percent, for properties that annex during the period of March 13, 2007, to February 2008 per Oregon Administrative Rule (OAR 150-222.111); and

WHEREAS, Resolution 07-47 amends Resolution 07-13 to expand the incentives to include City payment of the Metro mapping/ filing fee until July 1, 2008; and

WHEREAS, the City's operational and administrative procedures have been to assist in the preparation of legal descriptions as long as they do not require field survey work and to waive the pre-application conference fee for individual property owners interested in voluntary annexation; and

WHEREAS, Resolution 08-12 amends Resolution 07-13 to extend the offer of incentives to annex until February, 2009; and

WHEREAS, the City Council passed Resolution 09-12 on February 24, 2009 to continue to offer incentives to property owners who voluntarily annex to the City until February 2010;

WHEREAS, the City Council passed Resolution 010-12 on February 9, 2010 to continue to offer incentives to property owners who voluntarily annex to the City until February 2011;

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

SECTION 1: Resolution 07-13 is hereby amended to renew the offer of incentives to annex until February 2012, including:

- Waiver of the City annexation application fee;
- Phasing in of increased property taxes for properties that annex during the period of March 13, 2007, to February, 2012, per Oregon Administrative Rule (OAR 150-222.111);
- City payment of the Metro mapping/filing fee;
- Assistance in the preparation of legal descriptions, not to include field survey work; and
- Waiver of the pre-application conference fee for individual property owners interested in voluntary annexation.

SECTION 2: An annual review of the annexation policy and associated incentives shall occur concurrently.

SECTION 3: This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2011.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

AIS-413

Item #: 5.

Business Meeting

Date: 02/22/2011

Length (in minutes): 30 Minutes

Agenda Title: Discuss Departmental Strategies for Accomplishing 2011 City Council Goals

Prepared For: Craig Prosser

Submitted By:

Kent Wyatt
Administration

Item Type: Update, Discussion, Direct Staff

Meeting Type:

Council Business
Meeting - Main

ISSUE

The City Council has developed six goals for 2011. The goals represent those items that the Council feels deserve special attention. Each department has reviewed the goals and developed a work plan for meeting the goals impacting their department. The workplans discuss the resources required to meet a goal and the ensuing impact that addressing one goal may have on staff's resource to meet another.

STAFF RECOMMENDATION / ACTION REQUEST

Review the attached goal workplans and give direction to staff on the following questions:

1. Do Goal Descriptions adequately capture the Council's definition of each goal?
2. Are the proposed workplan timelines acceptable to Council?
3. If the "Coordination/Impacts on other projects/priorities" section shows an adverse impact on the completion of other work products, are these impacts acceptable to Council, or do the Goal workplan and/or the other project workplans need to be re-scoped?

KEY FACTS AND INFORMATION SUMMARY

The Council developed its 2011 Goals on December 30 of last year. Staff have taken each goal for 2011 and the Five Year goals and developed draft workplans for each goal. These workplans are attached to this Agenda Item Summary.

This agenda item is an opportunity to give staff feedback on these draft workplans, particularly to make sure that the description of the goal and the proposed timeline are acceptable to Council. This is also an opportunity for Council to provide additional information or discussion to make sure Council and staff are on the same page regarding the attainment of each goal.

After the meeting, staff will make any needed changes to the workplans and will provide copies to the Council in a Friday Newsletter. Staff will then proceed with work on the goals as directed by Council.

OTHER ALTERNATIVES

N/A

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

Staff has developed a workplan for each Council goal.

DATES OF PREVIOUS COUNCIL CONSIDERATION

On December 30, 2010, the City Council set its 2011 goals.

Fiscal Information:

Each goal will carry a significant fiscal impact in terms of staff commitment. Each of the attached workplans include a Section entitled "Resources Required" to more fully explain the impact of each goal.

Attachments

2011 Council Goal Workplan

City Mgmt Workload Summary

Community Devel. Workload Summary

Finance Workload Summary

Public Works Workload Summary

2011 COUNCIL GOALS WORK PLAN

Council Goal 1:

Implement the Comprehensive Plan

- a. Show substantial progress on new Tigard Triangle Master Plan
-

Description of Work Product:

This project will be built on the foundation created by the Pacific Hwy/99W High Capacity Transit (HCT) Land Use Plan. It is envisioned that Tigard Triangle Master Plan will follow the HCT Land Use Plan process. It will also be informed by related planning efforts. It is possible that the a Master Plan can be completed four to five years in the future when there is more certainty about the type and location of HCT alignment and station areas. However, it is possible to establish the foundation of a Triangle Master and take both interim and incremental actions to support future decisions. Another important consideration is that implementation of a Triangle Master Plan is dependent on resolution of TPR constraints. Absent legislation changing the TPR and the provision of HCT, this will partly depend on completion of alternative mobility standards which will be done as part of the SW Corridor Plan. This task will start in 2011 and be completed in 2013.

The following progress on a new Tigard Triangle Master Plan will occur in 2011:

1. City adoption of the Tigard Economic Opportunities Analysis (EOA)¹
2. City adoption of Metro Town Center designation for the Tigard Triangle²
3. Proposed designations of High Capacity Transit (HCT) Station Community Areas within and in the vicinity of the Tigard Triangle³;
4. Non-HCT transportation improvements (alternative mobility standards) to support HCT Station Community Areas and other future development in the Tigard Triangle;
5. Recommendations for interim and long term land use designations⁴;
6. Development of a Tigard Triangle funding mechanism for street improvements such as an area specific System Development Charge (SDC).

Following completion of the above, a draft written report will be prepared. Staff then will work with the Planning Commission to develop a more detailed Master Plan scope of work, process and schedule based on findings derived from the HCT Land Use Planning effort and other studies. A written report accompanied by the scope of work outlining the next steps will be prepared for Council's consideration.

¹ The EOA will provide important data pertaining to the Triangle and other employment lands in Tigard such as land use and site characteristics, public facilities transportation information and market context.

² A Town Center designation for the Tigard Triangle is important because it portends a greater probability of transportation funding; bestows flexibility in the application of the Transportation Planning Rule (TPR), and supports findings for the application urban land uses. Metro has agreed that Tigard can include a large portion of the Tigard Triangle in its town Center Designation. Nevertheless, for this to be "official" the City needs to legislatively adopt Comprehensive Plan amendments to identify locations of the Metro Design Types.

³ The exact location of Station Community Areas will not be known until the actual alignment of HCT is determined. However, it will be possible from a land use perspective to determine in general where station community land use types could be best located. This leads to the ability to propose a range of possible land use designations.

⁴ The Triangle HCT Land Use Plan leads the required Federal planning efforts for the corridor. The Alternatives Analysis (AA); Environmental Impact Analysis (EIA), and Locally Preferred Alignment (LPA) will determine the type and location of future transit. However, it is possible to propose interim land uses for the area.

2011 COUNCIL GOALS WORK PLAN

Timeline of significant events

Action/Event	Timing
Tigard Triangle Town Center designation (Council Adoption)	Spring/Summer 2011
EOA Adoption by Council	Spring/Summer 2011
Preliminary Designations of High Capacity Transit (HCT) Station Areas (Report)	Fall/Winter 2011
Plan for other transportation improvements to support HCT Station Community Areas and other Tigard Triangle Development (Report)	Fall/Winter 2011
Recommendations for interim and long term land use designations (Report)	Fall/Winter 2011
Development of a Tigard Triangle funding mechanism for street improvements (Council Consideration)	Fall/Winter 2011
Planning Commission scoping for full Master Plan Project (Report) to proceed in 2012 ⁵	Winter 2011/Spring 2012
City Council Receipt of Planning Commission Scoping Recommendation and Report	Summer 2012
Alternative Mobility Standards	Spring 2013

Lead Department: Community Development

Staff Lead: Ron Bunch, Community Development Director

Partners:

Internal Stakeholders	External Stakeholders
Planning Commission City Council City Attorney City Admin & Other Depts. Tigard Transportation Advisory Committee	ODOT Metro Tri-Met Businesses and Property Owners Department of Land Conservation and Development (LCDC); Development Interests; Real Estate & Property Management Firms

Coordination With/Impacts on Other Projects/Priorities

Projects/Priorities	Reason for Coordination	Impact
Metro/SW Corridor Transportation Plan	This regional planning effort will develop important land use and transportation data, findings and policies applicable to the Tigard Triangle Plan.	Data & policy applicability; synergism of land use & transportation policy
Community Sustainability	A redeveloped and economically vital Tigard Triangle can provide economic and housing opportunities in close proximity to one another and in close proximity to transit and other viable transportation modes.	Identity, Quality of Life and access to jobs, goods and services
Pacific Hwy/99W HCT Land Use Plan	The Planning effort's data collection and analysis are directly applicable to the Tigard Triangle. Also important is that the HCT Land Use Plan will identify possible station communities in the Tigard Triangle	Data and Policy Applicability; Synergism of Land Use and Transportation Policy

⁵ At the completion of the initial process, staff and the Planning Commission will develop a scope for subsequent phases of a Tigard Triangle Master Plan up to completion.

2011 COUNCIL GOALS WORK PLAN

Projects/Priorities	Reason for Coordination	Impact
Urbanization Policy ---- Economic Development	From a policy position the Downtown and Tigard Triangle are areas where Tigard plans to focus future jobs and household growth.	Policy Coordination & Implementation
Changes to the Transportation Planning Rule (TPR)	Transit and modes modal improvements are important so this area to develop as a higher density urban Town Center. However, changes to the TPR are needed to allow this to happen.	Policy Coordination & Implementation
Communication	This project and the associated efforts involves significant public involvement and which implements Council's Communication goal	Communication with stakeholders and the broader community
Reduce Traffic Congestion	A mixed use, higher density urban Town Center served by transit would significantly reduce traffic congestion and future transportation costs.	(+) Policy Coordination & Implementation

Impacts of "Show Substantial Progress on New Tigard Triangle Master Plan" on other work programs

To be meaningful, a Tigard Triangle Master Plan must be coordinated with the HCT Land Use Plan and other the Southwest Corridor Planning efforts. It cannot proceed by itself and be meaningful.

At this time there are inadequate staff resources to focus solely on this project, and at least initially, it must be part of other efforts. If staff had to engage in a "stand-alone" project now (to develop a Tigard Triangle Land Use and Transportation Master Plan) other work programs and their schedules would be negatively affected. Furthermore, such an effort would be not be useful because future Alternative Mobility Standards, HCT Station Area locations, Alternatives Analysis, and Alignment HCT decisions are primary factors that must be considered.

Resources required:

0.5 FTE

(This is in addition to required administrative and Management staff time and staff working on processing land development applications, other Council Goals, Development Code Reform, Comprehensive Plan Periodic Review; Downtown Urban Renewal Code Enforcement Restructuring; Tigard Trails Master Plan, etc.)

