



City of Tigard

Tigard Business Meeting - Agenda

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

MEETING DATE AND TIME: October 11, 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	6:00 p.m.	Sunday	11:00 a.m.
Friday	10:00 p.m.	Monday	6:00 a.m.



City of Tigard Tigard Business Meeting - Agenda

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MEETING DATE AND TIME: October 11, 2011 - 6:30 p.m. Study Session; 7:30 p.m. Business Meeting

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6:30 PM

- **STUDY SESSION**

- **EXECUTIVE SESSION:** The Tigard City Council will go into Executive Session to discuss real property transaction negotiations and consultation with legal counsel regarding pending litigation under ORS 192.660(2)(e) and (h). 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.

A. **ADMINISTRATIVE ITEMS**

- Review November, December and January Calendars
- Joint Meeting with the Tigard-Tualatin School Board
- Schedule Meeting Times with IT Manager Louis Sears

B. **COUNCIL CALENDAR**

October 18	Workshop Meeting	6:30 p.m.
October 25	Business Meeting	6:30 p.m.
November 8	Business Meeting Canceled	6:30 p.m.
November 14	Special Jt. Tigard/Lake Oswego Mtg.	6 or 6:30 p.m.
November 15	Workshop Meeting	6:30 p.m.
November 22	Business Meeting	6:30 p.m.

7:30 PM

1. BUSINESS MEETING - OCTOBER 11, 2011
 - A. Call to Order
 - B. Roll Call
 - C. Pledge of Allegiance
 - D. Council Communications & Liaison Reports
 - E. Call to Council and Staff for Non-Agenda Items

2. CITIZEN COMMUNICATION (Two Minutes or Less, Please)
7:35 p.m. (Time is estimated.)
 - A. Follow-up to Previous Citizen Communication -- None.
 - B. Tigard High School Student Envoy - Courtney Bither
 - C. Tigard Area Chamber of Commerce - Debi Mollahan
 - D. Citizen Communication – Sign Up Sheet

3. CONSENT AGENDA: (Tigard City Council and Local Contract Review Board) These items are considered routine and may be enacted in one motion without separate discussion. Anyone may request that an item be removed by motion for discussion and separate action. Motion to:
7:40 p.m. (Time is estimated.)
 - A. Approve Council Meeting Minutes
 1. July 26, 2011
 2. August 9, 2011
 - B.
 1. Council Calendar
 2. Tentative Agenda
 - C. Endorse the Submittal of Periodic Review Grant Applications for Performing the Goal 10: Housing Work Task - Resolution

RESOLUTION NO. 11-36 - A RESOLUTION SUPPORTING PERIODIC REVIEW GRANT APPLICATION TO COMPLETE GOAL 10: HOUSING WORK TASK
 - D. Local Contract Review Board:
 1. Award Contract to CFM Strategic Communications, Inc. to Provide Technical Advice and Direct Advocacy and Support for the City's Federal Intergovernmental Interests and Authorize the City Manager to Enter Into a Contract for the Period of October, 2011 through October, 2014, With an Option to Renew for up to Two 12-Month Extensions

- 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. PROCLAMATION - RECOGNIZING THAT SEPTEMBER 17-23 WAS US CONSTITUTION WEEK, THE 224TH ANNIVERSARY OF THE DRAFTING OF THE CONSTITUTION
7:45 p.m. (Time is estimated.)

5. CONSIDER AMENDING TIGARD MUNICIPAL CODE CHAPTER 12, WATER AND SEWERS - ORDINANCE NO. 11-09
7:50 p.m. (Time is estimated.)

ORDINANCE NO. 11-09 -- AN ORDINANCE ADDING CHAPTER 12.01, UTILITY SERVICES RULES AND REGULATIONS TO TIGARD MUNICIPAL CODE TITLE 12, WATER AND SEWERS

6. PUBLIC HEARING - CONSIDERATION OF A SUPPLEMENTAL APPROPRIATION TO AMEND THE FISCAL YEAR 2012 ADOPTED BUDGET 8:15 p.m. (Time is estimated.)

- Open Public Hearing
- Staff Report: Finance and Information Services Department
- Public Testimony
- Staff Recommendation
- Council Discussion
- Close Public Hearing
- City Council Consideration: Resolution No. 11-37

RESOLUTION NO. 11-37 -- A RESOLUTION TO ADOPT A SUPPLEMENTAL BUDGET TO ACHIEVE THE FOLLOWING: 1) BUDGET OF UNANTICIPATED EXPENDITURES IN PUBLIC WORKS, FINANCE & INFORMATION SERVICES, AND POLICE; AND 2) INCREASED TRANSFER BY \$30,992 FROM THE CRIMINAL FORFEITURE FUND TO THE GENERAL FUND FOR POLICE; AND 3) UPDATE OF THE FY 2012 MASTER FEES AND CHARGES SCHEDULE.

7. COUNCIL LIAISON REPORTS

8. NON AGENDA ITEMS

9. 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.

10. ADJOURNMENT
8:40 p.m. (Time is estimated.)

AIS-673

Item #: 3. A.

Business Meeting

Date: 10/11/2011

Length (in minutes): Consent Item

Agenda Title: Approve Council Minutes

Submitted By: Cathy Wheatley
Administrative Services

Item Type: Motion Requested

Meeting Type: Consent Agenda -
Approve Minutes

ISSUE

Approve Council Meeting Minutes

STAFF RECOMMENDATION / ACTION REQUEST

N/A

KEY FACTS AND INFORMATION SUMMARY

N/A

OTHER ALTERNATIVES

N/A

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

N/A

DATES OF PREVIOUS COUNCIL CONSIDERATION

N/A

Attachments

July 26, 2011, Council Meeting Minutes



City of Tigard Tigard Business Meeting - Minutes

TIGARD CITY COUNCIL

MEETING DATE/TIME: July 26, 2011 – 6:30 p.m. – Workshop Meeting

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

- **EXECUTIVE SESSION:** The Tigard City Council went into Executive Session at 6:30 p.m. to discuss real property negotiations under ORS 192.660(2) (e).

Executive Session concluded: 7:11 p.m.

- **STUDY SESSION**

City Council Attendance:

<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, Community Development Director Bunch, Library Director Barnes, Public Works Director Koellermeier, Parks Facilities Manager Martin, Assistant Community Development Director Hartnett, City Attorney Hall, City Recorder Wheatley.

- A. Council Direction Regarding Inclusion of the Rural Element (Area 6C) into the Urban Growth Boundary (UGB)

Community Development Director Bunch presented the staff background on this item. He said the issue is whether the council wants to formally endorse inclusion of the rural element into the Urban Growth Boundary during this round of its expansion. Metro Council will be making a decision between October and December. LCDC will then rule on the Urban Growth Boundary (UGB) expansion. The rural element is one of four areas proposed to be included in the UGB. The other areas are north Hillsboro, the area 6B in Beaverton and the Cornelius expansion.

TIGARD CITY COUNCIL MEETING MINUTES – July 26, 2011

Council's direction is needed because staff will be going to the Metro Technical Advisory Committee (MTAC) next week regarding what the city is planning with the rural element and its plans for Areas 63 and 64. After the MTAC meeting, the Metro Policy Advisory Committee (MPAC) will deliberate and forward recommendations to the Metro Council.

Mayor Dirksen noted Tigard will be moving ahead with the Area 63 and 64 Community Plan. These areas need to be included since they are in the Washington County Concept Plan.

In response to a question from Councilor Henderson, Community Development Director Bunch said the rural element was originally designated as future urban reserve by Metro during Washington County's urban reserve process almost two years ago. This property was included in the reserve because of its strategic location connecting both Areas 63 and 64. It would also facilitate making services available logically and efficiently.

In response to Councilor Henderson's comment that we might be a little ahead of the time schedule, Community Development Director Bunch advised that Washington County thought Area 6C should be a concept plan because there are some major problems with providing infrastructure to Area 63, particularly sewer and transportation. The County wanted to link it with this rural element. This would be an opportune time to put it in. Mayor Dirksen said that in 2002, when Areas 63 and 64 were brought into the UGB, Area 6C was also considered but withdrawn at the last minute for reasons unknown to a number of the participants in the process.

Councilor Woodard asked if Metro is looking to designate Area 6C as an urban reserve. City Manager Prosser acknowledged that the numbering system has gotten muddled over time – 6B is an area west of Beaverton, north of Scholls Ferry. We've been talking about the area south of Scholls Ferry, due west of Area 64 as 6C. Areas 6B and 6C were urban reserve designations and because they are now talking about UGB expansion areas, they are referring to it as 6C.

Community Development Director Bunch said he contacted Metro staff to clarify what is being sought. Metro acknowledged the map was a bit off because of the scale and apologized for the 6C designation on two properties. They are focusing on what is now being referred to as the rural element in the West Bull Mountain Concept Plan. Eventually Areas 63, 64, and the rural element will be renamed. City Manager Prosser suggested the name be River Terrace.

Community Development Director Bunch received confirmation from the council that it formally endorses inclusion of the rural element into the UGB.

B. Administrative Items:

City Manager Prosser reviewed the calendar:
Council Calendar:

TIGARD CITY COUNCIL MEETING MINUTES – July 26, 2011

- August 9, 2011 - Business Meeting, 6:30 p.m.
- August 16, 2011 - Special Meeting - Executive Session Only: Discuss Finalists for City Manager Recruitment, 6:30 p.m.
- August 23, 2011 - Business Meeting, 6:30 p.m.

City Recorder Wheatley drew council’s attention to the written testimony – a July 26, 2011, letter from Sue Beilke – relating to Agenda Item No. 4.

Councilor Henderson congratulated City Attorney Hall on his appointment to the Portland Charter Review Commission.

Study Session concluded: 7:24 p.m.

1. BUSINESS MEETING - July 26, 2011

A. Call to Order  Mayor Dirksen called the meeting to order at 7:33 p.m.

B. Roll Call

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

C. Pledge of Allegiance

D. Council Communications & Liaison Reports : None.

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

2. CITIZEN COMMUNICATION

A. Follow-up to Previous Citizen Communication : None.

B. Citizen Communication – None.

TIGARD CITY COUNCIL MEETING MINUTES – July 26, 2011

 Mayor Dirksen reviewed the Consent Agenda:

3. CONSENT AGENDA: (Tigard City Council)

A. Approve Tigard City Council Meeting Minutes:

1. May 15, 2011
2. May 24, 2011
3. June 14, 2011

B. Receive and File the Tigard Public Library Feasibility Study Commissioned by the Tigard Public Library Foundation

C. Approve the Park and Recreation Board Advisory Board Bylaws - Resolution No. 11-28

RESOLUTION NO. 11-28 - A RESOLUTION APPROVING THE PARK AND RECREATION ADVISORY BOARD BYLAWS

D. Adopt Principles of Cooperation and Collaboration Between the City of Tigard and Oregon Department of Transportation - Resolution No. 11-29

RESOLUTION NO. 11-29 - A RESOLUTION ADOPTING PRINCIPLES OF COOPERATION AND COLLABORATION BETWEEN THE CITY OF TIGARD AND THE OREGON DEPARTMENT OF TRANSPORTATION

E. Approve Interim City Manager Employment Agreement

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

TIGARD CITY COUNCIL MEETING MINUTES – July 26, 2011



4. LEGISLATIVE PUBLIC HEARING REGARDING ACCEPTANCE OF THE GREENWAY TRAIL SYSTEM MASTER PLAN, ADOPT MINOR POLICY AND REGULATORY CHANGES, AND ADOPT A PROJECT PRIORITIES LIST

COMPREHENSIVE PLAN AMENDMENT (CPA) 2011-00003 - - GREENWAY TRAILS STANDARDS

REQUEST: The City of Tigard is proposing Comprehensive Plan Amendments to amend the Comprehensive Plan (Policy 8.1.20 Action xix; 8.2.2 Action i, iii, and vi; and adding Actions viii and ix; Transportation System Plan, Policies 1.9; , 3.8; and Tigard Development Code 18.810.110.C. The proposed amendments and additions support the development of greenway trail projects in Tigard. LOCATION: Citywide. ZONE: Citywide. APPLICABLE REVIEW CRITERIA: City of Tigard Community Development Code Chapters 18.380 and 18.390; Transportation System Plan Goals 1 and 3; Comprehensive Plan Policies 1, 2, 5, 8, 11, 12 and 13; and Statewide Planning Goals 1, 2, 5, 8, 11, 12 and 13.

- Mayor Dirksen opened the public hearing. 
- City Attorney Hall reviewed the hearing procedures. 
- There were no declarations of potential conflict of interest or challenges over the City Council's jurisdiction to consider this matter.
- Former Project Planner Roberts presented the staff report. Accompanying him was Parks Facilities Manager Martin who co-managed the development of the Greenway Trail System Master Plan. The item before the City Council tonight relates to the completed plan and represents three council action items:
 - Approval of the related Comprehensive Plan, Transportation System Plan, and Community Development Code amendments, and
 - Acceptance of the Greenway Trail System Maser Plan (GTSMP), and
 - Adoption of the GTSMP project list.

Most of the amendments are minor and are not regulatory; they are intended to support the trail development by bolstering the policy basis for greenway trails.

There is one regulatory amendment. The proposed Community Development Code change relates to neighborhood trails. Part of the work scope for the consultants who assisted in developing the Master Plan was to develop a trail classification system for all trails within the city. In the case of neighborhood trails, which are shortcuts/cut-through routes within neighborhoods providing more direct travel, the consultants are recommending that the minimum width be changed from five feet to three feet. This would expand the number of locations for neighborhood trails.

TIGARD CITY COUNCIL MEETING MINUTES – July 26, 2011



The Master Plan is recommended to be accepted. It is city practice to *accept* implementation-type plans to provide greater flexibility in its administration. The Master Plan is not intended to be regulatory. Project Planner Roberts further explained the intent of the Master Plan is to provide direction and background detail for completing the greenway trail system.



The project priorities list is recommended for adoption to allow the projects to be included in a Parks System Development Study, managed by Parks Facilities Manager Martin over the next few months.

Main issues that have come up on the Master Plan are:

- Whether greenway trails should be located in the greenway, not on-street. There are four segments in the recommended project list that would be expensive to build because they would go through wetland areas so they are being shown as on-street paths. These four segments would be interim; the ultimate alignment would be within the greenways.
- Receipt of a citizen comment stating that no new trails should be located inside the greenways. (Susan Beilke, July 26, 2011, letter to the Mayor and Council).
- Recommendation that the Washington Square trail be located on-street. A large landowner, after the Advisory Committee and Technical Committee had acted on the project list, said he would donate land for trail right of way and that a tunnel could be used for part of the trail alignment. No recommendation was made on the offer since it was made after the citizen and technical advisory committee had already approved the plan and project list.
- Issue raised by the Park and Recreation Advisory Board (PRAB) and supported by the Planning Commission was that the Greenway Trail System does not serve all areas of the city equally. PRAB suggested a follow-up study be conducted that would identify any overlooked opportunities for trails within the city. Project Planner Roberts said he did not believe there were a lot of opportunities, but said it would be good to do the follow-up study so we could address the potential for bike boulevards. If there is no opportunity for a trail, there might be the possibility of redesigning a street to accommodate bicycle use. The PRAB, Planning Commission, and staff are also recommending the study include another look at the alignment of the Washington Square loop trail.

