City *of* Tigard
Tigard Business Meeting – Minutes

TIGARD CITY COUNCIL AND LOCAL CONTRACT REVIEW BOARD

MEETING DATE AND TIME:	June 28, 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

Mayor Dirksen called the meeting to order at 6:34 p.m.

City Council roll call:

Name	Present	Absent
Mayor Dirksen	✓	
Council President Buehner	✓	
Councilor Henderson	✓	
Councilor Wilson	✓	
Councilor Woodard	✓	

- STUDY SESSION
  - DISCUSS THE CITY'S REVISED TRAVEL AND TAXABLE FRINGE BENEFITS POLICIES AND PROCEDURES

Finance and Information Services Department Director LaFrance introduced this agenda topic. Also present for the discussion were Senior Management Analyst Barrett who reviewed the travel policies and Payroll Specialist Strayer who reviewed taxable fringe benefits. A copy of the agenda item summary is in the meeting packet, which included a copy of the Travel Policies and a summary of the travel changes in a PowerPoint presentation. The revised policies and procedures are based on IRS rules, Oregon State Ethics Law, the Fair Labor Standards Act, and U.S. General Services Administration guidance. The policies and procedures apply to all public officials and representatives.

Senior Management Analyst Barrett's remarks included:

- Travel policies are in place for accountability to the public with regard to spending public funds and to assurance compliance with applicable regulations.

- The city has an agreement in place with Azumano Travel Agency for government airfare rates. The advantage to the city is that the rates quoted are refundable for west coast travel. Airlines are not participating in offering refundable rates for travel east of the Rocky Mountains. The preference is for staff to book air travel through Azumano; however, staff members are allowed to book through other methods including online sites.
- City officials cannot accrue frequent flier miles for the City of Tigard.
- The city can procure a contracted rate on rental vehicles.
- If a city official chooses to drive a personal vehicle for local travel, insurance information declaring sufficient coverage is in place is required to be on file with the risk management division.
- Federal General Services Administration publishes meal and lodging per diem rates for individual cities. The city's policy is to pay the per diem rate for lodging. Lodging is an option for travel that is at least 50 miles from City Hall. There are exceptions to the lodging per diem rate if it is in the benefit of the city. For example, if an employee is traveling to Seattle and staying at the conference hotel, it might be less expensive for the city to pay a higher a hotel rate rather than to pay for a rental car or taxi fare to and from the convention hotel. The key to this is to provide documentation.
- The city is shifting to an actual cost daily allowance for meal expenses when traveling. The city will pay the actual cost for meals up to the GSA per diem daily rate. The preferred method for payment is to use the city-issued purchasing card to pay for meals; keep receipts and turn them in to the Finance Department. Include gratuity payments also. Receipts can also be kept and turned in for reimbursement. If there are conference meals paid within the registration, the cost of the meal is deducted from the daily allowance. Alcohol can never be purchased with city funds.
- On the first and last day (travel days) of city trips, the city will pay up to 75 percent of the daily per diem rate for meals.
- The city allows personal travel associated with city business; the employee shall pay all personal costs associated with the travel.
- Entertainment expenses are paid only if included in the registration cost. The exception is that the city will pay for (as an example) reception costs associated with the travel event if there is documentation that the employee/official is working at the reception.
- The city will not pay for personal items.

Payroll Specialist Strayer's presentation on taxable fringe benefits included the following remarks:

- The IRS views the benefits included in this presentation as income and, therefore, are taxable.
- Any gifts, including cash or cash equivalents, purchased by the city are taxable. Flowers or plaques have no tangible cash value and are not taxable.

- Discussion was held on City Council meals, which can be considered taxable if the meal is not eaten during the City Council meeting. The nuances of this IRS rule and Oregon ethic regulations for public employees were talked about at length.
- Staff will be coming back to the City Council with additional information regarding meals before City Council meetings, so the council members can decide how to proceed.

B. ADMINISTRATIVE ITEMS

- Council Meeting Schedule
- Council Calendar:
  - July 4 Monday Holiday; City Hall is closed.
  - July 12 Tuesday Council Business Meeting
  - July 20 Tuesday Council Workshop Meeting
  - July 27 Tuesday Council Business Meeting
- August 16, 2011, City Council workshop meeting might be cancelled.

- EXECUTIVE SESSION: The Tigard City Council went into Executive Session at 7:15 p.m. for consultation with legal counsel concerning legal rights and duties regarding pending litigation under ORS 192.660(2) (h).