2011 COUNCIL GOALS WORK PLAN

Council Goal 1:

- Implement the Comprehensive Plan
 b. Update the Tree Code

Description of Work Product:

The work product for this task will consist of proposed amendments to the City’s Municipal and Development Codes. Code amendments addressing the following will be brought to Council for its consideration:

1. Management of hazard trees. **(Draft hazard tree code provisions have been completed.)**
2. Planting, maintenance and removal of street trees in non-development situations
3. Preservation of Tree Groves using flexible and incentive based regulations
4. Tree Plan Requirements (inventory; protection; planting; mitigation, etc.)
5. Tree Permit Requirements in 1) development situations and 2) when development is not involved

Timeline of significant events:

Action/Event	Timing
Draft Street Tree Code Provisions	Winter 2011
Draft Tree Plan Code Provisions	Winter 2011
Proposal for Tree Grove Preservation Program	Winter / Spring 2011
Draft Tree Permit Requirements – Development and Non-Development Situations	Spring / Summer 2011
Review of Proposed Code Changes and Community Input	Summer/Fall/Winter 2011
Planning Commission Workshops and Hearings	Winter 2012
City Council Workshops, Public Hearings and Adoption	Spring 2012

Lead Department: Community Development

Staff Lead: Todd Prager, Associate Planner / Arborist

Partners:

Internal Stakeholders	External Stakeholders
Planning Commission	Metro
City Council	Department of Land Conservation & Development (DLCD)
City Attorney	ODOT
Public Works, Risk Management/City Admin,	OR State Dept. of Forestry
Finance & Information Technology	Clean Water Services (CWS)
Parks & Rec. Advisory Board (PRAB)	Tualatin Riverkeepers
Tree Board	Citizens
	Home Builders’ Association
	Tree and Landscape Industry
	Utilities

2011 COUNCIL GOALS WORK PLAN

Coordination with/Impacts on other projects/priorities

Projects / Priorities	Reason for Coordination	Impact
Code Reform	Community dissatisfaction with Tigard’s tree regulations has been expressed by citizens and developers for several years. This effort is in response to improve urban forest resources and provide clear and objective regulations for the Development Industry	Supports the need to City’s Desire to Update Tigard’s Community Development Code
Community Sustainability & Livability	Urban forest resources are important to environmental sustainability and community aesthetics. A healthy urban forest supports Tigard’s aspirations to be prosperous, livable and attractive City.	Supports the City’s sustainability and livability objectives and contributes to Tigard as “ <i>A Place to Call Home.</i> ”
Water Quality Objectives	The Tualatin River Basins must meet DEQ mandated water quality requirements. The presence of trees and other vegetation assists in achieving this objective.	This project supports local, regional and state water quality objectives.
Downtown and Pacific Hwy. Corridor Redevelopment	Tigard’s vision of the Downtown is a high-amenity Town Center. “Extending the Green” of Fanno Creek through the Downtown is a stated urban design objective. Tigard also desires to improve the appearance and environmental character of Hwy 99.	Revised tree regulations and an active urban forest program could significantly enhance the City’s urban design quality
Communication	This project and the associated efforts involves significant public involvement and which implements Council’s Communication Goal	Communication with Stakeholders and broader community

Impacts of “Updating the Tree Code” on other work programs

This project is citizen involvement intensive. Past efforts to reform the City’s tree regulations did not succeed because of contention between the development community and citizens. Consequently, Community Development has invested a significant amount of citizen and community involvement/communication time into the project. Every effort is being made to work out issues before the proposed code amendments enter the public hearing process.

Resources required:

2.0 FTE plus consulting assistance

(This is in addition to required administrative and management staff time and staff processing land development applications, working on other Council Goals, Development Code Reform, Comprehensive Plan Periodic Review; Code Enforcement Restructuring; Tigard Trails Master Plan)

2011 COUNCIL GOALS WORK PLAN

Council Goal 1:

Implement the Comprehensive Plan

c. Participate in the Southwest Corridor Study

Description of Work Product:

There are several land use and transportation planning activities ongoing and planned in the Southwest Metro Area, defined as the area encompassing the Pacific Hwy/I-5 corridor from downtown Portland to south Tigard. Tigard, in partnership with Metro, ODOT and Tri-Met is engaged in a High Capacity Transit Land Use Plan that will identify up to ten future HCT Station Community Areas within the Tigard Pacific Hwy 99W/Corridor. Tigard's planning effort will be followed by similar projects undertaken by Portland and Tualatin, also in partnership with the above agencies. Also, Metro and ODOT will be coordinating another planning effort, the Interstate 5/Pacific Highway 99W Corridor Refinement Plan that will evaluate how traffic management and emphasis on different transportation modes, including HCT, will improve mobility within the Corridor. The Corridor Refinement Plan will result in alternative mobility standards that will provide some relief to the Transportation Planning Rule's (TPR) constraints.

Several other federally required HCT focused planning efforts will be undertaken prior to when an HCT system will be built. These will occur in future years. The main task for Tigard staff in 2011 will be the Pacific Hwy 99W HCT Land Use Plan and to represent the City's interests in other Corridor Refinement planning efforts.

This work program will focus on the Tigard HCT Land Use Plan, because it has been scoped and funded, but significant staff resources will also be focused on the broader corridor planning efforts as above. However, at this time the schedules and scopes of these projects not yet been established in detail.

The work product of the Tigard HCT Land Use Plan will consist of designating up to 10 station areas along the Pacific Hwy 99W corridor in places that are best suited to support HCT. This will inform the future alignment of HCT and provide guidance in making future HCT supportive land use changes and investments in other types of transportation infrastructure. This project is the foundation for a detailed Tigard Triangle Master Plan to be completed in the future.

Timeline of significant events:

Action/Event	Timing
Project Kickoff And Stakeholder Interviews	Winter/Spring 2011
Existing Conditions Inventory and Analysis	Spring/Summer 2011
Project Design Work Shop	Summer 2011
Station Area Plans and Land Use Proposals	Fall / Winter 2011
Community Open House, Planning Commission and City Council Workshops	Winter 2011
Presentation of Legislative Options, such as Amended Comprehensive Plan Policies; Land Use Designations; Amendments to the Transportation System Plan, etc.	Winter 2011/ Spring 2012
Corridor Refinement Plan Completion, review by agencies and affected jurisdictions and consideration for adoption by Metro	Spring 2013

Lead Department: Community Development

Staff Lead: Sean Farrelly, Redevelopment Manager, Judith Gray, Sr. Transportation Planner, Ron Bunch, CD Director

2011 COUNCIL GOALS WORK PLAN

Partners: (Other departments/agencies, who will be kept informed)

Internal Stakeholders	External Stakeholders
Planning Commission City Council City Attorney Public Works/Engineering, City Administration Tigard Transportation Advisory Committee (TTAC) City Center Advisory Committee (CCAC)	Portland and adjacent cities ODOT Metro Tri-Met Washington Co. and local residents Business and development interests

Coordination with/Impacts on other projects/priorities

Projects / Priorities	Reason for Coordination	Impact
Tigard Triangle Master Plan	This regional planning effort will provide important transportation related data, findings and policies applicable to the Triangle Master Plan.	Data and policy applicability; synergism of land use & transportation policy
Community Sustainability	A redeveloped and economically vital Pacific Hwy corridor based on HCT access will create both a more livable community and also reduce environmental impacts.	Community identity, quality of life and access to jobs, goods and services
Urbanization Policy Economic Development	High capacity transit provides the means to transform the Pacific Highway Corridor into a more efficient, vibrant and economically resilient urban form.	Policy coordination & implementation
Changes to the Transportation Planning Rule (TPR)	Addressing the transportation capacity requirements of the TPR is important to achieving a desired urban form. HCT and alternative mobility standards are the primary means to do this.	Policy coordination & implementation
Urbanization Issues	The provision of HCT in the Pacific Hwy/99W Corridor and other travel modes is the primary means by which the area can achieve higher density, and a more economically sustainable urban form.	Synergism of land use and transportation, policy implementation
Communication	This project and the associated efforts involves significant public involvement and communication with stakeholders, which implements Council's Communication Goal	Coordination/communication with stakeholders and the community

Impact of "Participate in the Southwest Corridor Plan" on other work programs

This project is Community Development's (CD) highest priority. It is essential for the city to meet its commitments to its regional partners and to the funding agencies; with plans to commit at least 1.75 FTE to this effort prior to establishment of 2011 Council goals. CD cannot decrease its commitment to this project. If necessary, work on other department priorities, (*Code Compliance Reorganization and Regulatory Reform*) would be curtailed entirely to ensure this project is completed. Given the project's high profile, CD has invested substantial staff resources to ensure a robust citizen involvement effort for the project.

As with any project involving significant stakeholder engagement and intergovernmental cooperation, there is exists a degree of uncertainty regarding schedules and outcomes. There are many stakeholder interests to be addressed and it is common for planning efforts of this scale to be delayed, or the scope to be broadened, to accommodate changing stakeholder needs. City Council and the City Manager have an important role in the SW Corridor Plan, providing input to state and regional decision-makers and to represent the City's interests in the political arena.

Resources required:

1.75 FTE Total. 1.50 FTE for the HCT Land Use Plan with consulting assistance, 0.25 FTE to coordinate and represent Tigard's interest in other SW Corridor venues. (*This is in addition to required administrative & management staff time spent working on Council Goals, Development Code Reform, Downtown Redevelopment, Comp Plan Periodic Review; Code Enforcement Restructuring; Tigard Trails Master Plan.*)

2011 COUNCIL GOALS WORK PLAN

Council Goal 1:

Implement Comprehensive Plan

- d. Work with state and regional partners to modify the (state) Transportation Planning Rule (TPR)⁶.

Description of Work Product: There are three parts to this task and it's important that this issue be addressed in all three of these venues in a balanced manner. Over-reliance on one is not likely to achieve the desired results.

1. Represent Tigard's interests at regional and statewide venues, including the legislature. This work includes development of a joint position on amending the TPR with other elected City and County officials and agency staff and appointees such as Metro and LCDC.
2. Evaluate those parts of Tigard where new development will be impacted by the TPR. Develop a local strategy and be able to tell Tigard's story.⁷
3. Work on existing initiatives that will lessen a portion of some of the requirements of the TPR. This includes developing specific ways to mitigate traffic impacts such as improvements to the local road system, and alternative travel modes; expanding the Town Center designation to include the Tigard Triangle⁸; representing Tigard's interest in the Pacific Hwy 99W/ I-5 Multi-Modal Corridor Refinement Plan (alternative mobility standards)⁹; implementing Southwest Corridor High Capacity Transit¹⁰, etc.