The PRAB and Planning Commission conducted informal hearings in May and June regarding the recommendations. These were submitted to the City Council. The primary policy addressed was whether there was adequate public involvement. Project Planner Roberts reported on the extensive public involvement in the development of the Plan, including the citizen advisory committee, open houses, newspaper stories, and an interactive web page.

TIGARD CITY COUNCIL MEETING MINUTES – July 26, 2011

With regard to natural resources protection, the plan is well-balanced. It does not recommend that trails be installed in every case and for every greenway.

Project Planner Roberts said the Plan recommends that in the cases where there are wetlands, that the city install boardwalks instead of filling the wetland.

An environmental consultant participated on the advisory team. The consultant provided an evaluation of the alignments that were under consideration for completing the greenway trails.

Project Planner Roberts advised that the findings of the staff report are:

- The proposed additions and deletions to the Comprehensive Plan, Community Development Code and Transportation System Plan are consistent with state, regional and local goals and policies.
- Evidence is in the record to support acceptance of the Plan and to adopt the project list.
- Planning Commission and staff recommend approval of the land use amendments (ordinance).
- The Park and Recreation Advisory Board and Planning Commission recommend acceptance (resolution) of the Greenway Trail System Master Plan, with the qualification that the city undertake a follow-study of any overlooked opportunities and review of the Washington Square loop alignment.
- The Park and Recreation Advisory Board and Planning Commission also recommend adoption (resolution) of the project list to be included in the forthcoming Park Systems Development Charges study.



- Councilor Wilson asked City Attorney Ramis if site visits should be declared. He advised, for the record, that he visited the sites of all of the top projects. City Attorney Hall thanked Councilor Wilson for the declaration and noted that this is a legislative action item and, therefore, ex parte contacts/bias are not issues for this type of City Council consideration. Mayor Dirksen said he is also aware of many or most of the sites.
- Public Testimony.
 - Dr. Gene Davis, 10875 SW 89th Avenue, Tigard, Oregon 97223, said he is very much in favor of the trail systems. He said he thinks we live in one of the most beautiful places on earth; however, he questions the thinking to not allow trails in the greenway. Often we find places where the trails are not practical, except in the greenway. A trail would not damage the greenway significantly and was glad the trail width was reduced to three feet. He would not like to have the

TIGARD CITY COUNCIL MEETING MINUTES – July 26, 2011

regulations be too restrictive; trails should be allowable in the greenway and in the 50-foot setback required for developments adjacent to wetlands. This would make for a better system.

Mayor Dirksen said that he thought, as the plan is proposed, there are instances where trails are shown in the greenway, within the setback. He appreciated Dr. Davis' comment for the need to be sensitive to the environment but also to recognize that sometimes the best place to locate a trail would be in the greenway. Project Planner Roberts clarified that the setback is Clean Water Services standard and they allow flexibility in the administration of that standard. The basic requirement is to allow trails within the 50-foot buffer area for streams and wetlands; however, the buffer must be expanded by ten feet if the trail width is ten feet. An exception process must be followed to justify placing the trail within the buffer area.

Mayor Dirksen said the plan recognizes a few constrained areas and calls for the trails to be on-street; in general, off-street is the city's desire.

- Staff Recommendation – Project Planner Roberts said that staff's recommendation is for the council to adopt by ordinance the amendments included in the staff report; approve by resolution acceptance of the Master Plan; and adopt by resolution the project priorities list to go forward to the SDC study.



- Council Consideration:

Motion by Council President Buehner, seconded by Councilor Wilson, to adopt Ordinance No. 11-04.

ORDINANCE NO. 11-04 -AN ORDINANCE AMENDING THE TIGARD COMPREHENSIVE PLAN GOAL 8 – PARKS, RECREATION, TRAILS AND OPEN SPACE; TRANSPORTATION SYSTEM PLAN, GOAL 1 (CPA2011-00003); AND COMMUNITY DEVELOPMENT CODE, CHAPTER 18.810 – STREET AND UTILITY IMPROVEMENT STANDARDS (DCA2011-00001) TO FACILITATE THE IMPLEMENTATION OF THE TIGARD GREENWAY TRAIL SYSTEM MASTER PLAN

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

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

TIGARD CITY COUNCIL MEETING MINUTES – July 26, 2011

Motion by Councilor Woodard, seconded by Council President Buehner, to adopt Resolution No. 11-30.

RESOLUTION NO. 11-30 -- A RESOLUTION ADOPTING THE PROJECT PRIORITIES LIST INCLUDED IN THE TIGARD GREENWAY TRAIL SYSTEM MASTER PLAN

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



Mayor Dirksen called for consideration of Resolution No. 11-31, to adopt the project priorities list included in the Greenway Trail System Master Plan.

Motion by Council President Buehner, seconded by Councilor Woodard, to approve Resolution No. 11-31.

Discussion followed.

Councilor Wilson said he looked at all the high priority trail projects. He has a concern about Trail C on 74th Avenue, between Bonita and Durham Roads. As he reviewed the criteria for the trails, it seemed odd because if the evaluation criteria were applied, he did not see how the project could be ranked so high. He commented that the trail would go through an industrial area and cut off from the neighborhoods and as a side trail, it is adjacent to sites such as a roofing company, sign company and industrial park where there is a lot of truck traffic. It appears dangerous. This trail is also one of the most expensive projects (\$.5 to 1.5 million). He said he would rather see improvements to 79th Avenue as a bike boulevard rather than to spend this money on a trail that he does not think will get much use. He said he would oppose this project unless he can be convinced otherwise. He asked for discussion on this project.

Mayor Dirksen said he uses that street to travel from his house to Cook Park – he uses the Fanno Creek Trail, goes past the library and through the condominium neighborhood, which links to Milton Court and Bonita Road. From there it is a direct shot south to Durham Road. This road gets used a lot for bicyclists as a north/south commuter route in Tigard. Councilor Wilson said he thinks that many of the bicyclists use Hall Boulevard. He said he has traveled this area and uses 79th Avenue and is unsure why the industrial route would be better than 79th. He would rather spend the money improving 79th Avenue as a bike boulevard.

TIGARD CITY COUNCIL MEETING MINUTES – July 26, 2011

Project Planner Roberts said the criteria referred to by Councilor Wilson (cost, connectivity, safety and security) were used to rank projects within alternative alignments for gaps in the trail. The criteria was not used to prioritize projects. He acknowledged it was somewhat vague with regard to selection of the first, second and third priority projects. The rationale for the Trail C improvement was that it is a direct connection between Milton Court and the segment connecting Durham Road to Ki-a-kuts Bridge. The plan includes an alternative to the side path, but it is quite expensive – it would be separated from the road by a five-foot island and accommodate two-way bike and pedestrian traffic. The Plan’s alternative proposes to stripe the road with shared-lane on-street markings.

Councilor Wilson said this project might have risen to the top because the reviewers were considering this was a better option than those routes that went through the greenway. Because of environmental impacts, it automatically rose to a high priority not because it was particularly safe or pleasant for a biker.

Mayor Dirksen said he thinks this piece of trail only becomes important if the portion from the library to Milton Court is done; however, it is a lower priority than the 74th Avenue trail. It seems that the two are linked. Mayor Dirksen said he could support the low-cost alternative because the traffic volumes are low (unimproved street). Project Planner Roberts agreed that for the time-being, striping would be adequate on this segment. The Brown property is included in an MTIP project (Crescent connection) and it might be constructed in just a few years.

Councilor Wilson asked Project Planner Roberts if residents commented on a bike boulevard on 72nd Avenue. Project Planner Roberts said he did not hear much and Council President Buchner said the residents are opposed to it. The ultimate alignment of the Fanno Creek trail would be closer to 74th Avenue than 79th – and there would be no reason why bike treatments could not be done on both. Mayor Dirksen commented that a portion of 79th has had minimal improvements in anticipation of future development being required to improve the street. He said there are sight-distance problems and narrow right-of-way width and adding a bike boulevard would probably require quite a bit of additional street improvement. In the past, the city had considered forming a Local Improvement District (LID) to improve the street and there was a large amount of opposition from the neighborhood. The concern was that the street would become a pass-through street. Even a bike boulevard might meet with local opposition. Councilor Wilson said it might be possible to improve bike access, but downplay it for vehicles – that might be acceptable to the neighbors. Project Planner Roberts said the TSP identifies both streets, 79th and 74th, as bike routes.

Mayor Dirksen recommended the documents indicate that there will be a continuing evaluation of the projects. He suggested the council could go forward with the recommendation as presented with the caveat that a study of this area be part of that follow-up. Councilor Wilson indicated that this would be acceptable. The Mayor confirmed for Project Planner Roberts that this follow-up would specifically include looking at 79th Avenue for treatments – and possibly even as an alternative to Item C.

TIGARD CITY COUNCIL MEETING MINUTES – July 26, 2011

Councilor Woodard commented on the 85th Avenue trail to Durham and Ki-a-kuts with the range of the project costing \$131,000 to \$3+ million. The trail is very short. He asked if the resolution is approved, will the city be committed to fund these projects or would this come up for later review. This strip on 85th was also identified in the TSP as a priority per Project Planner Roberts. The high cost relates to building a tunnel under the elevated railroad. Project Planner Roberts said the resolution, if adopted, would be for the specific purpose of the SDC study – it is not mandatory for the city to fund the projects. City Manager Prosser said the approved resolution would mean that this would be used to set the Parks SDC. This would have to proceed to the Capital Improvement Program process and would be publicly vetted and prioritized. The City Council and Budget Committee would review also.

Councilor Henderson noted there is a bridge over Summer Creek, which he had not seen previously. Project Planner Roberts said this bridge would provide access for the neighborhood to the main trail. This bridge is also in the TSP. The city already owns right of way in this area. Mayor Dirksen said this connection would be useful to the neighborhood, but might be a challenge because of the cost. Flooding occurs regularly in the area.

Mayor Dirksen noted concerns by some that portions of the trail would not be accessible during certain times of the year because of flooding. The city’s plans on some portions, such as Grant Street, is to build elevated boardwalks so the trail is above the 100-year floodplain. This is appreciated by residents and acknowledged this would be an expensive option. He suggested study be done to determine if a lower-cost option could be found (instead of a boardwalk). He asked for dialogue about alternative surfaces for raised pathways. Project Planner Roberts said any site-specific improvement would need to follow a land-use approval process.

Resolution No. 11-31 adopting the project priorities list was approved by a unanimous vote of City Council members present.

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

*(*Note: The public hearing was closed by Mayor Dirksen. See Agenda Item No. 5, after the City Recorder’s staff report.)*



TIGARD CITY COUNCIL MEETING MINUTES – July 26, 2011

5. CONSIDER ORDINANCE TO AMEND TIGARD MUNICIPAL CODE SECTION 1.01.080 TO DESIGNATE THE ASSOCIATED PRESS (AP) STYLEBOOK GUIDELINES FOR THE TIGARD MUNICIPAL CODE - ORDINANCE NO. 11-05

ORDINANCE NO. 11-05 -- AN ORDINANCE AMENDING TIGARD MUNICIPAL CODE SECTION 1.01.080 DESIGNATING THE ASSOCIATED PRESS STYLEBOOK GUIDELINES TO BE APPLIED WHEN PREPARING CODIFIED EDITIONS OF ORDINANCES FOR PUBLICATION AND DISTRIBUTION IN THE TIGARD MUNICIPAL CODE (TITLES 1-17) AND THE COMMUNITY DEVELOPMENT CODE (TITLE 18) AFTER DECEMBER 31, 2010



City Recorder Wheatley presented this agenda item. The Code does not specify a writing guideline when creating code language. Recently staff implemented the Associated Press (AP) Style Guidelines for day-to-day work. City Recorder Wheatley explained she would like to have the guidelines designated and in place so that in time the code format would become consistent throughout. City Attorney Ramis reviewed the proposal and was agreeable to using the AP Style so long as its application would not change meaning or intent of an ordinance. The proposed ordinance would apply to code amendments made after 2010 for application of the AP Style Guidelines.



**Mayor Dirksen noted he had inadvertently missed a step in the above hearing procedure and did not close the public hearing. He announced the hearing was closed.*



Council President Buehner commented that this proposal was timely as the City Council will soon be considering major revisions of the Community Development Code.



Mayor Dirksen asked about the choice of styles. He said a few other government agencies use the AP Style but referred to the Oregon State Administrative Services Stylebook and the U.S. Government Printing Office. City Recorder Wheatley said the choice for AP Style was to be consistent with what staff is using for documents in other areas of the city and to avoid requiring staff to follow different guidelines when composing city documents.



Mayor Dirksen agreed a Style Guideline was good for consistency, but was curious why AP was chosen over other styles. Assistant City Manager Newton agreed with Councilor Wilson's comment about AP Style being easy to read noting that one of the City Council's goals is for effective communication with the citizens and AP Style is recognized as a clear communication style for the average reader.



TIGARD CITY COUNCIL MEETING MINUTES – July 26, 2011

In response to a question from Council President Buehner, City Recorder Wheatley explained that adopting an ordinance would give her an opportunity to change format to reflect the AP style as long as those style edits did not change the intent of the ordinance.



Council members commented on a number of style guidelines that they had used and had learned in the past. City Manager Prosser agreed there are numerous style guidelines and the Design and Communications staff and the City Recorder have focused on the AP Style.

Motion by Council President Buehner, seconded by Councilor Wilson, to approve Ordinance No. 11-05, amending the Tigard Municipal Code Section 1.01.080 designating the Associated Press Stylebook Guidelines to be applied when preparing codified editions of ordinances for publication and distribution in the Tigard Municipal Code, Titles 1-17, and the Community Development Code, Title 18, after December 31, 2010.

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

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



6. SECOND QUARTER COUNCIL GOAL UPDATE

The following Executive Staff were present to discuss progress on the City Council goals: Library Director Barnes, Community Development Director Bunch, Public Works Director Koellermeier, Finance and Information Services Department Director LaFrance, Assistant to the City Manager Mills, Assistant City Manager Newton, Police Chief Orr and Human Resources Director Zodrow.



City Manager Prosser introduced this agenda item. Staff prepared a Council Goal Work Plan. For the first quarter report, the Executive Staff presented the report and Executive Staff members are present tonight to comment on significant accomplishments for the goals.



Community Development Director Bunch:

- Tigard Triangle Town Center Designation – Implement the Comprehensive Plan by showing substantial progress on the new Tigard Triangle Master Plan.

This is a phase-in goal with work beginning this year. It is expected that the Planning Commission will prepare a scope of work for council's consideration in 2012.

TIGARD CITY COUNCIL MEETING MINUTES – July 26, 2011

There are a lot of things going on with the Pacific Highway corridor (high capacity transit) relating to the Tigard Triangle. The groundwork has been set by identifying station area communities within the Triangle. Tigard has agreed with Metro to put together a process to designate the Tigard Triangle as a Town Center. Staff is also working on a set of alternative mobility standards with Oregon Department of Transportation (ODOT), Metro and others to utilize efficiencies associated with mobility through alternative transportation modes to provide higher roadway capacity. All of this work will provide an excellent background for work on the Tigard Triangle Master Plan.