Executive session concluded at 7:29 p.m.

1. BUSINESS MEETING - TIGARD CITY COUNCIL, LOCAL CONTRACT REVIEW BOARD AND CITY CENTER DEVELOPMENT AGENCY - JUNE 28, 2011

A. Call to Order – Mayor Dirksen called the meeting to order at 7:38 p.m.

B. Roll Call

Name	Present	Absent
Mayor Dirksen	✓	
Councilor President Buehner	✓	
Councilor Henderson	✓	
Councilor Wilson	✓	
Councilor Woodard	✓	

C. Pledge of Allegiance

D. Council Communications & Liaison Reports Council President Buehner gave a report during Agenda Item No. 9

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

2. CITIZEN COMMUNICATION

A. Follow-up to Previous Citizen Communication

City Manager Prosser advised a number of citizens spoke on June 14, 2011, about the removal of the abandoned beaver dam at Merestone Pond. Staff will be meeting next week with the Oregon Department of Fish and Wildlife to obtain clarification about what can and cannot be done to encourage the beavers to return. Following that meeting staff will be hanging notices on neighborhood doors inviting them to a public meeting to discuss alternatives.

B. Citizen Communication – Sign Up Sheet -- None.

Mayor Dirksen reviewed the consent agenda:

3. CONSENT AGENDA: (Tigard City Council and the Center Development Agency)

A. Approve City Council Meeting Minutes

1. May 10, 2011

B. Receive and File

1. 2010 Pavement Condition Report, Including Street Maintenance Fee Findings

C. Resolution to Appoint Tigard Library Board Members Laura Cadiz, Dan Snyder, and John Storhm, and Alternates Stephanie Carter and Katie Harris - Resolution No. 11-24

RESOLUTION NO. 11-24 - A RESOLUTION REAPPOINTING JOHN STORHM TO A FOUR-YEAR TERM AS A BOARD MEMBER, APPOINTING LAURA CADIZ AND DAN SNYDER TO FOUR-YEAR TERMS AS BOARD MEMBERS AND APPOINTING KATIE HARRIS AND STEPHANIE CARTER FOR TWO-YEAR TERMS AS ALTERNATES TO THE TIGARD LIBRARY BOARD.

The Mayor welcomed Dan Snyder who was present. Councilor Henderson thanked those who stepped forward and applied for a position on the Library Board; 12 people were interviewed.

D. Resolution Declaring the "Remnant Triangle" Property as Surplus Property and Authorizing the Transfer of the Property

E. Submit a Non-Renewal Letter to Terminate the Regional Water Sales Agreement with the City of Portland in 2016

F. Approve FY 2011 Edward Byrne Memorial Justice Assistance Local Solicitation Grant Application

G. Resolution to Approve Workers' Compensation Insurance for City Volunteers - Resolution No. 11-26

RESOLUTION NO. 11-26 - A RESOLUTION EXTENDING CITY OF TIGARD'S WORKERS' COMPENSATION COVERAGE TO VOLUNTEERS OF THE CITY.

H. City Center Development Agency: Resolution to Consider Additional Sites for the Downtown Public Plaza - CCDA Resolution No. 11-02

CCDA RESOLUTION NO. 11-02 - A RESOLUTION AMENDING CCDA RESOLUTIONS 07-03 AND 08-01 TO ALLOW CONSIDERATION OF ADDITIONAL SITES FOR A DOWNTOWN PUBLIC PLAZA

Council President Buehner commented:

- Consent Agenda Item D – Remnant Triangle: This item relates to some property the city bought from the Tigard Water District of which most was used to create a joint driveway after a driveway was eliminated during the Burnham Street Project.
- Consent Agenda Item E – Non-Renewal Letter: The City of Tigard has one day in which to give notification, July 1, 2011.

Councilor Wilson added that Item E is an important milestone in Tigard's quest to obtain its own water source.

Councilor Henderson referred to Consent Agenda B and City Manager Prosser reported staff had not planned to do an additional presentation; however, at Councilor Henderson's suggestion this report will be scheduled on a workshop meeting.

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

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

4. PROCLAMATION - PROCLAIM GEOGRAPHY AWARENESS WEEK: AUGUST 1-7, 2011

Mayor Dirksen issued the proclamation.