Timeline of significant events:

Action/Event	Timing
Evaluate how Tigard will be impacted by the TPR and prepare local strategy	Winter/Spring 2011
Expand the Town Center designation to include the Tigard Triangle	Spring 2011
Represent Tigard's interests at regional and statewide venues	Winter to Fall 2011
Represent Tigard's interests during the Pacific Hwy 99W/I-5 Multi-Modal Corridor Refinement Plan	Fall 2011 and throughout 2013
Implement Southwest Corridor High Capacity Transit	Ongoing

Lead Department: Community Development

Staff Lead: Susan Hartnett, Asst. CD Director and Judith Gray, Sr. Transportation Planner

⁶ It is important to note that the Oregon Highway Plan (OHP) also has standards that impact land uses on properties that utilize state highways. The OHP also will be evaluated to determine how it impacts the Tigard Triangle and other areas in the City.

⁷ It is obvious that Tigard is affected by the TPR, but it is unknown to what extent. It is important to develop a local strategy as well as participate in the regional and state process to change the TPR's requirements. Tigard as a local jurisdiction needs to be well aware the TPR's impacts and be able to speak to them.

⁸ Metro Town Center Design Type Designations are not subject to as stringent TPR requirements as areas not non-Design Type areas.

⁹ The purpose of this planning effort is to evaluate how improvements to all transportation modes in the corridor can increase enhance the capacity of the transportation system. More transportation system capacity gained through multi-modal improvements means a greater opportunity to create more dense urban environments conducive to higher levels of economic activity.

¹⁰ In the long run High Capacity Transit (HCT) through Tigard would significantly increase road capacity by taking cars off the roads. HCT would provide the basis to develop higher intensity urban environments within the Tigard Triangle, Downtown Tigard, and with the Pacific Highway Corridor.

2011 COUNCIL GOALS WORK PLAN

Partners:

Internal Stakeholders	External Stakeholders
Planning Commission City Council City Attorney Public Works/Engineering City Administration Tigard Transportation Advisory Committee	Other Metro area jurisdictions Department of Land Conservation and Development (DLCD) League of Oregon Cities (LOC) Metro Tri-Met Residents, Business & Development Interests ODOT and the Oregon Transportation Commission State legislators

Coordination With/Impacts on Other Projects/Priorities

Projects / Priorities	Reason for Coordination	Impact
Triangle Master Plan Downtown Urban Renewal	The Transportation Planning Rule in its current form would have significant negative impacts on the future urban development of these areas.	Resolution of Tigard's concerns with the TPR would make it easier for Tigard to achieve its (and Metro's) urban growth objectives
Community Sustainability Urbanization Policy	The current TPR promotes low density inefficient development and sprawl. This urban form is inconsistent with Tigard's and the Region's sustainability objectives.	Amendment of the TPR to make it possible to develop mixed use higher density urban development would promote important sustainability and urbanization goals.
Southwest Corridor Study	The HCT Land Use Plan the other planning efforts associated with the Southwest Corridor Study will result in the implementation of several alternative travel modes and improvements to the area's transportation system that will substantially increase the capacity of the state highways.	Alternative modes are key to lessening the restrictions of the TPR to make it possible to promote the development of higher intensity urban housing and employment land uses

Impacts of "Working with state and regional partners to modify the state TPR" on other work programs

A significant part of this project involves political action that will require senior management and elected officials to engage with their peers from other agencies and jurisdictions. Staff can research, analyze and present proposals, but involvement of elected officials will be necessary.

Resources required:

0.25 FTE

(This is in addition to required administrative and management staff time and staff working on processing land development applications, other Council Goals, Development Code Reform, Comprehensive Plan Periodic Review; Code Enforcement Restructuring ; Tigard Trails Master Plan, etc.)

2011 COUNCIL GOALS WORK PLAN

Council Goal 1:

Implement Comprehensive Plan

- e. Work with partners on urbanization policy issues

Description of Work Product:

The Tigard Comprehensive Plan is specific that the City does not support unincorporated urban development. Consistent with this position Council has directed staff to implement the Comprehensive Plan as it pertains to future urbanization of lands within Metro Urban Growth Areas 63 and 64 and the adjacent urban reserve area. Washington County has completed, and approved by resolution an Urbanization Concept Plan for this area. A much more detailed Community Plan, addressing infrastructure financing; governance and land use is required before urbanization can occur. This is an expensive and staff intensive effort

City staff has been working with Washington County and other partners to come to determine the governance and service provider for this area. It is expected that a resolution can come by the end of summer 2011. If Tigard is the governance provider, then it must plan to complete the Metro required planning work before urbanization can occur.

Timeline of significant events:

Action/Event	Timing
1. Washington Co./Tigard Agreement on Means to Initiate Annexation of Lands in Urban Growth Areas 63 and 64	Summer 2011
If the above is accomplished, then (following direction from Council) the work plan will be revised. The timeline for development of a Community Plan may extend into 2014.	tbd

Lead Department: Community Development with City Administration

Staff Lead: Ron Bunch, Community Development Director and Susan Hartnett, Assistant CD Director

Partners:

Internal Stakeholders	External Stakeholders
Planning Commission	Washington County
City Council	Beaverton and King City
City Attorney	Metro
Public Works/Engineering and City Admin	Development Interests

Coordination with/impact on other projects/priorities

This project involves direct engagement of three parties with subsequent cooperation by property owners. At this time coordination with other projects is not necessary to achieve the above limited goals. Extensive coordination will be required in doing future work associated with the required Community Plan. However this will be addressed if the City is successful in its annexation efforts. It is important to note that if Tigard is successful in annexing this area, the subsequent Community Plan work will occupy at least 2.5 FTE in addition to substantial consulting resources for a period of at least 18 months.

Resources required:

.2 FTE plus consulting assistance for part one of the above timeline of significant events.

(This is in addition to required administrative and management staff time and staff working on processing land development applications, other Council Goals, Development Code Reform, Comprehensive Plan Periodic Review; Code Enforcement Restructuring; Tigard Trails Master Plan)

2011 COUNCIL GOALS WORK PLAN

Council Goal 2

Implement Downtown and Town Center Redevelopment Opportunities

a. Develop Strategy and Materials to Attract Developers and Tenants

Description of Work Product:

The strategy to attract developers and tenants to the downtown has two parts. They are: 1) continue to make improvements to the area's public infrastructure and physical amenities; and 2) promote development of a broad based downtown organization and retail marketing plan and market the Downtown to prospective investors and tenants.

The first part of this goal has been ongoing for some time. It includes projects such as Burnham Street reconstruction; Main Street green street retrofit; façade grant program etc. Part two relates directly to Council's 2011 goal. The following actions will be taken to implement this goal:

- Hold developers' forum¹¹ to assess Downtown Redevelopment opportunities with stakeholders;
- Develop socio-economic (statistically based) Downtown/Triangle marketing materials and broadly distribute them;
- Prepare an assessment / inventory of land in the Downtown whose owners would reconsider redevelopment
- Work with Downtown businesses, property owners and consultants to develop a retail marketing plan and Downtown Organization proposal¹²;
- Develop a Downtown/promotion marketing web page;
- Develop a strategy to inform a broad spectrum of developers and investors of the Downtown's and Tigard Triangle's redevelopment and market potential.¹³
- Work with property owners and developers on development opportunity studies to facilitate development

Timeline of significant events:

Action/Event	Timing
Hold developer's forum to assess Downtown Redevelopment opportunities	Summer 2011
Retail marketing plan and Downtown Organization proposal	Summer/Fall 2011
Develop socio-economic (statistically based) Town Center marketing materials	Fall 2011
An assessment of land whose owners would consider redevelopment	Fall 2011
Develop a Downtown/promotion marketing web page	Winter 2011/2012
A strategy to inform a broad spectrum of developers and investors of the Downtown's redevelopment and market potential.	Winter 2011/2012 Implementation is ongoing
Work with property owners and developers on development opportunity studies	Implementation is ongoing

Lead Department: Community Development/Redevelopment

¹¹ This task is dependent on the availability of 2010 Census information. Also it will utilize propriety information acquired through investment /marketing and real estate consulting firms.

¹² A viable downtown organization comprised of stakeholders to go beyond local businesses to provide leadership and management of the downtown is an important element to attract future investors.

¹³ This task will follow completion of the socio-economic marketing materials.

2011 COUNCIL GOALS WORK PLAN

Staff Lead: Sean Farrelly, Redevelopment Manager; Ron Bunch, CD Director

Partners: (Other departments/agencies, who will be kept informed)

Internal Stakeholders	External Stakeholders
City Center Advisory Commission	Metro
Planning Commission	Department of Land - ODOT
City Council/CCDA	Chamber of Commerce/Business and Property
City Attorney	Owners
Public Works/Engineering	Citizens
Parks and Recreation Advisory Board	Portland Regional Partners
City Administration	West Side Economic Development Alliance
Transportation Advisory Board (TTAC)	Real Estate and Development Interests

Coordination with/impact on other projects/priorities:

Projects / Priorities	Reason for Coordination	Impact
Tigard Triangle Master Plan Explore 99W Urban Renewal District	The Triangle and Downtown are part of Tigard's Metro Town Center Designation. Data collection, analysis and marketing materials will be done for both.	It will be much more efficient to market both areas to prospective developers
Community Sustainability Urbanization	Redevelopment of the Downtown will create needed housing and close to home retail, service and entertainment opportunities	This effort will address the City's goals to enhance its sustainability and develop efficient & economically sustainable urban form
Pacific Hwy/99W HCT Land Use Plan	The Planning effort's data collection and analysis are applicable to the Downtown. The prospect of future of transit to the Downtown will be a significant location decision for investors	Development of Downtown and Tigard Triangle will support the City's High Capacity Transit aspirations.

Impacts of "Developing Strategies and Materials to Attract Developers and Tenants" on other work programs

This task represents another program element for Downtown Redevelopment and cannot be accommodated with existing resources, especially since the Redevelopment Manager and Community Development Director are both engaged in the Pacific Highway/ 99W HCT Land Use Plan. At least .5 FTE will have to be dedicated to this program. At present it is proposed to reallocate existing CD staff resources to make this happen.

Resources required:

.8 FTE

(This is in addition to required administrative and management staff time and staff working on other Council Goals, existing Downtown projects, Development Code Reform, Comprehensive Plan Periodic Review; Code Enforcement Restructuring; Tigard Trails Master Plan, etc.)

2011 COUNCIL GOALS WORK PLAN

Council Goal 2:

Implement Downtown and Town Center Redevelopment Opportunities

b. Advance Ash Avenue Railroad Crossing

Five Year Goal: Obtain Ash Avenue Railroad Crossing in Downtown

Description of Work Product:

The railroad will not allow any new railroad crossings in the City, but may consider adding a new crossing if another crossing is eliminated. This work will produce a range of alternatives for developing a railroad crossing at Ash Avenue and eliminating a crossing potentially at either Tiedeman Avenue or North Dakota Street. This first step will conclude when the Council selects a preferred alternative for the new crossing and identifies the crossing that will be eliminated.

Design and construction of the preferred alternatives will be scheduled as funding is secured, with the goal of completing the projects within five years.