- Update Tree Code. Staff has developed draft code language for every topic for the urban forestry code revisions project. Staff is working with a citizens advisory committee to create a list of guiding principles for each of the topics communicating essential elements. Staff is working with a consultant to develop the urban forestry manual. These items will come before the Planning Commission and City Council in 2012.

Mayor Dirksen said he has been impressed with the work so far. The Tree Code is something that Tigard along with cities in Oregon and across the United States have struggled to find a balance. He has received comments from a variety of interests expressing optimism on the direction of the Tree Code.

- High Capacity Transit (HCT) Land Use Study. The study is progressing with a completion date set for December. Staff held project design workshops. The alternatives are being developed for station community areas. Coming before the City Council will be recommendations for adoption of legislative amendments – amendments to the Comprehensive Plan and the further development and creation of tools for council to implement land use designations/patterns that will support the development of high capacity transit. Community Development Director Bunch said the focus is not solely on HCT, but for what HCT can do for this community – it is about prosperity, livability, the ability to provide employment and housing options and choices, and the creation of a great place to live.
- Expand the Town Center Designation to include the Tigard Triangle and work with regional partners to modify the State Transportation Planning Rule. The expanded designation will provide added capacity within the Tigard Triangle for mobility standards. Tigard staff has been active at the state and regional level. Senior Transportation Planner Gray was appointed to the statewide Transportation Planning Rule-Making Advisory Committee and is also working directly with a local group. Staff continues to participate in the regionally coordinated Southwest Corridor Plan.
- Work with partners on urbanization policy issues. This is coming to fruition through a triple-majority annexation petition submitted for River Terrace. Beaverton has withdrawn territory from portions of the utility corridor that will be used to service this area. Staff is working with Tigard property owners and the Washington County

TIGARD CITY COUNCIL MEETING MINUTES – July 26, 2011

organization, and it is anticipated that this annexation effort will be complete by September 30, 2011.

- Downtown – holding a developer’s forum to assess downtown redevelopment opportunities. Staff has worked with Consultant Michelle Reeves on downtown marketing and organizational proposals to create a marketing and organization plan. Council received a presentation from Ms. Reeves. Staff is also working with Leland Consulting for a year five progress review of the urban renewal district.

Staff has been working closely with property owners in the downtown. Several economic appraisals have been completed on properties. Staff is working with the City Center Advisory Commission to identify more properties for public open space.

Public Works Director Koellermeier:

- Staff conducted an exercise and identified 15 potential solutions for the Greenburg/Tiedeman/North Dakota intersections. Staff is now evaluating these.
- Ash Avenue crossing connection. Staff has developed preliminary designs for an overpass, an underpass and an at-grade crossing. More information will be ready next quarter.
- Complete plans for parkland acquisition. Council has been kept updated on the Park and Recreation Advisory Board’s work. The council will be considering some properties prioritized by the PRAB soon. The Summer Creek Master Plan scope is complete and work will begin this next quarter. Work will also begin on East Butte Park.

Assistant City Manager Newton and Human Resources Director Zodrow:

- Advance methods of communication – communication is a part of everyone’s job. Assistant City Manager Newton advised staff has made progress – the council now has on file a communication plan for all of its goals. Staff has been looking at communication as projects are started and to take time to think about how they are going to interact with citizens and other stakeholders.

Assistant City Manager Newton said the city’s Logo and Design Standards will be one of the featured articles in the September or October Local Focus magazine. There is a lot of interest from other cities in the state on the work that Tigard has been doing in this area. The AP Style Guidelines were just adopted tonight for the Tigard Municipal Code/Community Development Code. The focus on a consistent style is to facilitate effective citizen communications.

Assistant City Manager Newton reported on the Cityscape. From citizen surveys, this publication is the most popular communication tool among Tigard citizens. Staff is doing well meeting postal deadlines. Ms. Newton will be looking at ways to help staff meet internal deadlines.

TIGARD CITY COUNCIL MEETING MINUTES – July 26, 2011

Ms. Newton said another citizen survey will be conducted this fall. In September staff will be before the council to ask for ideas for development of the survey.

- Human Resources Director Zodrow referred to the council goal to support efforts to change the organizational culture. Culture can impact every part of the work place and is critical. The efforts over the last several years were focused on aligning the culture to our “Place to Call Home” community identification and bring out the best in our employees – hire the best employees – and, keep the best employees. To determine how well staff is engaged in the values, a survey was conducted. Based on the survey, 80 percent of the employees are more aware of the city values than they were a year ago. The City Values Team and the Executive Staff felt that this awareness increase says a lot about how the values are beginning to root themselves in the way employees view their work and the organization. The survey showed that 92 percent of employees reported they are living the values in all aspects of their jobs. The survey indicated that 39 percent of the employees said they see improvement on their own on-the-job behaviors as a result of the values program. Another 62 percent believed they saw their co-workers behaviors improve as a result of the values program and 59 percent thought the managers were living the values of the program. Finally, 39 percent of the employees said they saw improvement with delivery of service to the public. The Values Team continues to meet monthly to discuss the program and to look for ways to refresh the program.

Mayor Dirksen said he was impressed with the efforts to quantify the success of the program. Councilor Wilson commented on one of the abusive letters received at City Hall recently – staff members unfailingly respond respectfully and professionally even when the initial contact is disrespectful. He referred to how easy it is to be critical – but you can often turn people around if you respond well. The public is our customer and we work for them. Councilor Wilson said he appreciates the work that is being done in this area and he hopes all employees will get on board with the values program.

Public Works Director Koellermeier:

- Continue the coordination with Lake Oswego on the water partnership. This effort is on schedule and a little bit “under budget.” This week a land use approval was submitted for the raw water intake pump station in Lake Oswego. Also planned for this week is the final selection process for the design team. The Oversight Committee met recently and adopted a monthly meeting schedule to address timely issues and to prepare for future issues. Council President Buehner said she recently talked to the Gladstone Planning Commission President; he reported that the process so far had been “refreshing.”

Finance and Information Services Department Director LaFrance:

- Hold the line on the General Fund budget. In the last quarter, the proposed budget was produced after going through the Budget Committee process and the hearing before the City Council. Through these processes, the Budget Committee, City Council and staff

TIGARD CITY COUNCIL MEETING MINUTES – July 26, 2011

fulfilled the goal of holding the line for Fiscal Year 2011/12. The budget added no staff within the General Fund. There were a couple of small changes in materials and services allocations, which were for known items or for items that needed to be carried forward that did not get completed in the last budget. In the next two quarters, staff will be looking to operate within and maintain the adopted budget.

Assistant City Manager Newton:

- Work with partners on long-range solutions for statewide structural problems. This goal relates to legislative activity. Senator Burdick and Representative Daugherty will be before the City Council on August 9 to comment on the last legislative session. Success indicators included the removal of HB 2700, which was the fill removal permitting bill that affected our water project. Tigard received “kudos” for Council President Buehner’s and Ms. Newton’s testimony before the Legislative Redistricting Committee; they said the testimony was helpful and influential in terms of local governments and cities trying to work cohesively with one representative or senator if possible. Tigard participated in HB 3225 pertaining to road and street development in the Metro area.

Public Works Director Koellermeier:

- Evaluate the city’s internal sustainability efforts. Staff is collecting data and doing research now – taking the time to look at what we do and how we do it. There will be a workshop on this goal in the third quarter with the City Council.

In response to a question from Councilor Henderson, Public Works Director Koellermeier said in the third quarter staff will work with the council to determine a common definition as to what sustainability means for the City of Tigard. A second task will be to have City Council advise staff on the objectives of the program from this point forward.

 Councilor Henderson asked about the status of the staff’s work with Consultant Michelle Reeves. Community Development Director Bunch spoke about developing leadership in the downtown in the form of a downtown association. There is recommendation before the City Center Development Agency. Other items to work on with Consultant Reeves include façade grants, a circulation plan, and creating an image for the downtown. She will advise on public open space – where should it be, and how should it be oriented toward the stores. Community Development Director Bunch said major efforts such as providing public support for a downtown leadership organization will come to the CCDA for a decision following a City Center Advisory Commission recommendation in the third quarter.

 Councilor Henderson asked about the Leland report review. Community Development Director Bunch advised this is a review on the progress of the urban renewal district to create a basis for the developer’s forum. The other purpose of the review is to consider reordering other priorities. Many things have changed since the urban renewal plan was created in 2005; it is good to refresh and update, particularly as we have been going through an economic recession. This will be coming

TIGARD CITY COUNCIL MEETING MINUTES – July 26, 2011

up in the third quarter. This is a good tool to vet with developers and investors who are active in downtown areas.



Council President Buehner commented that as the review of the Leland report is conducted and given the economic downturn and the slow recovery, she asked if staff could look at whether there should be an extension of the urban renewal district. Community Development Director Bunch said this could be reviewed.



Councilor Woodard noted Consultant Reeves had referred to a downtown association and a manager to facilitate operations. He asked about the history of a downtown association. Community Development Director Bunch said there has been no association since he has been with the City of Tigard. There is a Tigard Downtown District Association. There has been no development association. He referred to his experience with Gresham and Albany. The association can be helpful to create the needed relationships. Consultant Reeves had reported the need to build upon existing resources. Community Development Director Bunch noted the way that Albany reinvented itself so it is now a progressive downtown. Councilor Woodard said he would hope to begin to work to bring the downtown businesses together. Community Development Director Bunch said he agreed that an association is important to bring together an engaged and forward-thinking constituency.



City Manager Prosser asked Chief Orr, Assistant to the City Manager Mills and Library Director Barnes to comment on activities occurring that were important, but not on the City Council goal list.



Chief Orr reported in addition to routine work of the Police Department, they also worked on:

- Community Shred Event, 3,700 pounds of material shredded and accepted food donations.
- Along with the Drug Enforcement Administration, the Police Department conducted a Pharmaceutical Drug Take Back Day to avoid having them get into the environment. They collected 550 pounds of drugs. This is an event they will continue to sponsor every quarter.
- Worked with School District and Washington County agencies for a Safe Prom Night. There were no reported drinking incidents that night.
- Citizens Academy where 23 individuals graduated, bringing the total number of people going through the academy to 425 graduates.
- St. Anthony Catholic Church, the Police Department and other agencies had a forum on how we treat people with mental illness in the community. More forums are planned in the future. Tigard Police Department has gotten high marks for how they treat these individuals and they will continue to work with them on a close basis.

Councilor Henderson asked about fireworks – who is in charge? Police Chief Orr acknowledged that personal fireworks are getting worse – getting out of control. This is the highest call-volume

TIGARD CITY COUNCIL MEETING MINUTES – July 26, 2011

day, including New Year's Eve. He talked about their efforts to curtail. He has met with other chiefs to deal with this and also to look at ways to involve the community. Another problem is that it is not just fireworks on the 4th of July, but the activities extend for several days before and after.

Council President Buehner asked if would help if there was an ordinance to limit when these types of fireworks could be used. Chief Police Orr said they are looking to other agencies for what they are doing. Mayor Dirksen said that many of these fireworks are already illegal.

Library Director Barnes:

- April – Annual appreciation event for volunteers. Volunteers contribute the equivalent to 12 FTE per month with a monetary value of \$225,000 for the fiscal year.
- Circulation for the fiscal year was 1.5 million.
- Communication efforts underway with the public using a variety of formats.
- Jean Auel, author, was at the library for an event. Her final book is now published.
- About 80 people attended the Kaiser shipyard presentation.

Assistant to the City Manager Mills:

- She noted her appreciation for the City Council's approval of the police in-car video systems, which makes the job for the Police Department and the Risk Management Division much easier by providing dependable visual and audio recordings.
- Staff has been reviewing telecommunication franchise revenues; the city has 25 providers now operating in the city.
- The city has experienced an upturn in the number of people contacting us asking for assistance. Staff is currently conducting two back-to-school drives internally to provide school supplies for students. Employees are making private donations and taking the time to give to the community.

Mayor Dirksen acknowledged the comprehensive goal update. He and the City Council members expressed appreciation for the presentation format.

7. COUNCIL LIAISON REPORTS: None.

8. NON AGENDA ITEMS

Mayor Dirksen announced that tonight is City Manager Prosser's last City Council meeting. Mr. Prosser is retiring at the end of this month.

The Mayor read a proposed resolution.

RESOLUTION NO. 11-32 – A RESOLUTION BY THE TIGARD CITY COUNCIL EXPRESSING APPRECIATION TO CITY MANAGER CRAIG PROSSER FOR THE OUTSTANDING PUBLIC SERVICE HE HAS GIVEN THE CITY SINCE 1999.

Council members wished him well and thanked Mr. Prosser for his contributions and hard work.

TIGARD CITY COUNCIL MEETING MINUTES – July 26, 2011

Motion by Mayor Dirksen, seconded by Council President Buehner, to approve Resolution No. 11-32.

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

A plaque was also presented to City Manager Prosser by Mayor Dirksen.

9. EXECUTIVE SESSION: Not held.

10. ADJOURNMENT: 9:28 p.m.

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

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, City Recorder

Attest:

Mayor, City of Tigard

Date: _____

TIGARD CITY COUNCIL MEETING MINUTES – July 26, 2011



City of Tigard Tigard Business Meeting - Minutes

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

MEETING DATE AND TIME: August 9, 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

- STUDY SESSION

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

City Council attendance:

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

Staff present: Interim City Manager Newton, City Attorney Bennett, Redevelopment Project Manager Farrelly, Community Development Director Bunch, City Recorder Wheatley.

City Center Advisory Commission Members present: Chair Murphy, Commissioners Barkley, Craghead, Thornburg

Interim City Manager Newton reviewed the following with the City Council:

A. Council Calendar.

- August 16, 2011 - Special Meeting - Executive Session to review finalists for the city manager position.

- August 23, 2010 - Business Meeting - 6:30 p.m. - Study Session; 7:30 p.m. Business Meeting

B. Administrative Items.

TIGARD CITY COUNCIL MEETING MINUTES – AUGUST 9, 2011

- Update on council meals – Council members who eat a meal before the City Council meetings will be paying the tax on the value of the meal, which will be withheld from their quarterly stipend payment.
- Presentation materials for Capital Improvement Program briefing (Item No. 5) were distributed.
 - EXECUTIVE SESSION: The Tigard City Council as the City Center Development Agency went into Executive Session at 6:35 p.m. to deliberate with persons designated by the governing body to negotiate real property transactions, under ORS 192.660(2) (e).

Executive Session concluded: 7:27 p.m.



1. BUSINESS MEETING – AUGUST 9, 2011

- A. Mayor Dirksen called the meeting to order at 7:36 p.m.
- B. Roll Call:

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

- C. Pledge of Allegiance
- D. Council Communications & Liaison Reports: Council President Buehner gave a Water Oversight Committee update at the end of the agenda (Agenda Item No. 7).
- E. Call to Council and Staff for Non-Agenda Items: None.



2. CITIZEN COMMUNICATION

- A. Follow-up to Previous Citizen Communication: None.
- B. Tigard Area Chamber of Commerce - Debi Mollahan, Executive Director presented a report on Chamber activities. A summary of her report is on file with the council packet materials for this meeting.



- C. Citizen Communication – Sign Up Sheet: None.