5. INFORMATIONAL PUBLIC HEARING - CONSIDER A RESOLUTION FINALIZING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 50 (SW CANTERBURY LANE)

- Mayor Dirksen opened the public hearing.
- Hearing Procedures – 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. (TMC 13.090.050 (hearing on City Engineer's Report) and TMC 13.09.1053 (final hearing)
- Staff Report: City Engineer Kyle presented the staff report.
- Public Testimony – None.
- Staff Recommendation – Approve the finalization of Sanitary Sewer Reimbursement District No. 50 (SW Canterbury Lane)
- Mayor Dirksen closed the public hearing.

- City Council Consideration: Resolution No. 11-27

RESOLUTION NO. 11-27 - A RESOLUTION FINALIZING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 50 (SW CANTERBURY LANE) AND AMENDING THE PRELIMINARY CITY ENGINEER'S REPORT CONTAINED IN RESOLUTION NO. 10-57

Motion by Council President Buehner, seconded by Councilor Wilson, to adopt Resolution No. 11-27.

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

6. BRIEFING ON COMMUNICATION EFFORTS RELATED TO CAPITAL IMPROVEMENT PLAN PROJECTS

City Engineer Kyle and Engineering Manager McMillan presented the staff report on City of Tigard public involvement communication efforts. A copy of the staff's PowerPoint slide presentation is on file with the council meeting packet.

Lake Oswego Communications Director Jane Heisler presented information about the outreach efforts for activities resulting from the Lake Oswego/Tigard Water Supply Partnership.

Hotline numbers are available for citizens to call and have questions answered. Councilor Woodard noted the importance of having a centralized information resource.

Council President Buehner noted Tigard citizens are aware of the need for a long-term water source since the city has working on this for many years. Citizens have been informed about the status quo, potential options and have a general idea of what it will cost to achieve a future water supply. Ms. Heisler described the efforts to educate ratepayers regarding details about the water plant in response to Council President Buehner's question about what information is available to Lake Oswego residents.

Councilor Henderson also commented on getting the same message out to residents of both cities. The Lake Oswego/City of Tigard needs to have a single message.

Councilor Wilson commented that support for the water plant and partnership seems to be a little softer in Lake Oswego than in Tigard. He noted the importance of building citizens' trust.

Mayor Dirksen said he agreed with Councilor Wilson's comments. He pointed out that tonight's presentation was on communication efforts and talking about the human element regarding how these projects impact citizens. Ten years ago, the conversation would have been centered only on the projects. Mayor Dirksen and Council President Buehner agreed that, at times, it had been necessary to learn the hard way regarding the importance of communication.

7. LOCAL CONTRACT REVIEW BOARD:

Senior Management Analyst Barrett reviewed the following Local Contract Review Board items:

A. Award Contract for Financial Adviser Services to Western Financial Group and Direct Staff to Execute the Contract

Motion by Council President Buehner, seconded by Councilor Woodard, to award the contract for financial adviser services to Western Financial Group and direct staff to execute the contract.

D. Award Contract for the 100th Avenue Sanitary Sewer Project to S-2 Construction

Motion by Council President Buehner, seconded by Councilor Wilson, to award the contract for the 100th Avenue sanitary sewer project to S-2 Construction.

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

8. COUNCIL LIAISON REPORTS

Council President Buehner reported on her recent visit, with a number of other people who have been working on the Lake Oswego/Tigard water plant, to an underground piping project (directional boring) in Hillsboro. Overall she was very impressed with this operation. She reported piping would be running under Lakewood Bay when distributing the clean water from the West Linn plant going up A Street, through Lake Grove and then to Tigard. Mayor Dirksen agreed with Council President Buehner that this was exciting technology and reduces the impact to neighborhoods over traditional trenching – noise, disruption, and time.

Council President Buehner advised that Representative Doherty held a meeting in Town Hall last week. About 50 people attended. There were several questions that came up regarding city operations and Council President Buehner and Senior Management Analyst Wyatt were able to answer some of these questions.

In response to a question from Councilor Henderson, Mayor Dirksen said the legislative session is not finished. City Manager Prosser said sine die is scheduled for Thursday.

Councilor Henderson commented on healthcare changes occurring at the county level with new legislation adopted at this session. The end product is to allow physical and mental health operations to work together.

9. NON AGENDA ITEMS: None.

10. EXECUTIVE SESSION: Not held.

11. ADJOURNMENT

Motion by Councilor Wilson, seconded by Council President Buehner, to adjourn the meeting at 8:41 p.m.

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

Catherine Wheatley

Catherine Wheatley, City Recorder

Attest:

Mayor, City of Tigard

Date: August 23, 2011

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