Timeline of significant events:

2 nd Quarter	Initiate project and identify a range of alternatives for each site
3 rd Quarter	Develop conceptual road alignment and layouts
4 th Quarter	Evaluate impacts to traffic, property owners, neighborhoods, and cost Finalize report, Council selects preferred alternatives

Lead Department: Public Works Department

Staff Lead: Mike McCarthy, Senior Project Engineer

Partners:

During initial conceptual study:

- Community Development Department (for consistency with city plans)
- Finance and Information Services Department (to develop and plan for funding mechanisms)
- Clean Water Services (for coordination on sensitive lands and mitigation if needed)
- ODOT Rail
- Portland and Western Railroad
- Businesses, property owners, motorists and pedestrians that could be affected by the project

Additional partners during project implementation

- US Army Corps of Engineers (wetlands permits)
- Oregon Department of State Lands (creek corridor permits)

Coordination with/Impacts on other projects/priorities:

- The Ash Avenue portion of this project should be coordinated with other downtown CIP projects and planning processes.
- The North Dakota/Tiedeman portion of the project should be coordinated with other CIP projects in the area.
- The work toward this goal should be coordinated with Council Goal No. 6, “Financial Stability.”

2011 COUNCIL GOALS WORK PLAN

Resources required:

In 2011 this project's personnel resources will be made up of a combination of in-house staff and outside consultants.

In-house staff will perform the following work:

- Develop alternatives and cost estimates.
- Assess right-of-way impacts.
- Manage public communication and involvement.

In-house staff time is estimated at 0.5 FTE which will cost \$55,250.

Outside consultants will perform the following work:

- Traffic impact analysis for \$30,000.
- Wetlands and environmental analysis for \$20,000.

Project costs for 2011 are as follows:

1st Quarter	\$13,813 in-house staff
2nd Quarter	\$13,813 in-house staff
3rd Quarter	\$63,813 in-house staff (\$13,813) and consultants (\$50,000)
4th Quarter	\$13,813 in-house staff
Total	\$101,252

2011 COUNCIL GOALS WORK PLAN

Council Goal No. 3:

Complete Plans for Parkland Acquisition

Description of Work Product:

The City adopted its Park System Master Plan in 2009. The plan outlines the need to acquire park property and construct park improvements to preserve open spaces, enhance water quality, and provide recreational opportunities. Progress towards fulfilling these needs was hampered by the lack of funding. On November 2, 2010, Tigard voters passed a \$17 million general obligation bond to fund the purchase of real property for parks and to fund a limited amount of park improvements.

It is anticipated that as of July 1, 2011 approximately \$8 million of unallocated bond proceeds will remain, as several pending land purchases will already have been completed. The workplan for 2011 includes:

- Program management (management, scheduling, cost control, and coordination)
- Public information and involvement strategy and implementation
- Real property acquisition
- Real estate appraisal
- Environmental investigations and contamination surveys
- Landscape architecture (for park development projects)
- Real property legal services
- PRAB support
- Grant research and application

Timeline of significant events:

1st Quarter	<ul style="list-style-type: none"> • Public information plan complete, executes for entire year • Park and Recreation Advisory Board (PRAB) begins phase 2 acquisition process • Acquisition activities commence • Pre-design/land use on development projects commences • Management structure/reporting begins, continues entire year • Summer Creek environmental education program begins • Purchase of Potso Dog Park completed
2nd Quarter	<ul style="list-style-type: none"> • Summer Creek master plan development begins • Land use and pre-design packages completed • PRAB begins phase 2 acquisition analysis • Purchase of Sunrise and Summer Creek II completed
3rd Quarter	<ul style="list-style-type: none"> • PRAB phase 2 acquisition list announced, endorsed by Council • Design of improvement packages begins • PRAB begins phase 3 acquisition analysis
4th Quarter	<ul style="list-style-type: none"> • PRAB phase 3 acquisition analysis continues • Acquisition activities commence • Pre-design/land use on development projects commences • Phase 3 improvements projects budgeted • Development projects bid

FY 12-13

The workplan for FY2012-2013 will be structured similarly; the activity and dollar volume is expected to remain at a high level in that this will be the second year of a three year project.

2011 COUNCIL GOALS WORK PLAN

FY13-14

This will be the third year of the project and activities should be wrapping up. We anticipate funding will decrease and the bond funds will be completely used.

Lead Department: Public Works

Staff Lead: Steve Martin, Parks & Facilities Manager, Brian Rager, Asst Public Works Director (oversight lead)

Partners:

- Dog park supporters
- Park users
- Youth sports leagues
- Bicyclists and hikers
- Metro
- External funding partners
- Environmental organizations
- Neighborhoods affected by purchase of development proposals
- City Councilors (see Oversight Roles)
- Parks and Recreation Advisory Board members(see Oversight Roles)
- City Administration staff
- Finance
- Public Works - Park/Grounds, Engineering and Stormwater divisions
- Community Development Department

Coordination with/Impacts on other projects/priorities:

- Community Development Department (for consistency with city plans, land use)
- Funding partners
- Regulatory agencies

Resources required:

The 2011-2012 capital budget request includes approximately \$8 million of unallocated project categories into which the PRAB/Council decisions will be included as developed. It is anticipated that actual expenditures will occur as follows:

FY 2011-2012	\$2 million
FY 2012-20 13	\$4 million
FY 2013-2014	\$2 million

The funds already allocated by Council, but not spent as of February 1, 2011 will go towards the purchase of Potso Dog Park, the Sunrise property, and Summer Creek phase II.

In 2011 this project's personnel resources will be made up of a combination of in-house staff and outside consultants. In-house staff time is estimated at 1.5 FTE, which will cost \$165,750. This cost will not be funded with bond dollars. The cost of outside consultants depends upon acquisition and improvement projects that have yet to be determined. Consultant costs may be paid from bond proceeds.

Project costs for 2011 are as follows:

1st Quarter	\$41,438	In-house staff (non-bond issue expenses)
	\$625,000	Land purchases/projects (Potso) from bond proceeds
2nd Quarter	\$41,438	In-house staff (non-bond issue expenses)
	\$6,400,000	Land purchases/projects (Sunrise, Summer Creek II) from bond proceeds
3rd Quarter	\$41,438	In-house staff (non-bond issue expenses)
	\$1,000,000	Land purchases/projects from bond proceeds
4th Quarter	\$41,438	In-house staff (non-bond issue expenses)
	\$1,000,000	Land purchases/projects from bond proceeds
Total	\$9,190,752	

2011 COUNCIL GOALS WORK PLAN

Council Goal 4:

Advance Methods of Communication

- a. Communication is a part of everyone's job
-

Description:

- Staff creatively adapt and use various communication tools as technology and public receptivity change over time.
- Project/Program Managers/Supervisors develop communication/outreach plans for each City Council goal designed to reach stakeholders using tools appropriate to the level of interest and desired involvement. Plans are included as part of project/program work plans and submitted to Council as receive and file.
- Department Directors identify and provide training and coaching for employees as needed on information resources, community outreach, writing for a target audience and communication plans.
- Staff members adhere to the city's Logo and Design standards.
- Staff members recognize citizens' preference of the Cityscape as the preferred source of information and use it as a primary communication tool.
- Staff members respond to requests for information in their area(s) of responsibility within 1 business day with either a complete and accurate response or a date the response will be provided.

Timeline of significant events:

- March 1 – April 30: Individual department training on Logo and Design standards.
- March 30: Communication/Outreach plans for 2011 City Council goals received by Council.
- Monthly: Cityscape deadlines are met.

Lead Department: City Management

Staff Lead: Liz Newton, Assistant City Manager/Administrative Services Director

Partners:

- Department Directors
- Design & Communications Staff and Web Services Coordinator

Coordination with/Impacts on other projects/priorities:

- Development of communication plans for council goals can be incorporated into project/program work plans.
- Training on Logo and Design Standards will be tailored to individual department's needs.

Resources required:

- 1.8 FTE – Graphic Design
- 0.4 FTE – Cityscape layout and edits
- 0.9 FTE – Website design and maintenance (both internal and external sites)

2011 COUNCIL GOALS WORK PLAN

Council Goal 4:

Advance Methods of Communication

- b. Support efforts to change organizational culture

Description of Work Product:

Build on the momentum of the organization wide City Values project and further cement these values into the culture:

- Conduct an employee survey to measure employee engagement and the impact of the values into the culture
- Incorporate results from the survey into improved efforts to integrate the values into the workforce (e.g. better communication of the values, improved recognition, greater support to Values Team, etc.)
- Support the City Values Team in their activities and efforts – continue regular team meetings to facilitate the goals of the values program
- Conduct additional Behavioral Interviewing workshops for hiring managers to reinforce hiring standards that reflect the values

Timeline of significant events:

1st Quarter	Conduct Employee Survey Begin to develop Action Plan based on survey results Support Values Team
2nd Quarter	Finish Action Plan Begin to implement changes based on survey results Support Values Team
3rd Quarter	Conduct Behavioral Interviewing workshops Support Values Team
4th Quarter	Review current strategies and make appropriate changes Support Values Team

2012 forward Continue to support City Values and incorporate them into all city operations

Lead Department: Human Resources Division, City Management Department

Staff Lead: Sandy Zodrow, Human Resources Director

Partners: All city employees- managers, supervisors, department directors, the City Manager and City Council

Coordination with/Impacts on other projects/priorities:

The City Values project is an established Goal/Objective in FY11-12 for the Human Resources Division. As such, staff time will be allocated accordingly and in consideration with other goals and objectives for the division. Most of the services provided by Human Resources already incorporate the city values (e.g. training, performance management, employee consulting, recruitment, etc.) so they are coordinated with most services provided by HR.

The city values have a positive impact on a variety of work tools, programs and staff. Their continued emphasis in performance management, hiring and recognition activities on a city wide and department wide basis will benefit work performance and service delivery. Human Resources, the City Values Team and the Executive Staff will oversee these tools and their effective link to the values. Information from the city wide employee survey will serve as a basis for evaluating the impact of the values to date, and provide information on the strategic ways to further embed the values in the organization.

2011 COUNCIL GOALS WORK PLAN

Resources required:

There are currently no funds allocated or any requested in FY11-12 for the City Values program, either for the City Values Team or any activities/efforts related to the program. The Human Resources Division has been administering the program and providing staff support to the City Values Team, and any expenses to date have come from the division's existing budget. At this time it is unknown what the survey data will reveal in terms of additional future efforts/activities, therefore resources needed beyond what is currently available.

2011 COUNCIL GOALS WORK PLAN

Council Goal 5:

Continue Coordination with Lake Oswego on Water Partnership

Description of Work Product:

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 water customers need a secure, dependable water source. Both cities want to keep water affordable for their customers and sharing the cost of new infrastructure accomplishes this goal.