TIGARD CITY COUNCIL MEETING MINUTES – AUGUST 9, 2011



Mayor Dirksen reviewed the Consent Agenda:

- 3. CONSENT AGENDA: (Council and Local Contract Review Board)
 - A. Local Contract Review Board: Award Contract for Citywide Grounds Maintenance to Portland Habilitation Center
 - B. Local Contract Review Board: Award Contract for the Greenfield Drive & 130th Place Storm Drain Pipe Repair Project to the Mocon Corporation
 - C. Approve 2011-12 Capital Improvement Program (CIP) Tree Canopy Replacement Project List – Resolution No. 11-33

RESOLUTION NO. 11-33 -- A RESOLUTION APPROVING A LIST OF CAPITAL IMPROVEMENT PROGRAM (CIP) TREE CANOPY REPLACEMENT PROJECTS IN EXCESS OF 10% GREATER THAN THE TREE REPLACEMENT FEE IN THE MASTER FEES AND CHARGES SCHEDULE.

- D. Receive and File:
 - 1. Three-month Council Calendar
 - 2. Tentative Agenda

Motion by Council President Buehner, seconded by Councilor Wilson, 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. REVIEW OF 2011 OREGON LEGISLATIVE SESSION AND ANALYSIS OF ADOPTED LEGISLATION SUPPORTING CITY COUNCIL'S PRIORITIES

Senior Management Analyst Wyatt introduced this agenda item. Highlights of his presentation include:

- Redistricting – Tigard will continue to be represented by Representative Doherty in House District 35 and Senator Burdick in Senate District 18.
- Thanked Representative Doherty and Senator Burdick who testified and lobbied for the Tigard-Lake Oswego water partnership bill, HB2700.

TIGARD CITY COUNCIL MEETING MINUTES – AUGUST 9, 2011

- The League of Oregon Cities has a document online summarizing the bills from the 2011 Session.

Representative Doherty spoke to the City Council about the legislative session, which was her first full session:

- Despite the House being divided with 30 Democrats and 30 Republicans, they were able to balance the budget and designate early-on funding for K-12 education. The legislation that did go through did so, for the most part, in a bipartisan manner with little controversy.
- She complimented city staff who came to testify on different issues. Anytime there was an issue that came up directly affecting a city, she would contact Tigard staff who always responded quickly.
- She referred to House Bill 2700, regarding the linear water pipeline. She said both she and Senator Burdick received some pushback because of the liquefied natural gas issue. She and Senator Burdick were able to explain the system was backwards – municipalities, whether they wanted to put in sewer, water or electrical lines had to buy property first before they could site where the lines would be located. City Engineer Kyle provided testimony and described a situation where the city bought land for a line but later determined the best location was across the street. The bill went through handily; she complimented Senator Burdick who supported the bill.
- Funding for transportation did not occur despite her efforts. She will continue to support this for the City of Tigard and the City of Portland (High Capacity Transit).
- Access management is still under discussion. A committee meeting will be set up. She complimented Senior Transportation Planner Gray for her work.
- She said that with so many electric cars in use, gas revenues will decline. These vehicles use the highways, so a replacement revenue source is being sought. The idea of a Road User Task Force is in the legislature.
- She referred to a couple of items of priority for the city relating to transportation planning rules. Results in this area were mixed.
- State-shared revenues were not addressed.
- Telecommunication preemptions were not addressed.
- The recreational immunity bill was passed.
- The “Buy Oregon” bill was passed to allow preference to be given to goods and services produced in Oregon.
- She referred to HB 3225, which dealt with urban reserves. This will provide a framework so cities and counties can exempt certain areas from urban reserves. (Roads, in particular.)
- Overall, a good deal was accomplished and done so in a respectful manner.
- The next session will begin February 1, 2012. Matters before the Legislature will include budget shortfalls and the health transformation plan.



TIGARD CITY COUNCIL MEETING MINUTES – AUGUST 9, 2011

Council President Buehner asked Representative Doherty if the road use task bill was likely to come up in February? Representative Doherty said she thought so because a lot of people supported the concept. She pointed out this is not a new tax because people are paying now with the gas tax – this tax keeps “our roads going.” How to calculate is the question -- i.e., whether the fees are paid with the car registration or on a monthly basis. She noted truckers’ GPS systems keep track and the fee is calculated for the miles traveled only in the State of Oregon and is paid monthly.



Council President Buehner noted an “unintended consequence” situation when seniors take out reverse mortgages and can no longer participate in the tax deferral program. Representative Doherty said this was one area that would be reviewed in February along with a look at foreclosures.



Representative Doherty referred to the change, thanks in large part to Senator Burdick, to the kicker refund being issued as a credit to taxes instead of issuing a check. Kicker reform might be an issue discussed in February.



Councilor Henderson asked if the Governor has determined when the election will occur to replace Representative Wu, Congressional District One. Representative Doherty said she has read in the media that there will be a general primary election in November and a general election in May.



In response to a question from Councilor Wilson, Representative Doherty advised two bills were introduced regarding the Transportation Planning Rules. One, HB 3225, dealt with framework to work outside of the urban reserves. HB 3029 did not make it out of committee -- it would have prohibited the Land Conservation and Development Commission (LCDC) from requiring areas within the Urban Growth Boundaries with populations less than 10,000 to have transportation finance program.



(Senator Burdick arrived.)



Senator Burdick gave her summary of the last legislative session. She said it was a difficult session and referred to the huge budget deficit situation, which overshadowed everything the legislators did. Surprisingly, they managed to make major ground in several areas:

- For the first time in 60 years, they succeeded in redistricting (legislative and congressional). She was happy that she did not lose the City of Tigard from her district. She thanked Council President Buehner and Interim City Manager Newton for attending

TIGARD CITY COUNCIL MEETING MINUTES – AUGUST 9, 2011

the redistricting hearings and making a compelling case for keeping the basic configuration of the District as it was.

- Senator Burdick served as Chair of the Finance and Revenue Committee. All of the tax credits expired, so legislation was needed to select those credits to renew. The committee was looking to reinstate credits to give the taxpayers the “biggest bang for their buck.” Tax credits were possible for a total amount of \$40 million for the next biennium and if all were approved, there would have been a \$170 million impact on the budget in 2013 and \$294 million in 2015. The credits were reduced from \$40 million to \$10 million. She noted that almost all of the film and video tax credits were retained (\$6 million per year), which would save this industry in Oregon.
- Structural changes in education financing were made. There were some things that were passed that she did not like; for example, in online education, the state is spending education dollars on out-of-state companies. While these programs have a valid place in education, she does not believe the cost of some of these online programs have been analyzed thoroughly.
- Senator Burdick said she supported funding for all-day kindergarten.
- There was groundbreaking work done in the healthcare area, with healthcare exchanges made as states are allowed to set up their own system to provide federally required benefits. Oregon has the potential to serve as a model in this system.
- Other legislative activity occurred in the areas of consumer protection and public safety.
- Senator Burdick noted that, while the kicker reform legislation she sponsored did not go through, she thanked Tigard’s support. Especially noteworthy were Interim City Manager Newton’s and Senior Management Analyst Wyatt’s efforts and that the City of Tigard recognized its stake in having a more stable tax structure.



Mayor Dirksen asked City Council members if they had questions for Senator Burdick.

- Councilor Woodard commented on the solar energy exemption for commercial and residential, saying it was nice to see this. He noted he agreed with needing to put more money into education and less into the prison system. Representative Doherty said that Tigard’s sponsorship of programs for juveniles (peer court, youth programs) – shows that the city is a leader in this area.
- Council President Buehner noted her appreciation for the work by Senator Burdick reference the kicker. Council President Buehner serves on the League of Oregon Cities Finance and Taxation Committee, and the kicker reform was one of their recommendations. She expressed hope that the League could continue to work with Senator Burdick. Senator Burdick said she would like to see continued support and noted a successful reform will take leadership, especially from the Governor. She said her committee consisted of two Republicans and two Democrats and the package, approved by a unanimous vote, that emerged had a “kicker piece, a capital gains piece, and a mandatory savings piece.” From there, the package went into a “leadership vacuum” and never made it to the House or the Senate floor. She acknowledged it was a controversial approach with a piece that was hated by both liberals and conservatives.

TIGARD CITY COUNCIL MEETING MINUTES – AUGUST 9, 2011

She recalled past times where people would “suck it up and do it.” It is a different climate now. She said that she and Senator Morris will still try to find a way to stabilize the system, which absolutely has to be done.



5. CAPITAL IMPROVEMENT PLAN BRIEFING ON THE PACIFIC HIGHWAY/GAARDE STREET/MCDONALD STREET INTERSECTION IMPROVEMENT PROJECT

Streets and Transportation Senior Project Engineer McCarthy presented this agenda item. Statistical data and maps were distributed to the City Council and are on file with the council packet material.

Presentation highlights included status of the Pacific Highway/Gaarde Street/McDonald Street intersection improvement project along with a couple of other projects:

- The slurry seal project finished last week for approximately a dozen miles of streets.
- Pavement overlay projects will begin next week.
- The Pacific Highway/Hall Blvd./Greenburg Road/Main project’s finish work is substantially completed.
- Pacific Highway/Gaarde Street/McDonald Street intersection improvement project (PHGM project) is at the point where engineers are determining the best way to address traffic issues. There will be an open house on August 15 in the evening for people to offer input on the project.
- Project timeline events were reviewed.
- The existing conditions report confirmed that traffic is bad at this intersection, especially during the evening rush hour. The highest volume is northbound on Pacific Highway in the morning but the intersection works better in the morning because there is not as much traffic making other movements. During the afternoon, the critical movements are the through-southbound on Pacific Highway, the northbound left from Pacific Highway to Gaarde Street, the westbound left from McDonald Street to Pacific Highway, and the eastbound through traffic from Gaarde to McDonald. There is also quite a bit of pedestrian activity and there is no crosswalk on the north side.
- Another key issue is safety. Crash data indicates that this area has the highest concentration of collisions. Two-thirds of the collisions were property-damage only. One-third involved an injury but nothing severe or worse. Almost three-quarters of the crashes were rear-end accidents. Other accidents involved private accesses. The conclusion is that the capacity issues are driving the safety issues; that is, people are rear-ending one another because there are problems getting through the intersection along with the turning problems or driver error.
- Future growth was examined by using the Metro 2035 model. We are expecting a 50-60 percent growth in traffic volume.
- Potential configurations from brainstorming sessions were reviewed:

TIGARD CITY COUNCIL MEETING MINUTES – AUGUST 9, 2011

- Concept A represents a configuration to accommodate all of the growth by expanding the existing facilities and would require three through-lanes in each direction with dual left-turn lanes on Pacific Highway. For the McDonald/Gaarde approaches, two through-lanes would be required along with double left turn lanes. This would have major right-of-way impacts and be expensive. Questions are: Would this be affordable? Would it be fundable? Would it even be something we would want to do?
 - Concept B depicts a smaller configuration with only the McDonald and Gaarde approaches widened. The advantage would be that it is less expensive. A disadvantage would be that it would not bring as much capacity benefit as Concept A.
 - Concept C shows the primary widening to be only on Pacific Highway, with minimal improvements on McDonald/Gaarde. Traveling across intersection (eight lanes) is a long crossing.
 - Concept D would relocate the northbound left turn and widen Pacific Highway with an additional through lane. There is a question whether the state would approve this since it would require another traffic signal. This design could be combined with several of the other options.
 - Concept E was proposed by a citizen's group and consists of indirect north/south left turns. The idea is to take the left turns out of the main intersection. Issues include the amount of land this configuration would require.
 - Concept F would realign the east/west roadways creating two separate intersections. Problems include making capacity work at each of the intersections along with the amount of land needed.
 - Other ideas considered in brainstorming included an interchange, a grade separation, along with variations of the proposed concepts.
- Council President Buehner recalled that when she served on the long-term transportation committee for Washington County in 1999/2000, one of the items noted, but not included, in the 20-year plan was to place an overpass for through traffic from McDonald and Gaarde. She suggested that the notes on the 20-year plan be reviewed.
 - Streets and Transportation Senior Project Engineer McCarthy said the citizen advisory commission for the current project is the Tigard Transportation Advisory Committee (TTAC). This committee has met to discuss this a couple of times to date. They will discuss this again at a special meeting on September 28, 2011, and at their regular October 5, 2011, meeting. They will make a recommendation to narrow the options to about three.
 - Councilor Wilson referred to the 60 percent projected increase and said that even if we could devise a course to get traffic through this intersection, the rest of the highway could not handle the capacity. He asked that, without making all of Pacific Highway three lanes to I-5, what is the maximum capacity? Streets and Transportation Senior Project Engineer McCarthy said this is one of the main issues to consider during the design process. The state may be conceding that it might not be possible to meet the design volumes and this is one of the issues that the study will have to grapple with.

TIGARD CITY COUNCIL MEETING MINUTES – AUGUST 9, 2011

- Council President Buehner said one of the other issues is the number of driveways around the intersection. She referred to strange configurations of old back roads traveling in front of some of the area along with a proposal for traffic to exit onto 105th Avenue. Streets and Transportation Senior Project Engineer McCarthy said along with any of the options, there will need to be a fair amount of access management to get people in and out of parking lots without causing additional problems on the main roads.
- The intersection improvements at Hall/Pacific Highway/Greenburg Road/Main Street were not built to address the 2035 design year. The amount of right of way required to build an adequate number of lanes made the project unfeasible. This strategy might be used for the PHGM project as well to deal with the existing issues.
- Councilor Woodard referred to Concept A and the \$327,000 allocated for the conceptual plan. He also referred to the north through lanes and how far would these lanes extend? Streets and Transportation Senior Project Engineer McCarthy said the \$327,000 is what the city has set aside for this project, which is viewed as a local match to a city/state partnership to address these issues. The state has set aside \$1 million for now and has tentatively set aside another \$3 million (the city has set aside additional funds as well). The project scope is to determine the best way to proceed with this intersection with something that can be funded and would also get enough accomplished so that it is worth doing.
- Councilor Woodard asked if a through street the length of Pacific Highway would be feasible. Streets and Transportation Senior Project Engineer McCarthy said that in the initial design, there was no consideration given to where the tapers would be located or how long they would be. He gave his ideas as to where and how these lanes would be configured. He reiterated the proposals before the City Council tonight are very conceptual. Mayor Dirksen agreed a good place to start is to put all the ideas out with no relative merit assigned at first.
- Councilor Wilson said that Concept A reminds him of 185th, which is a horrendous, massive amount of traffic with good throughput, but is unlivable and undesirable. We are in a conundrum insofar as we either build and fix the traffic problems and end up with another 185th-type project, or “we starve it – or maybe even worse, ODOT builds a bypass and all of the traffic drops off so all of the businesses die and you end up with a strip with boarded-up businesses.” He said he did not know what the fix should be. From ODOT’s point of view, they want to get cars through. The City of Tigard wants the area to be livable as well. From a policy standpoint, he said he would advocate some relatively inexpensive fixes similar to what we did on the other two intersections; that is, but make some improvements for the near term without creating a huge freeway through this area.
- In response to a question from Councilor Henderson about the nature of the morning and evening traffic (existing conditions), Streets and Transportation Senior Project Engineer McCarthy said the objective was to determine the timeframe that the intersection is functioning at its worst. The afternoon/evening peak hour represents the most problematic time period so the focus will be a little more on this when considering how the options would affect traffic flow. Councilor Henderson asked if it would not make sense to add one lane to just one side rather than both sides of Pacific Highway.

TIGARD CITY COUNCIL MEETING MINUTES – AUGUST 9, 2011



Streets and Transportation Senior Project Engineer McCarthy agreed that this would be one option – three lanes southbound and two lanes northbound. Given the space available this might be a low-dollar fix to take the right-turn lane (now in front of Walgreens) and extend it through.

- Streets and Transportation Senior Project Engineer McCarthy referred to a state project under consideration to build a quasi-freeway from I-5 (somewhere between Tualatin and Wilsonville) connecting to Pacific Highway, southwest of Sherwood. That project ran into difficulty and is “no longer on the books.” For the foreseeable future Pacific Highway will be the main route from the Portland area to the southwest.
- Council President Buehner followed up on Councilor Henderson’s comment regarding the southbound lanes on Pacific Highway. She said there is a third lane that starts part of the way in front of the Walgreen’s property for those making right turns on Gaarde. She asked if it would be feasible to back that third lane farther north so the right-turn lane traffic could get out of the way. Streets and Transportation Senior Project Engineer McCarthy acknowledged this was a good possibility and pointed out on a map how it might be configured. Mayor Dirksen said lengthening this turn lane would have an immediate beneficial effect. He added that a lesser-impact option would be for a dedicated right-turn lane for northbound traffic also.
- Councilor Wilson asked if Streets and Transportation Senior Project Engineer McCarthy had given thought to what light rail might do to this intersection. Streets and Transportation Senior Project Engineer McCarthy said it is difficult to determine how light rail might fit. Options would need to be considered and it appears that there is right of way available in some places – this will need to be part of the community discussion later when we are focusing on finding specific solutions.
- Councilor Woodard commented on a possible phasing-in of improvements and whether this would be economically beneficial. Streets and Transportation Senior Project Engineer McCarthy said more information will be coming on whether the project would be phased when a detailed analysis is prepared.
- Councilor Wilson said he was not generally supportive of grade-separated crossings, but given the alternatives he has seen, this might be the only solution that would work with light rail. He said he wondered if there would be a difference in cost between an underpass and an overpass. Mayor Dirksen said that because Gaarde drops off to the west, there is already some grade change, and that might be of benefit for consideration of an underpass. Streets and Transportation Senior Project Engineer McCarthy said those details have not yet been studied.



6. LEGISLATIVE PUBLIC HEARING TO CONSIDER TIGARD MUNICIPAL CODE AMENDMENTS ON ADMINISTRATIVE RULE MAKING

-  Mayor Dirksen opened the public hearing.
- City Attorney Bennett reviewed the hearing procedures.

TIGARD CITY COUNCIL MEETING MINUTES – AUGUST 9, 2011

- There were no declarations or challenges regarding a potential conflict of interest.
- Assistant Community Development Director Hartnett presented the staff report.

The ordinance would amend three titles of the Tigard Municipal Code, which would authorize, define, and limit the use of administrative rules and define a process for administrative rulemaking. She referred to an earlier City Council discussion on this matter, and summarized the highlights of the discussion:

- The Tigard Municipal Code has several references to the term “administrative rules,” but the Code lacks a central definition for that term. There are several other key elements not currently in the code: There is no authority for administrative rulemaking; there are no procedures for creating or amending administrative rules in a central location; and, there is no process for appeals by the public to the creation or application of an administrative rule.
- Many sections of the Tigard Municipal Code codify aspects of a city department activity that might need to change over time as program objectives, operations or technologies shift or change.
-  Procedures that are codified means that changing them requires the public hearing process. These regulations can become stale and, as a result, the administration of a program can become more cumbersome.
- Administrative rules provide an alternative to the municipal code as a way of creating regulations and procedures that can be enforced with the force of law. In the past, the council has appeared to see the value of that tool, because there are a couple of sections that already include a reference to administrative rules: Title 9, Parks and Title 11, Solid Waste Management.
- The references to current administrative rules are not broadly useful because of the variation in the language, the lack of procedures, and there is no designated central authority for formulating administrative rules.
- Council heard, at the July 19 Workshop Meeting, a proposed package and directed staff to proceed to this public hearing on the draft amendments.
- Attachment 1 to the agenda item summary for this item is the ordinance adopting the municipal code amendments. Exhibit A to the ordinance includes the text amendments to the Tigard Municipal Code: Title 2, City Manager in which the definition and limitation and use on administrative rules as well as a procedure for their creation, amendment and a process for appeal are codified. Exhibit A also includes amendments to Title 9, Parks and Title 11, Solid Waste Management to conform the existing references to administrative rules to the new section of Title 2.
-  During the July 19 Council Workshop, the council specifically asked that staff perform a search throughout the municipal code to identify any other sections that reference administrative rules that would need to be amended as a result of an adoption of the new authority and process language. Staff identified

TIGARD CITY COUNCIL MEETING MINUTES – AUGUST 9, 2011

a couple of references to administrative rules, but none are specific to an administrative rule within the Tigard Municipal Code. A couple of these references should probably be eliminated. Another reference is to a realtor of record administrative rule and the city attorney's office has been unable to determine what this is referencing.

- Two additional packages will be coming to the City Council that will rely on this new section for administrative rules: Title 12, Water and some amendments regarding code compliance program changes.
- Council Questions:
 - Councilor Wilson asked about language in Exhibit A, Section 2.040.70(1)(a) where the language refers to notice to the council. He said it is unclear whether there are two, 14-day periods – one for the council and one for the public notification (2.040.70(1)(b)). Assistant Community Development Director Hartnett said the intention was that there is one 14-day period. She acknowledged this raises the question about whether there are two 14-day periods because of the language in 2.040.70(1)(a) that says "...prior to public notification..."
 - Councilor Wilson said he wants to be careful that there is elected representation when rules are made. Sometimes, staff proposes procedures that are politically unacceptable. His preference was that the council has an opportunity to review first before the public notification is issued. This would mean he would prefer two 14-day periods; things are rarely so urgent that this could not happen. If a councilor has an issue with a rule, then there would be an opportunity for the council to discuss the proposal at a council meeting.
 - Assistant Community Development Director Hartnett requested that staff make this change to the Exhibit A of the proposed ordinance and return to the City Council for consideration. She articulated her understanding as being that the Council wants to see an administrative rule as a council calendar item prior to it going to public notification. Councilor Wilson suggested it be similar to the method for Consent Agenda items, which are filed with the City Council prior to a council meeting. If the council deems it to be routine, then the item(s) are passed through.
 - There was discussion on the most efficient means to handle changes to the administrative rules. Assistant Community Development Director Hartnett suggested that the council review would not need to be 14 days but in advance of the public notification but allow enough time for the council review. Councilor Wilson said he wants the opportunity for council to notify staff when they feel a rule needs additional work. Mayor Dirksen said the council review period needs to be at least a week or more so the council has time to look at it and make a recommendation to place the matter on an agenda before it automatically is posted for public notification.
 - Councilor Woodard said allowing this review period for the council could mitigate the likelihood of a protest.

TIGARD CITY COUNCIL MEETING MINUTES – AUGUST 9, 2011

- Interim City Manager Newton said if the term “notification” is used, then the City Council does not need to formally consider the administrative rule if no council member indicates he or she has a problem with the rule.
- In response to a question from Council President Buehner, City Attorney Bennett said the language in Exhibit A needs to be modified to reflect the council’s intent. He said he agrees with Assistant Community Development Director Hartnett that it makes sense to talk to the attorney who helped draft the language, Damien Hall. He clarified that that he has heard that the City Council members want, prior to the notification in 2.040.70(1)(b), a time period for council to be able to withdraw the rule for it to be considered by the council. If council does not withdraw the rule or, after the withdrawal, gives the staff authority to proceed, then the staff will publish the notice.
- City Attorney Bennett recommended that the council continue tonight’s public hearing. The hearing would need to be reopened should anyone want to comment on the proposed ordinance.
- Councilor Henderson questioned whether this ordinance should wait until the new city manager is consulted on this proposed ordinance. After discussion, the council members decided to proceed with the ordinance. Mayor Dirksen said this could be discussed further at the time the hearing is continued.
- Councilor Wilson pointed out that staff should consider the press deadlines when calculating time needed for the review period.

 Motion by Council President Buehner, seconded by Councilor Wilson, to continue the hearing to August 23, 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

7. COUNCIL LIAISON REPORTS

-  Council President Buehner reported that the Tigard/Lake Oswego Water Oversight Committee met on August 8, 2011. The committee is made up of two City Council members from each city – Lake Oswego and Tigard. The charge of the committee is to review the activities on the joint water project and give a report to their respective City Councils. Last night, the committee received a presentation by an environmental engineer and an engineer from the Montgomery Watson firm regarding the pilot – all of the different treatment options and the changes they have made among the choices for a pilot project. Under study will be the different filtration components, how to bring the raw water in, how

TIGARD CITY COUNCIL MEETING MINUTES – AUGUST 9, 2011

the ozone process will happen, and any potential chlorinated bi-products. Projects will be set up in October – some will run for several weeks while others will run for five months to see effects in the fall, winter and early spring. The information from these projects will help “tighten up” the specifications for the plant. It is anticipated there could be a savings of \$3 million on the project depending on the results of this work by making the components smaller than what was originally planned. The pilot study will cost \$500,000. Council President Buehner said the presentation last night gave the committee members a good understanding of how the plant will work and what “tweaks” might be possible. The study will give staff an opportunity to look at and work with the proposed new treatment options. There might be tours offered to view the project work.

-  Council President Buehner reported that there was a discussion during the Oversight Committee meeting last night on administration of the entire project and some rules about how to go forward into construction. There was discussion about having the Oversight Committee continue to provide oversight during construction. The Committee may find it necessary to meet in Executive Sessions should disputes arise.
-  Mayor Dirksen commented on the Oversight Committee saying it was his understanding that some of the recommendations for administrative adjustments were based on Lake Oswego’s experience with the sewer connector project.
-  Councilor Woodard said he was invited by John Lancaster from the Kiwanis Club to speak tomorrow. He will be speaking tomorrow at 12 noon at Café Allegro. He referred to his research about what the Kiwanis Club does for the community, which includes working with developmentally challenged children. Councilor Woodard said he plans to talk about recreation and the discussions that are currently being held by the Park and Recreation Advisory Board regarding the vision of what a recreation program might look like; i.e., social gatherings and events for families and children.
- Council President Buehner reported she would be speaking at the Kiwanis Club on September 21, 2011.

8. NON AGENDA ITEMS -

-  Assistant to the City Manager Mills reported on the Beaverton City Council earlier this evening where there was a second public hearing and first ordinance reading for the removal (de-annexation) of the right of way for Scholls Ferry Road and Barrows, which needs to be approved prior to the Tigard City Council’s August 23, 2011, public hearing on the River Terrace Annexation. Assistant to the City Manager Mills reported there was no testimony in opposition; the Beaverton City Council approved the ordinance on first reading. The second reading will occur on August 16, 2011.

9. EXECUTIVE SESSION: Not held.

TIGARD CITY COUNCIL MEETING MINUTES – AUGUST 9, 2011

10. ADJOURNMENT (9:24 p.m.) 

- Motion by Council President Buehner, seconded by Councilor Henderson, to adjourn the meeting.

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, City Recorder

Attest:

Mayor, City of Tigard

Date: _____

TIGARD CITY COUNCIL MEETING MINUTES – AUGUST 9, 2011

AIS-678

Item #: 3. B.

Business Meeting

Date: 10/11/2011

Length (in minutes): Consent Item

Agenda Title: Receive and File - Council Calendar and Tentative City Council Agendas

Submitted By: Cathy Wheatley
Administrative Services

Item Type: Motion Requested

Meeting Type: Consent Agenda

ISSUE

Receive and file only; no City Council action requested.

STAFF RECOMMENDATION / ACTION REQUEST

Receive and file only; no City Council action requested.

KEY FACTS AND INFORMATION SUMMARY

Receive and file only; no City Council action requested.

OTHER ALTERNATIVES

N/A

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

N/A

DATES OF PREVIOUS COUNCIL CONSIDERATION

N/A

Attachments

Council Calendar

Tentative Agenda



MEMORANDUM

TO: Honorable Mayor & City Council

FROM: Carol A. Krager, Deputy City Recorder

RE: Three-Month Council Meeting Calendar

DATE: October 4, 2011

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

October

11* Tuesday Council Business Meeting – 6:30 p.m., Town Hall
18* Tuesday Council Workshop Meeting – 6:30 p.m., Town Hall
25* Tuesday Council Business Meeting – 6:30 p.m., Town Hall

November

8* Tuesday Council Business Meeting – 6:30 p.m., Town Hall
15* Tuesday Council Workshop Meeting – 6:30 p.m., Town Hall
22* Tuesday Council Business Meeting – 6:30 p.m., Town Hall

December

13* Tuesday Council Business Meeting – 6:30 p.m., Town Hall
20* Tuesday Council Workshop Meeting – 6:30 p.m., Town Hall
27* Tuesday Council Business Meeting – 6:30 p.m., Town Hall

Key:

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

**City Council Tentative Agenda
10/3/2011 11:46 AM**

Form #	Meeting Date	Submitted By	Meeting Type	-----Title-----	Department	Inbox or Finalized
402	10/11/2011	Carol Krager	AAA	Business Meeting		
645	10/11/2011	Sean Farrelly	ACCSTUDY	25 Minutes - CCDA Executive Session	Community Development	08/23/2011
667	10/11/2011	John Floyd	ACCSTUDY	20 Minutes - Executive Session - Pending Litigation	Community Development	09/30/2011
Total Time: 45 of 45 minutes have been scheduled						
651	10/11/2011	Kent Wyatt	ACONSENT	Consent Item - Award Contract for Federal Governmental Affairs Services to CFM Strategic Communications	City Management	Wyatt K, Management Analyst
665	10/11/2011	Darren Wyss	ACONSENT	Consent Item - Periodic Review Grant Submittal for Funding Goal 10: Housing Work Task	Community Development	09/29/2011
673	10/11/2011	Cathy Wheatley	ACONSENT	Consent Item - Approve Council Minutes	Administrative Services	09/29/2011
660	10/11/2011	Joanne Bengtson	CCBSNS	1 5 Minutes - Proclaim September 17-23, 2011 Constitution Week	City Management	09/19/2011
357	10/11/2011	John Goodrich	CCBSNS	2 15 Minutes - Consider an Ordinance Adding Chapter 12.01, Utility Services Rules and Regulations, to the Tigard Municipal Code	Public Works	09/28/2011
620	10/11/2011	Carissa Collins	CCBSNS	3 15 Minutes - Supplemental Appropriation To Amend The FY 2012 Adopted Budget	Financial and Information Services	09/19/2011
Total Time: 35 of 110 minutes have been scheduled						

Key:

- Meeting Banner
- Study Session
- Consent Agenda
- Workshop Meeting
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**City Council Tentative Agenda
10/3/2011 11:46 AM**