The scope of the project includes design and construction of the following infrastructure:

- A new 38-million-gallon-per-day (mgd) river intake pump station (RIPS) located along the Clackamas River in Gladstone. The initial capacity is 32 mgd, but sizing will allow for future expansion to an ultimate capacity of 38 mgd.
- Approximately 14,000 feet of new raw (untreated) water transmission piping (RWP) connecting the RIPS structure to Lake Oswego’s Water Treatment Plant (WTP).
- Expansion of the WTP from its current 16 mgd to 32 mgd, with provision for future expansion to 38 mgd.
- Approximately 35,000 feet of new finished (treated) water transmission piping (FWP) connecting the WTP to the existing terminal reservoir, Waluga Reservoir (WR), located in Waluga Park.
- A new 3.5 million gallon water reservoir at Waluga Park.
- Replacement of Tigard’s existing Bonita pump station (BPS). The new pump station will have a capacity up to 20 mgd.

In addition to the infrastructure improvements described above, the following activities will also take place:

- Financing the Tigard portion of the project via a series of revenue bond sales.
- Implementing subsequent rate adjustments already approved by Council.
- Environmental permitting to support the infrastructure construction projects.
- Water rights extension, including appeal processes.

Timeline of significant events:

1st Quarter	<ul style="list-style-type: none"> • Oregon Water Resources Department (OWRD) ruling on water rights extension, exceptions filed • Value planning report • WTP request for proposals issues and contract award • SCADA (computer system that monitors the water system) request for proposals issued • Pipelines request for proposals issued • Environmental permitting submittals • Public outreach
2nd Quarter	<ul style="list-style-type: none"> • Tigard and Lake Oswego budget and program annual CIP adopted • OWRD water rights extension final order issued, legal challenge timeline begins • SCADA contract awarded • Design of WTP and SCADA proceeds • Pipelines design contract awarded • Initial revenue bond sale preparatory work completed • Public outreach

2011 COUNCIL GOALS WORK PLAN

3rd Quarter	<ul style="list-style-type: none"> • Water right extension final order to Court of Appeals? • Work on WTP, SCADA, pipelines proceeds • Request for proposal for RIPS, WR, and BPS issued, contracts awarded • Tigard initial revenue bond sale • Environmental permitting continues • Public outreach
4th Quarter	<ul style="list-style-type: none"> • Land use applications active in Gladstone, West Linn, Lake Oswego • Design continues on WTP, SCADA, pipelines, RIPS, WR, and BPS • Environmental permitting • Public outreach

This project is currently slated for completion in 2016. A schedule showing out years is attached to this document.

Lead Department: Public Works, Finance & Information Services (revenue bond component)

Staff Lead: Dennis Koellermeier, Public Works Director

Partners:

- Finance and Information Services Department
- City of Lake Oswego
- Tigard Water Service Area customers
- Intergovernmental Water Board jurisdictions
 - Municipalities where projects will be located: City of Gladstone, City of West Linn, Clackamas County

Coordination with/Impacts on other projects/priorities:

- The work toward this goal, including the revenue bond sale, should be coordinated with Council Goal 6, “Financial Stability.”
- The BPS project should be coordinated with other CIP projects in the area, if any.

Resources required:

In 2011 this project’s personnel resources will be made up of in-house staff. In-house staff time is estimated at 1.1 FTE which will cost \$121,550. The 2011 payments to managing partner Lake Oswego are estimated at \$5,926,960. Bond issuance expenses are estimated at \$100,000.

Project costs for 2011 are as follows:

1st Quarter	\$1,229,702 or 20%
2nd Quarter	\$1,537,128 or 25%
3rd Quarter	\$1,844,553 or 30%
4th Quarter	\$1,537,128 or 25%
Total:	\$6,148,511

2011 COUNCIL GOALS WORK PLAN

Council Goal 6:

Financial Stability

- a. Hold the line on General Fund Budget
-

Description of Work Product:

Holding the line on the General Fund Budget in calendar year 2011 has two primary components:

1. In the first half of the calendar year, develop and adopt a budget for fiscal year 2011-2012 that has the same number of FTE and no dollar growth in materials and services when compared to the budget of FY 2010-2011. This will result in a General Fund budget in FY 2011-2012 that only has cost of living type increases.
2. In the second half of the calendar year, the City will need to minimize growth in the General Fund budget where increases in expenditures come with revenues and will need to provide quarterly reports to the Budget Committee to ensure that actual expenditures comply with the adopted budget.

Timeline of significant events:

2nd Quarter of 2011:

- a. Proposed Budget published
- b. Budget Committee Meetings to create the Approved Budget
- c. Council Hearing to pass the Adopted Budget

3rd Quarter of 2011:

- d. Adopted Budget Document published
- e. Budget Committee Workshop with Council including preliminary fiscal year end for FY2010-2011

4th Quarter of 2011:

Budget Committee Workshop with Council including preliminary quarterly report on first quarter of FY11-12.

Lead Department: Finance and Information Services

Staff Lead: Toby LaFrance, Director of Finance and Information Services

Partners:

While it will be the responsibility of Finance and Information Services to produce the reporting on current expenditures and run the budget process for FY 2011-2012, all the City departments will be partners in managing their expenditures and budgets. This will primarily impact Police, Library, and Public Works which comprise over three quarters of the General Fund.

The Budget Committee is our other primary partner. The Budget Committee helps oversight of our existing expenditures and revenues as well as approving the FY 2011-12 Budget.

Coordination with/Impacts on other projects/priorities:

By financially holding the line on the General Fund Budget, there will be decay in certain services. Demand for City services continues to grow with our down economy. On top of these core services, Council has an ambitious set of priorities. It is possible that the Budget Committee and Council may need to make choices between funding core service levels and funding projects associated with Council priorities. There are not new or additional resources to expand department appropriations to meet Council priorities.

Resources required:

0.5 FTE Sr. Management Analyst in Finance to deal with General Fund issues.

0.2 FTE Director of Finance and Information Services

Unspecified time for staff in the departments and Financial Operations.

2011 COUNCIL GOALS WORK PLAN

Council Goal 6:

Financial Stability

- b. Work with partners on long-range solutions to statewide structural problems.

Five- Year Council Goal:

Continue to support the Legislature in addressing the financial needs of state and local governments in Oregon.

Description:

City Council finalized the city's legislative priorities for the 2011 Oregon Legislative Session on November 9, 2011. One of the identified priorities is to "Maintain and strengthen the state's historic commitment to the State Shared Revenue funding formula." The Mayor will meet with state legislators regularly throughout the session and to advance the city's interests. Staff will support legislators' community events that connect elected officials with citizens. Staff will monitor legislation and provide testimony in support or in opposition to legislation that impacts the city's financial position. The city will coordinate testimony with other cities or associations as appropriate.

Timeline of significant events:

- February 1, 2011 – Legislature convened.
- February 23rd - Senator Burdick and Representative Doherty host Town Hall in Tigard City Hall.
- Monthly during session – Mayor, City Manager and Asst. City Manager meet with Sen. Burdick and Rep. Doherty.
- Weekly during session – Staff issues legislative tracking report.

Lead Department: City Management

Staff Lead: Craig Prosser, City Manager, Liz Newton, Assistant City Manager and Kent Wyatt, Sr. Management Analyst

Partners:

Any City Department potentially affected by legislation may be asked to review and comment on proposed legislation.

Coordination with/Impacts on other projects/priorities:

Review of proposed legislation may require quick turn-around which could delay work on other scheduled priorities.

Resources required:

0.2 FTE to monitor legislation and provide support for legislators' community activities.

0.1 FTE to meet with legislators monthly.

2011 COUNCIL GOALS WORK PLAN

Council Goal 6:

Financial Stability

c. Evaluate the City's Internal Sustainability Efforts

Five Year Goal: Develop Sustainability Plan

Description of Work Product:

Phase one of this goal includes developing a common definition of "sustainability" for the organization and identifying and evaluating existing sustainability efforts. Phase two will be to develop a comprehensive sustainability plan for the City. The City Council has placed a high priority on sustainability by elevating this issue from its 2010 five-year goals to its 2011 goals. This ensures the City begins to take action on this item in 2011.

The work plan for 2011 includes:

- Data collection (to identify existing sustainability efforts)
- Research (what are the options available to the organization and how might they be funded)
- Analysis (alternatives developed, data evaluated, rate of return determined, projects prioritized)
- Reporting
- Council interaction and approvals

Timeline of significant events:

2 nd Quarter	<ul style="list-style-type: none">• Data collection• Project definition and management• Initial Council work session held
3 rd Quarter	<ul style="list-style-type: none">• Research• Analysis
4 th Quarter	<ul style="list-style-type: none">• Draft summary report published• Council action a preliminary sustainability plan

Lead Department: Public Works

Staff Lead: Michelle Wright, Business Manager

Partners:

Community Development Department and city staff

Coordination with/Impacts on other projects/priorities:

- During phase one, interaction with other City departments will be needed during data collection.
- If the Council decides to pursue sustainability in future budget years, the resulting work will require extensive interaction and coordination among all City departments. The outcome will likely be that the City will adopt new or different business practices which would have an impact citywide.
- The work toward this goal should be coordinated with Council Goal No. 6, "Financial Stability."

Resources required:

In 2011 this project's personnel resources will be made up of a combination of in-house staff and outside consultants. In-house staff time is estimated at 0.25 FTE which will cost \$27,625. Consulting work from a firm that specializes in sustainability is estimated at \$10,000.

2011 COUNCIL GOALS WORK PLAN

***Note:** The \$10,000 in consulting services is not included in the proposed FY 2011-2012 budget and will need to be added in order to fully implement this workplan.*

Project costs for 2011 are as follows:

2nd Quarter	\$9,208 in-house staff
3rd Quarter	\$19,208 in-house staff (\$9,208) and consultants (\$10,000)
4th Quarter	\$9,208 in-house staff
Total	\$37,624

2011 COUNCIL GOALS WORK PLAN

Council 5-Year Goal:

Explore (Pacific Highway) 99W Urban Renewal District

Description of Work Product:

This work product is dependent on the findings of the Pacific Hwy / 99W High Capacity Transit (HCT) Land Use Plan. In order to assess where an urban renewal district is most feasible in the area, it is necessary to know where Station Area Communities are to be sited. Ideally, the alignment HCT should also be known. However, this will not be possible for the next few years; until several federally required studies are done. Therefore staff will address this goal by developing an urban renewal scenario based on information that is developed through the HCT land Use Plan.

This work is intended to provide an understanding of the feasibility of an urban renewal district in the area including the best prospects of building tax increment revenues to help construct public facilities and take other actions to promote high quality urban development in the corridor. The work will provide the starting point to more comprehensively investigate urban renewal as information is developed in the future.

The work product will be a written report to Council in association with the Draft Highway HCT land use plan. Council may or may not decide to give staff further direction at that time.

Timeline of significant events:

Action/Event	Timing
Evaluate HCT land use plan findings and other information and prepare a written report regarding the prospect of urban renewal within the Pacific Highway Corridor	Winter - Fall 2011
Present report for Council review and direction	Winter/Spring 2012

Lead Department: Community Development

Staff Lead: Ron Bunch, Community Development Director

Partners:

Internal Stakeholders	External Stakeholders
City Council City Attorney Public Works/Engineering City Admin Finance and Information Technology Services	The involvement of external stakeholders should occur if Council decides to further investigate the formation of an Urban Renewal District

Coordination with/Impacts on other projects/priorities:

Projects / Priorities	Reason for Coordination	Impact
Triangle Master Plan SW Corridor Plan (HCT Land Use Plan) SW Corridor Plan	These two plans will provide the data and other technical information to develop an Urban Renewal District Scenario	Policy Coordination and Synergy of effort
<u>Impacts of "Exploring an Urban Renewal District" on other work programs</u> This work is specialized and will require an investment of time of the Community Development Director and Urban Renewal Manager. It is important to keep the work product within the bounds of a "scenario" in order for		

2011 COUNCIL GOALS WORK PLAN

there not be impacts on other goals and tasks staff is engaged. The initial effort can also be compared to an in-depth scoping exercise that provides decision-makers with needed information regarding whether or not to proceed further.

Resources required:

.2 FTE plus minor consulting time

(This is in addition to required administrative and management staff time and staff working on processing land development applications, other Council Goals, Development Code Reform, Downtown Redevelopment; Comprehensive Plan Periodic Review; Code Enforcement Restructuring; Tigard Trails Master Plan, etc.)

2011 COUNCIL GOALS WORK PLAN

Council 5-year Goal:

Develop Long-Term Financial Strategy

Description of Work Product: Tigard is already well on the way to fulfilling this goal. We have practices in place such as including a forecast as part of the budget decision making process. What Tigard is lacking is in our documented strategies and policies. The proposed outcome of this goal is to have a discussion with Council resulting in updated financial policies and a Strategic Finance Plan for Tigard that integrates existing master plans, operations, and revenue analysis/opportunities into a single document.

Timeline of significant events: Without additional staff, this work will need to be done during relative lulls in the Budget/CIP/Forecasting process or lulls in the annual audit process. This limits Tigard to fall and spring for budget and audit staff, respectively. A rough scope of work could be:

Timing	Event
Fall 2012:	Review best financial practices from the Government Finance Officers Assoc., discuss with Budget Committee and Council to guide emphasis of document and policy/practice checklist for development.
Spring 2013	Review current major revenue sources and opportunities for existing and potential revenues.
Fall 2013	Perform a forecast of service demand and a survey of existing master plans. Use results to create a needs analysis.
Spring 2014	Combine results of revenue analysis and needs analysis to create a gap analysis. Work with Budget Committee and Council on strategies to address existing base services and revenues plus strategies to address the gap analysis.
Fall 2015	Based on results of prior steps, go to Council to adopt Financial Strategies document.

Lead Department: Finance and Information Services

Staff Lead: Toby LaFrance, Director of Finance and Information Services and Debbie Smith-Wagar, Asst. Finance Director

Partners:

Budget Committee, City Departments, Oregon Municipal Finance Officers Association, Government Finance Officers Association

Coordination with/Impacts on other projects/priorities:

The results of the Long-Term Financial Strategy document should assist Council with the ability to finance the Five-Year and Long-Term Goals of Council.

Resources required:

Annually, this project would require approximately 0.2 FTE each of the Director of Finance and Information Services, Sr. Management Analyst in Finance Admin, Assistant Finance Director, and Accounting Supervisor. It is also likely to involve approximately 0.1 FTE of the Business Managers in Police and Public Works other citywide staff.

2011 COUNCIL GOALS WORK PLAN

Council 5-year Goal:

Start Implementing Plan for City Facility Needs

Description of Work Product:

The Council adopted the City of Tigard 20-Year Facilities Plan in 2008. This plan serves as a road map for facility planning over a 20-year period. The plan considered current space needs, condition of existing facilities, projections for future space needs and an overall master plan strategy to get there. The master plan incorporated the following three key ideas:

- Reuse existing facilities as long as feasible.
- Maintain a centralized location for City operations and create a civic complex.
- Support the objectives of the Tigard Downtown Implementation Plan (TDIP) and the City Center Urban Renewal Plan (CCURP).

According to the facilities plan, the most significant work space deficit is in the Police Department, where conditions are extensively overcrowded. Another key finding of the facilities plan was the fact that the Public Works Department renovated the building at 8777 SW Burnham Street and moved most of its staff to that location as a temporary measure. The long-term objective is to completely consolidate and move the department to a more industrial location in the City that is better suited for a public works operation. The current public works yard, located at the south end of Ash Avenue, off Burnham Street, is in an area identified for future redevelopment in accordance with the TDIP and the CCURP.

Recommended “major steps” in the facilities plan strategy within the first five years of the plan (out to year 2013) are as follows:

- 1. Develop a new public works yard and facility and decommission the old public works yard on Ash Ave.**
- 2. If a funding source and a site become available, the best solution would be to construct a new Police facility.**

In order to implement these first major steps, land and substantial funding are required. Meanwhile, existing City facilities continue to require annual maintenance and repairs. For instance, the facilities plan acknowledged that the current City Hall, Permit Center and police buildings are in need of significant exterior repairs (replacement of outer skin coating) and seismic upgrades.

Staff uses the facilities plan as guideline to make ongoing maintenance and repair decisions for existing facilities. Repair and maintenance activities will be prioritized annually and submitted as a part of the Property Management budget.

In addition, staff will work with the Finance and Information Services Department to develop potential funding mechanisms that could help implement the first steps of the facilities plan.

Timeline of significant events:

1st Quarter	-Develop the FY 2012 Property Management budget with the highest priority facility maintenance and repairs included. -Continue to investigate potential sites that could accommodate a Public Works facility.
2nd Quarter	Collaborate with other departments toward funding mechanisms.
3rd Quarter	Provide an update to Council regarding potential sites for a relocated public works facility.
4th Quarter	Provide an update to Council regarding potential funding mechanisms.

2011 COUNCIL GOALS WORK PLAN

Lead Department: Public Works Department

Staff Lead: Steve Martin, Parks and Facilities Manager

Partners:

- Community Development Department (land use, TDIP & CCURP issues, permitting issues)
- Police Department (future relocation coordination)
- Finance Department (potential funding mechanism development)

Coordination with/Impacts on other projects/priorities:

The work toward this goal should be coordinated with the Council Goal 6, “Financial Stability.” This goal will also be closely coordinated with the “long-term financial strategy” goal in the five-year outlook.

Resources required:

This project will require time and input from a variety of in-house staff, mostly from the Public Works, Community Development, Finance and Information Services, and Police Departments. In-house staff time is estimated at 0.2 FTE, or \$22,100. Outside consulting services may be needed to develop funding mechanisms. The anticipated cost for these services is \$50,000. **Note:** *The \$50,000 in consulting services is not included in the proposed FY 2011-2012 budget and will need to be added in order to fully implement this workplan.*

A portion of relocation costs may be recouped through the sale of existing facilities. Funding resources needed to implement the first three major steps of the facilities plan strategy are:

\$15,600,000 *	New public works yard/decommission Ash Avenue yard
\$8,350,000 *	Relocate police to intermediate facility at current Public Works Building
\$21,350,000 *	New police facility

2011 Council Goals Work Plan
City Management



Council Goal	Description of Work Product	Timeline	Impact on Other Priorities	Resources
<p>4a. Communication is a part of everyone's job</p> <p><i>Staff Lead: Liz Newton</i></p>	<ul style="list-style-type: none"> Adapt and use various communication tools as technology and public receptivity changes. Develop and file communication plans for each City Council goal designed to reach stakeholders using tools appropriate to the level of interest and desired involvement. Identify and provide training and coaching for employees as needed on information resources, community outreach, writing for a target audience and communication plans. Adhere to city's Logo & Design standards. Recognize citizens' preference of Cityscape as preferred source of information and use it as a primary communication tool. Respond to information requests within 1 business day with either an accurate response or date response will be provided. 	<ul style="list-style-type: none"> March 1 – April 30: Individual department training on Logo and Design standards. March 30: Communication/Outreach plans for 2011 City Council goals received by Council. Monthly: Meet Cityscape deadlines. 	<ul style="list-style-type: none"> Development of communication plans for council goals can be incorporated into project/program work plans. Training on Logo and Design Standards will be tailored to individual department's needs. 	<ul style="list-style-type: none"> 1.8 FTE – Graphic Design 0.4 FTE – Cityscape layout and edits 0.9 FTE – Website design & maintenance (both internal and external sites)
<p>4b. Support efforts to change organizational culture</p> <p><i>Staff Lead: Sandy Zodrow</i></p>	<ul style="list-style-type: none"> Employee survey to measure employee engagement & impact of the values Incorporate results into improved efforts to integrate the values Support the City Values Team in their activities and efforts Conduct additional Behavioral Interviewing workshops for hiring managers 	<p>1st Quarter: Conduct Employee Survey, develop Action Plan</p> <p>2nd Quarter: Finish Action Plan, implement changes based on survey</p> <p>3rd Quarter: Conduct Behavioral Interviewing workshops</p> <p>4th Quarter: Evaluate strategies & make appropriate changes</p>	<ul style="list-style-type: none"> Staff time will be allocated in consideration with other goals and objectives for HR. Most of the services provided by Human Resources already incorporate the city values 	<ul style="list-style-type: none"> Continued staff support from HR Additional resources required dependent on survey results
<p>6b. Work with partners on long-range solutions to statewide structural problems</p> <p><i>Staff Lead: Liz Newton</i></p>	<ul style="list-style-type: none"> City Council finalized the city's legislative priorities for the 2011 Oregon Legislative Session on November 9, 2011. Mayor will meet with legislators monthly throughout the session. Staff will support legislators' events connecting elected officials with citizens. Staff will monitor legislation and provide testimony in support or in opposition to legislation that impacts Tigard. 	<ul style="list-style-type: none"> February 23rd – Sen. Burdick & Rep. Doherty host Town Hall in Tigard City Hall. Monthly during session – Mayor, City Manager and Asst. City Manager meet with Sen. Burdick and Rep. Doherty. Weekly during session –legislative tracking report. 	<ul style="list-style-type: none"> Review of legislation may require quick turn-around which could delay work on other scheduled priorities. 	<ul style="list-style-type: none"> 0.2 FTE - monitor legislation 0.1 FTE - meet with legislators monthly.