403	10/18/2011	Carol Krager	AAA	Workshop Meeting		
373	10/18/2011	Joanne Bengtson	CCWKSHOP	10 Minutes - 3rd Quarter Update to 2011 Council Goals	City Management	Krager C, Deputy City Recorder
638	10/18/2011	Greer Gaston	CCWKSHOP	30 Minutes - Discussion of Concept Designs for Pacific Highway/McDonald/Gaarde Intersection Improvements	Public Works	Gaston G, Conf Executive Asst
646	10/18/2011	Sean Farrelly	CCWKSHOP	60 Minutes - Five-Year Assessment of Urban Renewal	Community Development	Bunch R, CD Director
647	10/18/2011	Judith Gray	CCWKSHOP	30 Minutes - Transportation Planning Rule Update	Community Development	Gray J, Sr Transportation Planner
Total Time: 130 of 180 minutes have been scheduled						
404	10/25/2011	Carol Krager	AAA	Business Meeting		
648	10/25/2011	Greer Gaston	ACCSTUDY	30 Minutes - Executive Session	Public Works	08/29/2011
658	10/25/2011	Greer Gaston	ACCSTUDY	10 Minutes - Briefing on Consent Item to Re-Allocate \$1.6 Million in Grant Funding to the Main Street/Green Street Retrofit Phase II Project	Public Works	Gaston G, Conf Executive Asst
666	10/25/2011	Greer Gaston	ACCSTUDY	5 Minutes - Executive Session - Real Property Transactions	Public Works	09/27/2011
669	10/25/2011	Liz Lutz	ACCSTUDY	10 Minutes - Washington County Project Homeless Connect Social Service Funding Request	Financial and Information Services	LaFrance T, Fin/Info Svcs Director
Total Time: 55 of 45 minutes have been scheduled OVERSCHEDULED						

Key:

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

**City Council Tentative Agenda
10/3/2011 11:46 AM**

649	10/25/2011	Joseph Barrett	ACONSENT	Consent Item - Award a Contract for the Purchase of a Truck-Mounted Heated Asphalt Patching Box	Financial and Information Services	Barrett J, Sr Mgmt Analyst - Finance
650	10/25/2011	Joseph Barrett	ACONSENT	Consent Item - Approve Purchase of a Freightliner m2 106 Chassis	Financial and Information Services	Barrett J, Sr Mgmt Analyst - Finance
659	10/25/2011	Greer Gaston	ACONSENT	Consent Item - Approve Re-Allocation of \$1.6 Million in Grant Funding to the Main Street/Green Street Retrofit Phase II Project	Public Works	Gaston G, Conf Executive Asst
634	10/25/2011	Cathy Wheatley	CCBSNS	30 Minutes - Activation and Recreation within Tigard's Downtown for the 21st Century	Administrative Services	Gaston G, Conf Executive Asst
637	10/25/2011	Susan Hartnett	CCBSNS	45 Minutes - Discuss Amendments to Chapter 1.16 of the Tigard Muncipal Code	Community Development	Hartnett S, Asst CD Director
656	10/25/2011	Greer Gaston	CCBSNS	10 Minutes - Consider a Resolution Supporting the Submission of a Grant Application to Partially Fund 121st Avenue Improvements	Public Works	McMillan K, Engineering Manager
657	10/25/2011	Greer Gaston	CCBSNS	10 Minutes - Consider a Resolution Supporting the Submission of a Grant Application to Partially Fund Crescent Trail	Public Works	McMillan K, Engineering Manager
				Total Time: 95 of 110 minutes have been scheduled		
405	11/08/2011	Carol Krager	AAA	Business Meeting		
662	11/08/2011	Susan Hartnett	CCBSNS	45 Minutes - Discuss Amending Tigard Municipal Code to Consolidate Nuisance Violations into a New Title 6	Community Development	Hartnett S, Asst CD Director
				Total Time: 45 of 110 minutes have been scheduled		

Key:

- Meeting Banner
- Study Session
- Consent Agenda
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**City Council Tentative Agenda
10/3/2011 11:46 AM**

406	11/15/2011	Carol Krager	AAA	Workshop Meeting		
325	11/15/2011	Judith Gray	CCWKSHOP	30 Minutes - Update on High Capacity Transit (HCT) Land Use Plan	Community Development	Gray J, Sr Transportation Planner
615	11/15/2011	Ted Kyle	CCWKSHOP	30 Minutes - Discuss Fanno Creek Slope Stabilization -- Design-Build Contracting	Public Works	Gaston G, Conf Executive Asst
616	11/15/2011	Ted Kyle	CCWKSHOP	30 Minutes - Discuss Pavement Management Report, Update on 2011 Paving, and ROW Maintenance	Public Works	McCarthy M, St/Trans Sr Proj Eng
644	11/15/2011	Sean Farrelly	CCWKSHOP	40 Minutes - Discuss Downtown Organization	Community Development	Farrelly S, Redev Project Manager
661	11/15/2011	Cheryl Caines	CCWKSHOP	40 Minutes - Tree Board Joint Meeting with City Council	Community Development	Prager T, Assoc Planner/Arborist
670	11/15/2011	Greer Gaston	CCWKSHOP	10 Minutes - Briefing on a Clean Water Services Intergovernmental Agreement Regarding Derry Dell	Public Works	Gaston G, Conf Executive Asst
				Total Time: 180 of 180 minutes have been scheduled		
407	11/22/2011	Carol Krager	AAA	Business Meeting		
664	11/22/2011	Marissa Daniels	ACCSTUDY	30 Minutes - Briefing on SW Corridor Public Involvement and Messaging	Community Development	Hartnett S, Asst CD Director
				Total Time: 30 of 45 minutes have been scheduled		
555	11/22/2011	Kent Wyatt	CCBSNS	30 Minutes - Receive and discuss findings from the 2011 Community Attitudes Survey	Administrative Services	Wyatt K, Management Analyst
				Total Time: 30 of 110 minutes have been scheduled		
619	12/13/2011	Cathy Wheatley	AAA	Meeting Date: Absences to Note: Location: Tigard City Hall		

Key:

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

**City Council Tentative Agenda
10/3/2011 11:46 AM**

671	12/13/2011	Greer Gaston	ACONSENT	Consent Item - Consider an Intergovernmental Agreement with Clean Water Services Regarding Derry Dell	Public Works	Gaston G, Conf Executive Asst
612	12/13/2011	John Goodrich	CCBSNS	15 Minutes - Approve Ordinance to Amend Title 12 - Water and Sewer	Public Works	Gaston G, Conf Executive Asst
630	12/13/2011	Cathy Wheatley	CCBSNS	60 Minutes - Quasi-Judicial Public Hearing: Comprehensive Plan Amendment, Sensitive Lands Reviews and Adjustment to Extend Wall St. to Fields Property	Community Development	Caines C, Assoc Planner
655	12/13/2011	Liz Lutz	CCBSNS	10 Minutes - Approve Budget Committee Appointments (1 vacancy and 1 alternate vacancy)	Financial and Information Services	
663	12/13/2011	Susan Hartnett	CCBSNS	30 Minutes - Public Hearing to Amend Chapter 1.16 and Create New Title 6 and Modify Master Fees and Charges Schedule	Community Development	Hartnett S, Asst CD Director
			Total Time: 115 of 110 minutes have been scheduled			
409	12/20/2011	Carol Krager	AAA	Workshop Meeting		
410	12/27/2011	Carol Krager	AAA	Business Meeting		
639	01/10/2012	CWheatley	AAA	Business Meeting - State of the City		

Key:

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

**City Council Tentative Agenda
10/3/2011 11:46 AM**

640	01/17/2012	CWheatley	AAA	Workshop Meeting		
642	01/17/2012	Greer Gaston	CCWKSHOP	30 Minutes - Discussion of Concept Designs for Pacific Highway/McDonald/Garde Intersection Improvements	Public Works	McCarthy M, St/Trans Sr Proj Eng
668	01/17/2012	Liz Lutz	CCWKSHOP	40 Minutes - Budget Committee Meeting	Financial and Information Services	LaFrance T, Fin/Info Svcs Director
Total Time: 70 of 180 minutes have been scheduled						
641	01/24/2012	Cathy Wheatley	AAA	Business Meeting		
414	01/24/2012	Joanne Bengtson	CCBSNS	15 Minutes - 4th Quarter Goal Update	City Management	03/21/2011
606	01/24/2012	Todd Prager	CCBSNS	30 Minutes - Urban Forestry Code Revisions Process Update	Community Development	
Total Time: 45 of 110 minutes have been scheduled						
569	02/14/2012	Cathy Wheatley	AAA	Meeting Date: Absences to Note: Location: Tigard City Hall		
643	02/14/2012	Greer Gaston	CCBSNS	10 Minutes - Selection of a Concept Design for Pacific Highway/McDonald/Garde Intersection Improvements	Public Works	McCarthy M, St/Trans Sr Proj Eng
Total Time: 10 of 110 minutes have been scheduled						

Key:

Meeting Banner

Business Meeting

Study Session

Special Meeting

Consent Agenda

Meeting is Full

Workshop Meeting

**City Council Tentative Agenda
10/3/2011 11:46 AM**

570	02/21/2012	Cathy Wheatley	AAA	Meeting Date: Absences to Note: Location: Tigard City Hall		
652	02/21/2012	Nadine Robinson	CCWKSHOP	20 Minutes - Tigard Municipal Court Annual Report	Administrative Services	Robinson N, Admin. Svcs. Manager
Total Time: 20 of 180 minutes have been scheduled						
568	02/28/2012	Cathy Wheatley	AAA	Meeting Date: Absences to Note: Location: Tigard City Hall		
571	03/13/2012	Cathy Wheatley	AAA	Meeting Date: Absences to Note: Location: Tigard City Hall		
573	03/20/2012	Cathy Wheatley	AAA	Meeting Date: Absences to Note: Location: Tigard City Hall		
607	03/20/2012	Todd Prager	CCWKSHOP	60 Minutes - Urban Forestry Code Revisions Workshop	Community Development	
Total Time: 60 of 180 minutes have been scheduled						
572	03/27/2012	Cathy Wheatley	AAA	Meeting Date: Absences to Note: Location: Tigard City Hall		

AIS-665

Item #: 3. C.

Business Meeting

Date: 10/11/2011

Length (in minutes): Consent Item

Agenda Title: Periodic Review Grant Submittal for Funding Goal 10: Housing Work Task

Submitted By: Darren Wyss
Community Development

Item Type: Resolution

Meeting Type:

Consent Agenda

ISSUE

Should the City Council approve a resolution endorsing the submittal of periodic review grant applications for performing the Goal 10:Housing work task?

STAFF RECOMMENDATION / ACTION REQUEST

Approval, by motion, of the attached resolution endorsing submittal of the application.

KEY FACTS AND INFORMATION SUMMARY

Periodically, cities and counties are required to evaluate their comprehensive plans and land use regulations through a process called periodic review (ORS 197.628-644 and OAR 660, Division 25). On May 20, 2008, the Oregon Department of Land Conservation and Development (DLCD) notified the city of the commencement of periodic review for Tigard. Staff then developed a periodic review work program, which was approved by City Council on January 27, 2009 and approved by DLCD on April 15, 2010. The city has three years from the DLCD approval date to complete all six tasks in the work program.

The city has completed three of the six tasks to date, and is gearing up to start on the next two. These are Goal 10: Housing and updating the Tigard Public Facility Plan.

The Community Development Department has budgeted funds for professional contractual services to help complete the Goal 10: Housing work task, but now has the opportunity to apply for state periodic review grant funds for the work task. Periodic review grant funds were used to complete the recently adopted Tigard 2011 Economic Opportunities Analysis. City staff is seeking Council approval to submit a grant application to fund the Goal 10:Housing work task. Timely submission of the grant applications will provide the opportunity to utilize available state funds, as opposed to City funds, to perform these tasks.

OTHER ALTERNATIVES

Do not approve the resolution.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

1. Implement Comprehensive Plan
2. Implement Downtown and Town Center Redevelopment Opportunities

DATES OF PREVIOUS COUNCIL CONSIDERATION

N/A

Fiscal Impact

Cost: \$0.00

Budgeted (yes or no): Yes

Where Budgeted (department/program): CD

Additional Fiscal Notes:

The proposed grant request is for a total of \$48,500. There is no required match, but in-kind contributions of city staff time and materials are encouraged to aid in completing the products. As such, a \$5,500 match of staff time for project management and support is proposed.

Originally, Community Development budgeted \$15,000 in FY 2011-12 to complete this project in house with minimal technical support. With this grant opportunity, the department will be able to expand the scope of this project and increase the amount of technical analysis. The project will also develop strategies to meet future housing needs, particularly in regards to a proposed high-capacity transit corridor and the recently annexed River Terrace area. The work will be performed as part of the city's periodic review work program under the Population and Housing Review (Goal 10) task.

Attachments

Resolution Supporting Periodic Review Grant Application for Goal 10: Housing Work Task

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

A RESOLUTION SUPPORTING PERIODIC REVIEW GRANT APPLICATION TO COMPLETE GOAL 10: HOUSING WORK TASK

WHEREAS, Tigard City Council Goal 1, Implement the Comprehensive Plan, emphasizes planning efforts that include housing elements; and

WHEREAS, Tigard City Council Goal 2, Implement Downtown and Town Center Redevelopment Opportunities, emphasizes attracting development that includes housing; and

WHEREAS, Completing the Goal 10: Housing work task will help provide a strategy and the necessary findings to encourage continued residential development in the community; and

WHEREAS, The City of Tigard was notified of the initiation of Periodic Review by the Oregon Land Conservation and Development Department in May 2008; and

WHEREAS, Periodic Review is required by state statute to ensure a community's comprehensive plan and land use codes will provide for the growth management and development needs of the community; and

WHEREAS, The City of Tigard developed a Periodic Review Work Program and the Tigard City Council approved its submittal on January 27, 2009; and

WHEREAS, The Department of Land Conservation and Development approved the Tigard Periodic Review Work Program on April 15, 2010; and

WHEREAS, The City of Tigard is eligible to apply for state funding in the form of Periodic Review Grants to complete the Goal 10: Housing work task; and

WHEREAS, the requested grant amount is \$48,500.

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

SECTION 1: The City Council hereby expresses its support for the preparation and submission of Periodic Review Grant proposals for state funding during the 2011-2013 biennium.

SECTION 2: The City is prepared to provide in-kind contributions in the form of staff time and materials to aid in completing the Periodic Review Grant products during the 2011-2013 biennium.

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-651

Item #: . D.

Business Meeting

Date: 10/11/2011

Length (in minutes): Consent Item

Agenda Title: Award Contract for Federal Governmental Affairs Services to CFM Strategic Communications

Prepared For: Kent Wyatt

Submitted By:

Kent Wyatt

City Management

Item Type:

Meeting Type:

Consent Agenda -
LCRB

ISSUE

Should the Local Contract Review Board (LCRB) approve a contract for a Washington, DC based lobbying firm to provide technical advice and direct advocacy and support for the city's federal intergovernmental interests?

STAFF RECOMMENDATION / ACTION REQUEST

The LCRB may wish to approve a motion to award a contract to CFM Strategic Communications, Inc., and authorize the city manager to enter into a contract for the period of October, 2011, through October, 2014, with an option to renew for up to two 12-month extensions.

KEY FACTS AND INFORMATION SUMMARY

The City Council directed staff to solicit a request for proposals for Federal Governmental Affairs and Lobbying Services. CFM Strategic Communications, Inc. which has a office in Portland, OR and Washington, DC was the sole firm submitting a proposal.

Pending approval from LCRB, Tigard would enter into a contract with CFM with a scope of responsibility including promoting city positions on policy matters to elected officials and their staffs; assisting in the preparation of federal appropriations requests and submit on behalf of the city; and providing a written weekly report of recent and upcoming activities and actions in Congress and federal agencies.

OTHER ALTERNATIVES

Do not award a federal affairs contract - this alternative would utilize city staff to represent the city's interests and advocate for city issues without outside assistance. Based on available city resources, this alternative would significantly reduce the city's federal advocacy efforts.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

- Financial Stability - Work with partners on long-range solutions to statewide structural problems.
- Continue coordination with Lake Oswego on water partnership.

DATES OF PREVIOUS COUNCIL CONSIDERATION

August 23, 2011 - Discussed Strategies for Communicating Tigard's Federal Legislative Priorities.

Fiscal Impact

Cost: \$63,940

Budgeted (yes or no): No

Where Budgeted (department/program): City Management

Additional Fiscal Notes:

The City Council directed staff to solicit proposals for federal lobbying services. This was the lowest bid.

This cost is currently not included in the FY 2011-12 budget. Budget for the service will come from a decrease of the Central Services Fund Contingency to fund an increase in the City Manager's Division professional services. Staff will either include a request to approve the budget change in the second quarter supplemental budget in January or through a transfer resolution on consent agenda at a business meeting prior to January.

Attachments

CFM Proposal



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September 27, 2011

City of Tigard
RFP Federal Governmental Affairs Consulting
and Lobbying Services



Submitted by:



CFM Strategic Communications Inc.
An Oregon Corporation

Joel Rubin – Proposed Project Manager
VP Federal Affairs
CFM Strategic Communication, Inc.
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TABLE OF CONTENTS

Firm and Team Qualifications	3
<i>Background of the Firm</i>	
<i>Firm Qualifications - The CFM Advantage</i>	
<i>Related Experiences</i>	
<i>Resumes of Team Tigard</i>	
Project Understanding and Approach	7
<i>Project Understanding</i>	
<i>Project Approach: Listen First</i>	
<i>Developing Relationships</i>	
<i>Instant Credibility</i>	
<i>Local Coordination</i>	
<i>Schedule of Work</i>	
Cost Structure	13
<i>Detailed Breakdown of Staff Hours and Tasks</i>	
Additional Services	14
Additional Information	15
<i>Current Federal Client List</i>	
<i>Creating Broad Community-based and Grassroots Support</i>	
<i>Engagement in the Political Process</i>	
<i>Conclusion</i>	



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Firm and Team Qualifications

Background of the Firm

CFM Strategic Communications, Inc. (CFM) is a successful public affairs, communications and research firm. Our experienced professional team, network of federal contacts, expertise in working with municipalities and record of achievement makes us uniquely qualified to represent the City of Tigard in Washington, D.C.

Since 1990, we have provided comprehensive results oriented lobbying, strategic planning, legislative goal setting and political analysis to clients in both the public and private sector. Our clients have been very successful in securing federal funds and influencing legislation.

As your federal advocate, we will promote your interests in our nation's capital and arm you with the tools necessary to be successful in a constantly changing political environment. We will help you establish and maintain strong ties to key Members of Congress and the Executive Branch. We will assist you in understanding and participating in the federal governmental process and guide you through the appropriations and grant process.

CFM will provide you with expert advice from a highly regarded team with decades of experience. CFM's lobbyists have strong connections on Capitol Hill, access to influential policy makers and a comprehensive understanding of the issues facing the Pacific Northwest. We work with Oregon delegation members and staff on a daily basis. CFM partners and staff have known most members of the delegation for decades. We have been their political supporters and, in some cases, their political advisors.

CFM's commitment to client satisfaction is second to none. Our fundamental goal is to serve our clients with superior attention to their needs and desired outcomes. The better we know our clients, the better we can represent them before policy makers and the public. As a result, we work closely with you to maximize your full potential.

When you choose CFM, you get a team of experts dedicated to fulfilling your needs. We are respected for our integrity, honesty, and hard work in representing our clients. Moreover, we are respected for our outstanding record of achievements.

Firm Qualifications - The CFM Advantage

CFM is more than a lobbying firm with great connections. We develop the right strategies, messages and presentations to position our clients' legislative objectives in the best light possible. CFM's trademark is strategic communications to help our clients say the right things to the right people at the right time to obtain the desired results.



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CFM has a strategy for success. Working with you, we will develop a set of policy, grant and appropriation priorities that will serve as your federal platform. These priorities will reflect the needs of your community and will be strategically interwoven with the pressing issues facing the federal government. We will help you communicate your platform to key members of Congress and agency officials in a direct, concise and compelling manner. It is necessary to refine messages carefully and produce clear communication tools that will elevate the profile of Tigard's requests over the many other justifiable requests communities within Oregon will be pitching. This is our specialty.

CFM also believes that our clients are the best faces and voices for their projects. Our strategy for implementing your agenda will include having Tigard officials communicate directly with Congressional and agency decision makers when necessary. This will require City officials to travel to Washington, D.C. at key times in the legislative process. In addition, we will coordinate visits by Members of Congress and their staff and federal officials to come to Tigard and learn first-hand about city priorities. This will expand their understanding of the projects and further motivate them to be project champions.

Lastly, CFM will remain in constant contact with Member of Congress and City officials to ensure our hard work produces a successful outcome. Washington D.C. is a dynamic place where last minute deals threaten a year's worth of hard work. CFM understands the environment and will remain vigilant at every step of the process.

Related Experience

CFM's federal affairs practice specializes in representing municipal clients in Oregon and the Pacific Northwest. We have been successful in securing millions of federal dollars for transportation, housing, economic development, public safety, water, health, energy and Corps of Engineer projects across the region.

One of our most successful projects over the last few years, Vancouver's Downtown Waterfront Redevelopment Project, epitomizes CFM's way of doing business. We look under every rock, work every angle and clearly communicate with elected officials about the needs and benefits of worthy projects in the Pacific Northwest. In just two years, we have helped Vancouver secure over \$10.6 million in federal earmarks, stimulus funds and other federal grant streams of revenue to revitalize their downtown area. We have helped the city apply for funds in five separate federal accounts, lobbied the congressional delegation and agency officials on behalf of the project and coordinated a grassroots effort to mobilize support. This economic development success story is a model that can be replicated throughout the Northwest.

In addition to economic development successes, CFM has a strong record of securing transportation funds. Joel Rubin served as Congressman Brian Baird's Transportation and Infrastructure Committee staffer on Capitol Hill, has a decade of federal transportation experience and has contacts with key committee staff and agency officials.



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In the last six years of transportation reauthorization (SAFETEA LU), CFM has secured millions of transportation dollars for our clients. This includes \$7 million for Multnomah County's Sellwood Bridge Project, \$6.47 million for Salem Keizer Transit, \$2.3 million for Vancouver, \$1 million for Lacey and supported over \$10 million for the Columbia River Crossing Project.

CFM has a strong track record of securing funds for municipal public safety programs. Another hallmark achievement for CFM was creating and coordinating advocacy efforts for Marion County's Kids First Initiative. After several years of bringing projects to the Oregon delegation to combat the County's methamphetamine problem, CFM recognized an opportunity to position the project strategically for greater success, creating the Kids First and subsequent Kids First II initiatives.

Through this creative packaging, the Oregon delegation has come to know and respect the Kids First initiative as an all-encompassing approach to breaking the intergeneration cycle of violence that is predicated by meth-addicted parents. The project has enjoyed broad support from the delegation. Delegation members regularly cite the Kids First program as a unique and successful model that they are proud to have their names associated with. To date, Marion County has received nearly \$5 million to fund the Kids First initiative and other anti-meth programs.

In addition to funding Marion County's meth project, other public safety initiatives CFM has secured include: \$3.5 million to purchase police equipment and hire police officers for Vancouver; \$1.5 million for Longview's meth outreach program and hiring of three police officers; \$250,000 for Sherwood's interoperability project; \$200,000 to upgrade Lacey's police communications equipment; and, \$100,000 for a School Resource Officer in Battle Ground. This diverse sampling of public safety projects illustrates our understanding of the federal accounts available and highlights the many Department of Justice opportunities Tigard could tap.

While funds for water projects are limited at the federal level, CFM has successfully advocated for Lacey, Longview and Battle Ground's water infrastructure needs. Over the last three years, these three cities have accessed over \$26.3 million in federal resources.

As the earmark environment has shifted, CFM has relied on its comprehensive approach to ensure that clients have equal access to federal funds in a new landscape. CFM's innovative and tireless strategy in this new reality includes aggressively pursuing grant funding, report language in appropriations bills along with drafting and advocating for legislation on behalf of our clients.

Over the last three years, CFM has successfully inserted beneficial report language in several different appropriations bills for our clients, including:



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- Oregon Institute of Technology: CFM secured a \$2 million authorization in the Energy Independence and Security Act by creating a pilot project for geothermal facilities on a university campus. We worked with the Oregon House and Senate delegation, the Science Committee and the House and Senate Appropriations Committee to secure the authorization signed by the president.
- City of Battle Ground: CFM secured report language in the FY 2009 Agriculture Appropriations bill in support of their Water Reclamation project. The report language led directly to a \$7 million loan from the USDA Rural Development office. CFM worked directly with the Washington House and Senate delegation and the House and Senate Appropriations Committee to secure the language.
- Oregon Institute of Technology: CFM secured report language in the pending House and Senate FY2012 Energy and Water Appropriations bill. The report language supports low temperature geothermal research and development, an area of focus for OIT. The language directs the Department of Energy to focus additional resources to this important energy initiative. CFM worked directly with the Oregon delegation and the House and Senate Appropriations Committee to secure the language.

In summary, the projects above are just a sampling of our success. Each project has their own story and we work hard to develop a strong and diverse legislative agenda for our clients. However, it's also important to be trusted and have a strong relationship with the delegation and an understanding of the grant funding streams available to municipal clients.

Resumes of Team Tigard

CFM will dedicate a team of professionals to the Tigard federal account. Our team understands the needs of your city, has years of experience with your congressional delegation and has close ties to key staff and Members of Congress. Tigard's federal team would include:

Joel Rubin, CFM Vice President, Federal Affairs, based in Washington, D.C. Joel served as Legislative Director to Washington State Congressman Brian Baird, where he worked on a wide range of issues including transportation, taxes, trade, defense, economics and budget. As Legislative Director, Joel was also responsible for handling Baird's Transportation and Budget Committee assignments, managing the legislative agenda and coordinating the appropriations process. Before joining CFM, Joel worked as a lobbyist with a D.C. firm where he represented cities, counties and private sector clients, many of which are based on the West Coast. Joel has strong contacts in the Washington and Oregon delegations, the House Appropriations and Transportation Committees, the Senate Appropriations and Environment and Public Works Committee and the Departments of Justice, Transportation, Commerce, Labor and Veterans Affairs.



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Ali Santore, CFM Vice President, Federal Affairs, based in Washington, D.C. Ali comes to CFM from the office of Sen. Gordon Smith where she served as a Legislative Assistant. Previously, Ali served as Smith's legislative correspondent and press assistant. Ali comes to CFM with frontline experience on a range of healthcare, justice and human service issues. Additionally, Ali possesses unique knowledge of the appropriations process. While in Senator Smith's office, Ali worked in tandem with Senator Wyden's staff to oversee the statewide appropriations process for the Oregon delegation, managing over 500 appropriations projects. Ali worked closely with key Appropriations Committee staff, as well as the administration, in this capacity. Ali maintains strong relationships not only with the Washington Congressional delegation, but also with Obama administration staff, including officials at the Departments of Justice, Education and Health and Human Services. Earlier in her professional career, Ali worked in Marion County for the Oregon Judicial Department as an Analyst. Ali is an Oregonian and University of Oregon graduate with degrees in political science and philosophy.

Gary Conkling co-founded CFM in 1990 and will serve as an advisor to the Tigard team. Before starting CFM, Conkling was director of public affairs for Tektronix and worked in Washington, D.C. as staff director for Congressmen Les AuCoin and Ron Wyden, now Oregon's senior senator. He has more than 30 years experience lobbying on the federal and state levels. He has been involved in many of Oregon's high-profile public policy debates and serves in many civic roles. Conkling is a contributing faculty member at Willamette University's Atkinson Graduate School of Management, teaching a course on communications and leadership. Conkling is a resident of Tigard and former president of the Beaverton Area Chamber of Commerce.

Norm Eder, a CFM partner, will serve as an advisor to the Tigard account. Eder has extensive experience working with all levels of government. He spent 17 years as Vice President of Public Affairs for Oregon Graduate Institute. During that time he led all public affairs and communications for OGI. This included extensive federal and state advocacy that led to funding economic development, research, and infrastructure projects. Since joining CFM in 1999, Eder has specialized in managing large complex client projects, in particular water infrastructure work for Clean Water Services and the Tualatin Water Supply Partners, as well as Clackamas County. Eder has been a long-time member of the Westside Economic Alliance Board. In the past he has served on the Boards of the Beaverton Arts Commission and the Washington County Commission on Children and Families.

Project Understanding and Approach

Project Understanding

CFM's federal lobbying practice specializes in representing municipal clients in Oregon and the Pacific Northwest. We have been successful in securing millions of federal dollars for transportation, housing, economic development, public safety, water, health care, education, human services, energy and Corps of Engineer projects. We also coordinate closely with key



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members, staff and national associations to advocate for and against legislation that impacts our municipal governments.

We strongly believe in a comprehensive approach to securing federal dollars. We leave no rock unturned when working on behalf of our clients. We are very familiar with traditional funding streams and processes for securing federal funding, but we also approach each project with a fresh perspective. We continually ask ourselves what are the potential non-traditional funding streams? What other types of programs have not yet been considered? Are there collaborative efforts that would improve the chances of success? This type of creative approach has familiarized us with unique funding streams that have produced millions of dollars for our clients when traditional resources have come up dry.

It goes without saying that Tigard's projects will be competing with projects from other local governments and private entities in the state and throughout the nation. With reductions in federal funds for earmarked projects, it is necessary to have clearly defined projects that pinpoint deliverables and meet community needs. Additionally, it is important to craft carefully refined key messages about these projects and use communications tools that elevate the City's projects over others.

Our strategy for success is multi-faceted and does not include a sole focus on the appropriations process. Your CFM federal team of professionals will work daily on the City's behalf in the following areas:

- Developing a strategic federal agenda and political outreach plan;
- Tracking, researching and communicating with federal agencies to identify grant opportunities;
- Coalition building on the local and national level;
- Coordinating advocacy with the National League of Cities and Conference of Mayors;
- Developing policy through the legislative (via Congress) and regulatory (via the Administration) process;
- Providing access to key decision makers and leaders in Washington, D.C.;
- Providing opportunity for testimony before congressional committees;
- Securing appropriations earmarks and authorizations; and,
- Drafting legislation.