Total Resources: 3.4 FTE

2011 Council Goals Work Plan
Community Development



Council Goal	Description of Work Product	Timeline	Impact on Other Priorities	Resources
<p>1a. Show substantial progress on new Tigard Triangle Master Plan</p> <p>Staff Lead: Judith Gray Darren Wyss</p>	<ul style="list-style-type: none"> • City adoption of Economic Opportunities Analysis • City adoption of Metro Town Center designation for the Tigard Triangle • Proposed designations of High Capacity Transit (HCT) Station Community Areas within and in the vicinity of the Tigard Triangle • Non-HCT transportation improvements to support HCT Station Community Areas and other future development in the Tigard Triangle • Recommendations for interim and long term land use designations • Development of a Tigard Triangle funding mechanism for street improvements such as an area specific System Development Charge. • Develop a detailed Master Plan scope of work, process and schedule based on findings from the HCT Land Use Planning effort and other studies. 	<p>Spring/Summer 2011: Tigard Triangle Town Center designation; EOA Adoption by Council</p> <p>Fall/Winter 2011: Preliminary Designations of High Capacity Transit (HCT) Station Areas; plan for other transportation improvements to support HCT Station Community Areas and other Tigard Triangle Development; recommendations for interim and long term land use designations: development of a Tigard Triangle funding mechanism for street improvements</p> <p>Winter 2011/Spring 2012: Planning Commission scoping for full Master Plan Project to proceed in 2012</p> <p>Summer 2012: Council receipt of Planning Commission Scoping Recommendation and Report</p> <p>Spring 2013: Alternative Mobility Standards</p>	<ul style="list-style-type: none"> • Coordinate with the HCT Land Use Plan and other the Southwest Corridor Planning efforts. It cannot proceed by itself and be meaningful. • Inadequate staff resources are available to focus solely on this project • If staff had to engage in a stand-alone” project now to develop a Tigard Triangle Land Use and Transportation other work programs and their schedules would be negatively affected. • Furthermore, such an effort would be not be useful because future, Alternative Mobility Standards, HCT Station Area locations, Alternatives Analysis, and Alignment HCT decisions are primary factors that must be considered. 	<ul style="list-style-type: none"> • 0.5 FTE & consulting assistance
<p>1b. Update Tree Code</p> <p>Staff Lead: Todd Prager</p>	<p>Code amendments addressing the following will be brought to Council for its consideration:</p> <ul style="list-style-type: none"> • Management of hazard trees (completed) • Planting, maintenance and removal of street trees in non-development situations • Preservation of Tree Groves using flexible and incentive based regulations • Tree Plan Requirements (inventory; protection; planting; mitigation, etc.) • Tree Permit Requirements in 1) development situations and 2) when development is not involved 	<p>Winter 2011: Draft Street Tree Code Provisions; draft Tree Plan Code Provisions</p> <p>Winter/Spring 2011: Proposal for Tree Grove Preservation</p> <p>Spring/Summer 2011: Draft Tree Permit Requirements – Development & Non-Development Situations</p> <p>Summer/Fall/Winter 2011: Review Proposed Code Changes and Community Input</p> <p>Winter 2012: Planning Commission Workshops and Hearings</p> <p>Spring 2012: Council Workshops, Public Hearings and Adoption</p>	<ul style="list-style-type: none"> • Project is citizen involvement intensive. • Past efforts did not succeed due to contention between development community and citizens. • CD has invested a significant amount of citizen and community involvement / communication time into the project. • Every effort is being made to work out issues before the proposed code amendments enter the public hearing process. 	<ul style="list-style-type: none"> • 2.0 FTE & consulting assistance

2011 Council Goals Work Plan
Community Development



Council Goal	Description of Work Product	Timeline	Impact on Other Priorities	Resources
<p>1c. Participate in the Southwest Corridor Study</p> <p><i>Staff Lead:</i> Sean Farrelly Judith Gray</p>	<ul style="list-style-type: none"> Tigard, in partnership with Metro, ODOT and Tri-Met is engaged in a High Capacity Transit Land Use Plan that will identify up to ten future HCT Station Community Areas Metro and ODOT will be coordinating another planning effort, the Interstate 5 / Pacific Highway 99W Corridor Refinement Plan that will evaluate how traffic management and emphasis on different transportation modes, including HCT, will improve mobility within the Corridor. The Corridor Refinement Plan will result in alternative mobility standards that will provide some relieve to the Transportation Planning Rule's (TPR) constraints. The main task for Tigard staff in 2011 will be the Pacific Highway 99W HCT Land Use Plan and to represent the City's interests in other Corridor Refinement planning efforts. Significant staff resources will be focused on the broader corridor planning efforts as above. 	<p>Winter/Spring 2011: Project Kickoff And Stakeholder Interviews</p> <p>Spring/Summer 2011: Existing Conditions Inventory and Analysis</p> <p>Summer 2011: Project Design Work Shop</p> <p>Fall / Winter 2011: Station Area Plans and Land Use Proposals</p> <p>Winter 2011: Community Open House, Planning Commission and City Council Workshops</p> <p>Winter 2011/Spring 2012: Presentation of Legislative Options, such as Amended Comprehensive Plan Policies; Land Use Designations; Amendments to the Transportation System Plan, etc.</p> <p>Spring 2013: Corridor Refinement Plan Completion, review by agencies and affected jurisdictions and consideration for adoption by Metro</p>	<ul style="list-style-type: none"> Project is CD's highest priority. City needs to meet its commitments to regional partners and to funding agencies If necessary on other priorities, such as Code Compliance Reorganization and Regulatory Reform, would be curtailed to ensure project is completed. CD has invested substantial staff resources in ensuring a robust citizen involvement effort. Tigard's elected officials have a role to provide input to state and regional decision-makers and to represent the City's interests in the political arena. 	<ul style="list-style-type: none"> 1.50 FTE for HCT Land Use Plan with consulting assistance 0.25 FTE - coordinate and represent Tigard's Interest in other SW Corridor
<p>1d. Work with state and regional partners to modify the (state) Transportation Planning Rule</p> <p><i>Staff Lead:</i> Ron Bunch</p>	<ul style="list-style-type: none"> There are three parts and it's important that this issue be addressed in all three of these venues in a balanced manner. Represent Tigard's interests at regional and statewide venues, including development of a joint position on amending the TPR with other elected City and County officials and agency staff and appointees such as Metro and LCDC. Evaluate parts of Tigard where new development will be impacted by the TPR. Develop a local strategy and be able to tell Tigard's story. 	<p>Winter/Spring 2011: Evaluate how Tigard will be impacted by TPR & prepare local strategy</p> <p>Spring 2011: Expand the Town Center designation to include the Tigard Triangle</p> <p>Winter to Fall 2011: Represent Tigard's interests at regional and statewide venues</p> <p>Fall 2011 to 2013: Represent Tigard's interests during the Pacific Hwy 99W/I-5 Multi-Modal Corridor Refinement Plan Fall</p> <p>Ongoing: Implement Southwest Corridor High Capacity Transit</p>	<ul style="list-style-type: none"> A significant part of this project involves political action that will require senior management and elected officials to engage with their peers from other agencies and jurisdictions. Staff can research, analyze and present proposals, but involvement of elected officials will be necessary. 	<ul style="list-style-type: none"> 0.25 FTE

2011 Council Goals Work Plan
Community Development



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<p>Goal 1d. Modify TPR cont.</p>	<ul style="list-style-type: none"> Work on existing initiatives that will lessen a portion of TPR requirements including developing specific ways to mitigate traffic impacts; expanding the Town Center designation to include the Tigard Triangle; representing Tigard’s interest in the Pacific Hwy 99W/ I-5 Multi-Modal Corridor Refinement Plan); implementing Southwest Corridor High Capacity Transit. 			
<p>1e. Work with partners on urbanization policy issues</p> <p>Staff Lead: Ron Bunch</p>	<ul style="list-style-type: none"> City does not support unincorporated urban development. Consistent with this position Council has directed staff to implement the Comprehensive Plan as it pertains to future urbanization of lands within Metro Urban Growth Areas 63 and 64 and the adjacent urban reserve area. Washington County has completed and approved by resolution an Urbanization Concept Plan for this area. A more detailed Community Plan, addressing infrastructure financing; governance and land use is required before urbanization can occur. City staff has been working with Washington County and others on an agreement on ways that Tigard can become the governance and service provider. If the City is then in a position to annex the area, then it must plan to complete the Metro required planning work before urbanization can occur. This Council Goal should be reassessed at that time to take into account the commitment necessary to begin annexation, develop the required Community Plan and extend infrastructure. 	<p>Summer 2011: Washington County / Tigard Agreement on Means to Initiate Annexation of Lands in Urban Growth Areas 63 & 64</p> <p>2011 and Beyond: If the above is accomplished then following direction from Council the work plan will be revised. The timeline will likely extend into 2014</p>	<ul style="list-style-type: none"> Coordination with other projects is not necessary to achieve the above limited goals. Extensive coordination will be required in doing future work. 	<ul style="list-style-type: none"> 0.2 FTE

2011 Council Goals Work Plan
Community Development



Council Goal	Description of Work Product	Timeline	Impact on Other Priorities	Resources
<p>2. Implement Downtown and Town Center Redevelopment Opportunities: Develop strategy and materials to attract developers and tenants</p> <p>Staff Lead: Sean Farrelly</p>	<ul style="list-style-type: none"> • Hold developers' forum to assess Downtown Redevelopment opportunities with stakeholders; • Develop socio-economic (statistically based) Downtown/Triangle marketing materials and broadly distribute them; • Prepare an assessment / inventory of land in the Downtown whose owners would reconsider redevelopment • Work with Downtown businesses, property owners and consultants to develop a retail marketing plan and Downtown Organization proposal; • Develop a Downtown/promotion web page; • Develop a strategy to inform a broad spectrum of developers and investors of the Downtown's and Tigard Triangle's redevelopment and market potential. • Work with property owners and developers on development opportunity studies. 	<p>Summer 2011: Hold developer's forum to assess Downtown Redevelopment opportunities; retail marketing plan and Downtown Organization proposal</p> <p>Fall 2011: Develop socio-economic Town Center marketing materials; assessment of land whose owners would consider redevelopment</p> <p>Winter 2011: Make Progress on Tigard St Trail</p> <p>Winter 2011/12: Complete planning & design of Main St. Green St. Retrofit; acquire suitable property in the Downtown for public open space; High Capacity Station Areas designated in the Downtown and Triangle; develop a Downtown/promotion marketing web page inform a broad spectrum of developers and investors of the Downtown's redevelopment and market potential.</p>	<ul style="list-style-type: none"> • This goal represents another program element for Downtown Redevelopment and cannot be accommodated with existing resources, especially since the Redevelopment Manager and Community Development Director are both engaged in the Pacific Highway/ 99W HCT Land Use Plan. • At least 0.5 FTE will have to be dedicated to this program. 	<ul style="list-style-type: none"> • 0.8 FTE
<p>Five Year Goal: Explore (Pacific Highway) 99W Urban Renewal District</p> <p>Staff Lead: Ron Bunch</p>	<ul style="list-style-type: none"> • This work product is dependent on the findings of the Pacific Hwy / 99W High Capacity Transit (HCT) Land Use Plan. In this instance, the basis of an urban renewal district would be prospect of building tax increment to help construct public facilities needed to promote station community development. • The work product will be a written report to Council in association with the Draft Highway HCT land use plan evaluating the potential for a successful urban renewal district prior to or in association with the Development of HCT. Council may or may not decide to give staff further direction at that time. 	<p>Winter/Fall 2011: Evaluate HCT land use plan findings and other relevant information and assemble relevant information pertaining to the formation of urban renewal district.</p> <p>Winter/Spring 2012: Prepare and present report for Council review and direction</p>	<ul style="list-style-type: none"> • Triangle Master Plan • Southwest Corridor Plan 	<ul style="list-style-type: none"> • 0.2 FTE

Total Resources: 5.7 FTE

2011 Council Goals Work Plan
Finance and Information Services



Council Goal	Description of Work Product	Timeline	Impact on Other Priorities	Resources
<p>6. Hold the line on the General Fund Budget</p> <p><i>Staff Lead:</i> Toby LaFrance</p>	<ul style="list-style-type: none"> In the 1st half of the calendar year, develop and adopt a budget for FY 2011-2012 with same number of FTE and no dollar growth in materials and services compared to the budget of FY 2010-2011. In the 2nd half of the calendar year, minimize growth in the General Fund budget where increases in expenditures come with revenues and provide quarterly reports to the Budget Committee to ensure that actual expenditures comply with the adopted budget. 	<p>2nd Quarter</p> <ul style="list-style-type: none"> Proposed Budget published Budget Committee Meetings to create the Approved Budget Council Hearing to pass the Adopted Budget <p>3rd Quarter</p> <ul style="list-style-type: none"> Adopted Budget Document published Budget Committee Workshop with Council including preliminary fiscal year end for FY2010-2011 <p>4th Quarter</p> <ul style="list-style-type: none"> Budget Committee Workshop with Council including preliminary quarterly report on first quarter of FY2011-2012. 	<ul style="list-style-type: none"> Budget Committee and Council may need to make choices between funding core service levels and funding projects associated with Council priorities. There are not new or additional resources to expand department appropriations to meet Council priorities. 	<ul style="list-style-type: none"> 0.5 FTE Senior Management Analyst 0.2 FTE Finance Director Unspecified time from Finance Operations staff
<p>Five-Year Goal: Develop Long-Term Financial Strategy</p> <p><i>Staff Lead:</i> Toby LaFrance</p>	<ul style="list-style-type: none"> City has practices in place such as including a forecast as part of the budget decision making process. Strengthen documented strategies and policies. Discussion with Council resulting in updated financial policies and a Strategic Finance Plan for Tigard that integrates existing master plans, operations, and revenue analysis/opportunities into a single document. 	<p>Fall 2012: Review best practices from the Government Finance Officers Association, discuss with Budget Committee and Council to guide emphasis of document and policy/practice checklist.</p> <p>Spring 2013: Review major revenue sources and opportunities for existing and potential revenues.</p> <p>Fall 2013: Complete a forecast of service demand and a survey of existing master plans. Use results to create a needs analysis.</p> <p>Spring 2014: Combine results of revenue analysis and needs analysis to create a gap analysis. Work with Budget Committee and Council on strategies to address existing base services and revenues.</p> <p>Fall 2015: Based on results of prior steps, go to Council to adopt Financial Strategies document.</p>	<ul style="list-style-type: none"> The Long-Term Financial Strategy document should assist Council with the ability to finance the Five-Year and Long-Term Goals of Council. 	<ul style="list-style-type: none"> 0.2 FTE Finance Director 0.2 FTE Senior Management Analyst 0.2 FTE Assistant Finance Director 0.2 FTE Accounting Supervisor 0.1 FTE of the Business Managers in Police and Public Works.

Total Resources: 1.6 FTE

2011 Council Goals Work Plan
Public Works



Council Goal	Description of Work Product	Timeline	Impact on Other Priorities	Resources
<p>2b. Advance Ash Avenue Railroad Crossing</p> <p>5-Year Goal: Obtain Crossing in Downtown</p> <p>Staff Lead: Mike McCarthy</p>	<ul style="list-style-type: none"> • Range of alternatives for developing a railroad crossing at Ash Ave. and eliminating a crossing at either Tiedeman Ave. or North Dakota St. • Council selects a preferred alternative for the new crossing and identifies the crossing that will be eliminated. • Design and construction of the preferred alternatives will be scheduled as funding is secured, with the goal of completing the projects within five years. 	<ul style="list-style-type: none"> • 2nd Quarter: Initiate project and identify a range of alternatives for each site • 3rd Quarter: Develop conceptual road alignment and layouts • 4th Quarter: Evaluate impacts to traffic, property owners, neighborhoods, and cost. Finalize report, Council selects preferred alternatives 	<ul style="list-style-type: none"> • The Ash Avenue portion of this project should be coordinated with other downtown CIP projects and planning processes. • The North Dakota/Tiedeman portion of the project should be coordinated with other CIP projects in the area. • Coordinated with Council Goal No. 6, "Financial Stability." 	<ul style="list-style-type: none"> • In-house staff time estimated at 0.5 FTE which will cost \$55,250. • Outside consultants will complete: traffic impact analysis for \$30,000; wetlands and environmental analysis for \$20,000.
<p>3. Complete Plan for Parkland Acquisition</p> <p>Staff Lead: Steve Martin Brian Rager</p>	<ul style="list-style-type: none"> • Program management (management, scheduling, cost control, and coordination) • Public information and involvement strategy and implementation • Real property acquisition and appraisal • Environmental investigations and contamination surveys • Landscape architecture (for park development projects); 	<ul style="list-style-type: none"> • 1st Quarter: Phase 2 acquisition process; predesign on development projects begin; purchase of Potso Dog Park completed. • 2nd Quarter: Summer Creek master plan development begins; predesign packages completed; phase 2 acquisition analysis; Purchase of Sunrise and Summer Creek II completed • 3rd Quarter: Phase 2 acquisition list announced, endorsed by Council; Design of improvement packages begins; phase 3 acquisition analysis • 4th Quarter: Acquisition activities commence; predesign on development projects begins; Phase 3 improvements projects budgeted. 	<ul style="list-style-type: none"> • Community Development Department (for consistency with city plans, land use) • Funding partners • Regulatory agencies 	<ul style="list-style-type: none"> • Approximately \$8 million of unallocated project categories into which the PRAB/Council decisions will be included as developed. • In-house staff time is estimated at 1.5 FTE, which will cost \$165,750. • Outside consultants cost depends on acquisition and improvement projects that have yet to be determined.

2011 Council Goals Work Plan
Public Works



Council Goal	Description of Work Product	Timeline	Impact on Other Priorities	Resources
<p>5. Continued Coordination with Lake Oswego on Water Partnership</p> <p>Staff Lead: Dennis Koellermeier</p>	<ul style="list-style-type: none"> New 38-million-gallon-per-day river intake pump station with initial of 32 mgd, with future expansion to capacity of 38 mgd. Approximately 14,000 feet of new raw (untreated) water transmission piping connecting the RIPS structure to Lake Oswego's Water Treatment Plant. Approximately 35,000 feet of new finished (treated) water transmission piping connecting the WTP to the existing terminal reservoir, Waluga Reservoir. New 3.5 million gallon water reservoir at Waluga Park. Replacement of Tigard's existing Bonita pump station (BPS). 	<p>1st Quarter: Value planning report; WTP request for proposals issues and contract award; SCADA (computer system that monitors the water system) request for proposals issued; pipelines request for proposals issued</p> <p>2nd Quarter: Design of WTP and SCADA proceeds; Pipelines design contract awarded; Initial revenue bond sale preparatory work completed</p> <p>3rd Quarter: Request for proposal for RIPS, WR, and BPS issued, contracts awarded; Tigard initial revenue bond sale; environmental permitting continues</p> <p>4th Quarter: Land use applications in Gladstone, West Linn, Lake Oswego; Design continues on WTP, SCADA, pipelines, RIPS, WR, and BPS.</p>	<ul style="list-style-type: none"> Coordinated with Council Goal No. 6, "Financial Stability." BPS project should be coordinated with other CIP projects in the area, if any. 	<ul style="list-style-type: none"> In-house staff time is estimated at 1.1 FTE which will cost \$121,550. Payments to managing partner Lake Oswego are estimated at \$5,926,960. Bond issuance expenses are estimated at \$100,000.
<p>6c. Evaluate the City's Internal Sustainability Efforts</p> <p>5-Year Goal: Develop Sustainability Plan</p> <p>Staff Lead: Michelle Wright</p>	<ul style="list-style-type: none"> Identify existing sustainability efforts Research options available and funding mechanism Alternatives developed, data evaluated, rate of return determined, projects prioritized 	<p>2nd Quarter: Data collection; project definition and management; initial Council work session held</p> <p>3rd Quarter: Research and analysis</p> <p>4th Quarter: Draft summary report published; Council action a preliminary sustainability plan</p>	<ul style="list-style-type: none"> Interaction with other City departments will be needed during data collection. If the Council decides to pursue sustainability in future budget years, extensive interaction and coordination among all City departments would be necessary. Coordinated with Council Goal No. 6, "Financial Stability." 	<ul style="list-style-type: none"> In-house staff time is estimated at 0.25 FTE which will cost \$27,625. Consulting work estimated at \$10,000.

2011 Council Goals Work Plan
Public Works



Council Goal	Description of Work Product	Timeline	Impact on Other Priorities	Resources
<p>Five Year Goal: Start Implementing Plan for City Facility Needs</p> <p>Staff Lead: Steve Martin</p>	<ul style="list-style-type: none"> Develop a new public works yard and facility and decommission the old public works yard on Ash Ave. Relocate the Police to an intermediate location at the current Public Works Building; or If a funding source and a site become available, the best solution would be to construct a new Police facility. <p>In order to implement these first major steps, land and substantial funding are required. Meanwhile, existing City facilities continue to require annual maintenance and repairs.</p>	<p>1st Quarter: Develop the FY 2012 Property Management budget with the highest priority facility maintenance and repairs included; Continue to investigate potential sites that could accommodate a Public Works facility.</p> <p>2nd Quarter: Collaborate with other departments on funding mechanisms.</p> <p>3rd Quarter: Update Council on potential sites for a relocated public works facility.</p> <p>4th Quarter: Update Council on potential funding mechanisms.</p>	<ul style="list-style-type: none"> Coordinated with the Council Goal No. 6, "Financial Stability" and with the "long-term financial strategy" goal in the five-year outlook. 	<ul style="list-style-type: none"> In-house staff time is estimated at 0.2 FTE, or \$22,100. Outside consulting services may be needed to develop funding mechanisms. The anticipated cost for these services is \$50,000.
Total Resources:				3.55 FTE