Project Approach - Listen First

Sometimes lobbyists want to talk first. We set out to listen first. While CFM understands the City of Tigard's scope of work and has handled similar efforts for numerous clients, your input is crucial to a successful outcome. We will work in a collaborative way with you and your team to craft a comprehensive federal agenda.



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If we are the successful bidder, our first step would be to spend time with City officials to learn the issues and understand what the city hopes to accomplish in Washington, D.C.

This is a fundamental principle for us – conducting research is a critical first step in representing any client. We suggest initiating interviews with City officials and staff to examine the variety of projects and legislative objectives available to you. We often follow these internal sessions with interviews with key policymakers and staff – interviews that focus on their desires and perceptions, which include a universe of competing priorities.

This is a key step, one often overlooked, in the legislative relations business. Asking what legislators think and listening to their responses cultivates solid relationships.

Project Approach - Developing Relationships

Relationships are important when it comes to a sophisticated advocacy program. Because we are an Oregon firm with a full-time office in Washington, D.C., we work on a daily basis with the Oregon delegation and its staff, as well as other key players on Capitol Hill. The Oregon delegation knows and trusts us. In many cases, we serve as their behind-the-scenes political advisors.

We work hard to maintain the relationships we have spent years cultivating. In our view, the best way to keep our relationships fresh is to stay in constant contact with those who have influence. Our team of lobbyists stays in contact on a daily basis with those who will be Tigard's best allies and with those who will have influence over its federal agenda. Besides the Oregon delegation, we have deep relationships with key congressional leaders, committee members outside our delegation and congressional and agency staff.

We pride ourselves on being a bipartisan firm. Our CFM team includes Democrats, Republicans and Independents. Regardless of party affiliation, our staff is able to work both sides of the aisle when working with elected officials. In addition, our broad client base demonstrates we are able to work on a wide range of issues.

Our public affairs work for clients goes beyond legislative activities and reaches into the administrative/regulatory arena. We regularly deal with agencies such as the Departments of Transportation, Housing, Health & Human Services, Labor, Justice, Defense, Treasury, Education, Agriculture (US Forest Service) and the Interior (National Park Service & BLM). We also have strong Obama Administration contacts.

We have spent time working with coalitions and associations important to the City of Tigard. Because we have existing city clients on the federal level, we have relationships with staff of the National League of Cities, Conference of Mayors and other collaborative organizations such as the National Association of Counties and the National Conference of State Legislatures. We



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know that collaboration on some issues is important and we develop strategies for clients to align with associations when necessary.

Project Approach - Instant Credibility

Credibility is critical to your long-term success. CFM places considerable value on helping clients develop long-term relationships with federal policymakers, and we are proud that our clients are seen as committed partners in the federal process. We urge our clients to bring project requests that are reasonable, well developed, and meet proven needs in the community.

Other lobbying operations will boast of large Washington, D.C. offices and connections to “movers and shakers” in our nation’s capital. Some will even argue that their high priced lobbyists are the only ones who can have real influence in Washington, D.C.

There is no substitute for commitment, hard work and loyalty. But most important is our firm’s credibility. Having CFM on your side provides an advantage. Unlike big D.C. firms, your delegation knows us and knows we are an Oregon firm that relies on our reputation. We are not putting forward projects that meet short-term objectives, hide complications and create longer-term problems. In a funding environment facing public scrutiny, CFM’s stamp of approval means something to the delegation. That reliability is critical in the appropriations and legislative process.

Project Approach - Local Coordination

Local coordination is an important component to accessing federal funding. CFM coordinates stakeholder support for our clients’ projects. Since CFM has staff in Oregon, as well as Washington, D.C., we are able to participate in key local meetings and work closely with City staff on strategy, execution or day-to-day issues that arise.

Local coordination is an important factor that separates our clients’ projects from the pack. We believe that gaining support for the City’s priorities from stakeholders in the community has important strategic value. Motivated stakeholders and supporters can be tremendous allies in Washington, D.C. They demonstrate to our delegation that there is broad support for the City’s initiatives, and even bring on new, and sometimes politically connected, advocates.

We also place value on having key Members of Congress and key Congressional staff members visit with City staff and Council to learn firsthand the issues of importance to the City. CFM will organize these meetings and visits, and provide necessary briefing materials.

Each of the attributes mentioned above are critical to meeting your federal objectives. We have already met the key milestones of developing Oregon and national ties, establishing credibility and providing comprehensive service at home and in D.C. We have delivered real results to Oregon municipal clients for years. With CFM, you will have a trusted partner that can hit the ground running to implement and achieve your legislative objectives.



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members of the Oregon delegation and stakeholders for federal agenda; target grant announcements and coordinate grant submissions with active participation from Congressional delegation.

June - July 2012 – Organize briefings for Members of Congress and staff to visit Tigard projects and staff; monitor relevant legislative and appropriations measures, hearing and mark ups as they move through committee and floor and communicate progress on those issue areas; collect letters of support from third party groups and community advocates for specific funding and legislative objectives; work with the Oregon Congressional delegation, Administration and staff to advocate for specific legislative and grant outcomes.

August 2012 – As August is a month-long Congressional recess, we will coordinate tours and briefings in Tigard for relevant Congressional staff; update D.C. and district staff on the status of your legislative agenda and projects. Rubin and Santore will visit to meet with City staff and review status of projects and begin planning for the upcoming fiscal year.

September 2012 – Work with the Congressional delegation to secure federal grants; monitor twelve appropriations bills moving through congress and conference committees; advocate for federal programs included on the federal agenda; continue to monitor grant announcements and coordinate support letters for projects; coordinate grassroots support campaign for regional projects; monitor, advocate for or oppose legislation included on the City's legislative agenda.

October - December 2012 – Rubin and Santore will visit Tigard to spend time with the City Council and staff to exchange information regarding the status of 2012 agenda and start planning 2013; together we will develop a draft federal agenda which will be the basis of your 2013 project and policy requests and legislative action items; identify federal programs and grants that meet your needs; Rubin will make a year-end, in-person presentation to Council.

In addition to the timeline above, CFM would perform the following functions throughout the year:

- Provide frequent updates to City officials and staff on status of projects;
- Closely coordinate with the City Council and other officials, perhaps even on a daily basis, to ensure timelines and tasks are being adequately met;
- Coordinate with other regional entities to help develop region-wide support for existing and new City projects; and
- Research new funding opportunities for the City that may arise, including grants, loans and stimulus dollars.



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Cost Structure

We propose a retainer contract in the amount of \$5,300 per month (\$63,600 per year), beginning with the award of the contract. The contract includes out-of-pocket expenses incurred by CFM. Covered expenses would include travel costs, meetings with key congressional officials, postage, long distance phone and faxes and other regular business expenses.

As Project Manager, Rubin will dedicate a significant majority of time to the Tigard account – 180 hours per year. Santore will provide significant support in all areas and will dedicate approximately 60 hours. The Portland-based CFM team of Conkling and Eder will contribute a combined 48 hours to the account. Unlike other D.C. lobbying firms, CFM will continue to provide comprehensive service above and beyond our estimated work plan allotment. It's more important to us that you succeed.

Estimated staffing cost

	Hourly Rate	Estimated Monthly Hours	(Annual) Total Hours	Estimated Annual Staffing Cost
Joel Rubin	\$260	15	180	\$46,800
Ali Santore	\$260	5	60	\$15,600
Gary Conkling	\$300	2	24	\$ 7,200
Norm Eder	\$300	<u>2</u>	<u>24</u>	<u>\$ 7,200</u>
Totals		24	288	\$76,800
				<i>(20% discount applied to total staff cost)</i>
				(\$15,360)
			Staffing subtotal	<u>\$61,440</u>

Estimated expenses included in retainer

CFM staff travel & travel expenses	\$1,500
Telecommunications charges (i.e.; telephone, PDA's, internet, faxes)	\$250
Materials production (i.e.; color lobby pieces, issue presentations)	\$200
Meeting expenses (i.e.; Congressional & federal officials)	\$475
Mail, overnight delivery & courier expenses	\$75

Expense subtotal **\$2,500**

Total annual staffing & expenses **\$63,940**



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Detailed Breakdown of Staff Hours and Tasks

The key task areas are broken down below and include: Legislative Planning; Appropriations; Grants; Client Updates; State and Local Coordination; Coalition Building; and D.C. Trips.

Tasks	Rubin	Santore	Conkling	Eder	Total Hours
Legislative Planning	25	10	5	5	45
Appropriations	30	10	0	0	40
Grants	55	10	0	0	65
Client Updates	20	5	2	0	27
State and Local Coordination	10	5	10	10	35
Coalition Building	15	10	5	9	39
D.C. Trips	25	10	2	0	37
TOTAL	180	60	24	24	288

Additional Services

CFM is a successful public affairs, communications and research firm that can provide custom services at an hourly rate or enter into a long-term retainer contract. We would be happy to discuss with you any of the other services we provide. Below is a short summary of the other four business lines CFM operates.

Research - Impact public policy; Create successful marketing plans; Develop new products; Design effective communication strategies.

Marketing/PR - Strategic counsel on marketing public relations; Social media coaching and consulting; Media relations; Website development and integration; New product launches and market expansion; Event planning and community outreach.

Public Affairs - Protect reputations; Manage complex issues; Create memorable key messages; Handle media relations; Cope with a communications crisis.

State Lobbying - Advocate for or against legislation; Protect program funding; Fund local projects; Build coalitions for issue-based advocacy.



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Additional Information

Best of Both Worlds

CFM is proud to be an Oregon firm with a rich and successful history of representing northwest municipal governments and private sector clients. We have deep ties to each member in the Oregon delegation and their staff. They know and trust us. This level of comfort and credibility is critical in a skeptical funding environment.

But we also have proven and reliable contacts at the highest levels of government, including the Obama Administration, congressional leadership, committee chairs and key political appointees. Over our 20 years at the federal level, we have cultivated these high-level relationships and know how to access critical information and leverage political support for local projects.

By bringing together our knowledge of the Pacific Northwest, relationships with local and national leaders and our deep understanding of the federal process, CFM has established itself as a proven winner.

CFM looks forward to discussing the services we could provide to the City of Tigard. Each Member in the delegation represents an opportunity for Tigard and we know there are many avenues for Tigard to explore. In partnership with Tigard's leadership, we can improve the quality of life of your residents and community.

Current Federal Client List

- Battle Ground, Washington
- Longview, Washington
- Lacey, Washington
- Vancouver, Washington
- Marion County, Oregon
- Salem Keizer Transit, Oregon
- Sherwood, Oregon
- Oregon Institute of Technology, Oregon
- Manufacturing 21, Oregon and Washington
- Providence Health & Services – Oregon, Washington, California, Montana and Alaska

Creating Broad Community-based and Grassroots Support

One of the key advantages of a relationship with CFM is that we know Washington, D.C. and Oregon and have full-time, highly experienced staff on the ground in both places. Our local presence means we will be “just down the street” when needed. More important, our reservoir of knowledge about issues important to municipal governments will give Tigard leaders access to a team that can help shape and earn local and national support for your policy initiatives.



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Engagement in the Political Process

CFM has a sizable Political Action Committee (PAC) and we make regular contributions to members of the Oregon delegation and others. CFM is a non-partisan, politically neutral firm. We use our PAC to support candidates that support the goals and objectives of our clients. This allows CFM, and CFM's clients, to be active participants in the political process.

Conclusion

In partnership with Tigard's leadership, CFM can deliver federal resources to your community to obtain your desired objectives. Thank you for your consideration and we look forward to continuing our discussion.

**SECTION 7
PROPOSAL CERTIFICATIONS**

Non-discrimination Clause

The Contractor agrees not to discriminate against any client, employee or applicant for employment or for services, because of race, color, religion, sex, national origin, handicap or age with regard to, but not limited to, the following: employment upgrading, demotion or transfer; recruitment or recruitment advertising; layoffs or termination; rates of pay or other forms of compensation; selection for training; rendition of services. It is further understood that any contractor who is in violation of this clause shall be barred from receiving awards of any purchase order from the City, unless a satisfactory showing is made that discriminatory practices have terminated and that a recurrence of such acts is unlikely.

Agreed by: Gary Conkling
Firm Name: CFM Strategic Communications, Inc.
Address: 1100 SW 6th Avenue
Suite 1425
Portland, OR 97204

Resident Certificate

Please Check One:

Resident Vendor: Vendor has paid unemployment taxes and income taxes in this state during the last twelve calendar months immediately preceding the submission of this proposal.

Or

Non-resident Vendor: Vendor does not qualify under requirement stated above.
(Please specify your state of residence: _____)

Officer's signature: 

Type or print officer's name: Gary Conkling

**SECTION 8
SIGNATURE PAGE**

The undersigned proposes to perform all work as listed in the Specification section, for the price(s) stated; and that all articles supplied under any resultant contract will conform to the specifications herein,

The undersigned agrees to be bound by all applicable laws and regulations, the accompanying specifications and by City policies and regulations.

The undersigned, by submitting a proposal, represents that:

- A) The Proposer has read and understands the specifications.
- B) Failure to comply with the specifications or any terms of the Request for Proposal may disqualify the Proposer as being non-responsive.

The undersigned certifies that the proposal has been arrived at independently and has been submitted without any collusion designed to limit competition.

The undersigned certifies that all addenda to the specifications has been received and duly considered and that all costs associated with all addenda have been included in this proposal:

Addenda: No. n/a through No. n/a inclusive.

We therefore offer and make this proposal to furnish services at the price(s) indicated herein in fulfillment of the attached requirements and specifications of the City.

Name of firm: CFM Strategic Communications, Inc.

Address: 1100 SW 6th Avenue, Suite 1425
Portland, OR 97204

Telephone Number: (503) 294-9120 Fax Number: (503) 294-9152

By:  Date: 09/27/2011
(Signature of Authorized Official. If partnership, signature of one partner.)

Typed Name/Title: Gary Conking, President

If corporation, attest: Gary Conking
(Corporate Officer)

Corporation Partnership Individual

Federal Tax Identification Number (TIN): 93-1036843

**ATTACHMENT A
CITY OF TIGARD, OREGON
ACKNOWLEDGMENT OF ADDENDA**

Project Title: Federal Governmental Affairs Consulting and Lobbying Services

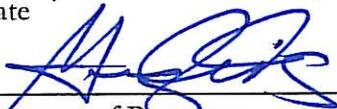
Close: Tuesday, September 27 - 2:00 p.m.

I/WE HAVE RECEIVED THE FOLLOWING ADDENDA (*If none received, write "None Received"*):

1. None Received 3. _____

2. _____ 4. _____

September 27, 2011
Date


Signature of Proposer

President
Title

CFM Strategic Communications, Inc.
Corporate Name

**ATTACHMENT B
CITY OF TIGARD, OREGON
STATEMENT OF PROPOSAL**

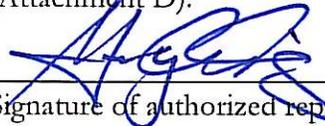
Name of Consultant: CFM Strategic Communications, Inc.

Mailing Address: 1100 SW 6th Avenue, Suite 1425
Portland, OR 97204

Contact Person: Joel A. Rubin

Telephone: (202) 347-9171 Fax: (202) 824-8667 Email: joelr@cfmdc.com

accepts all the terms and conditions contained in the City of Tigard's Request for Proposal for Federal Governmental Affairs Consulting and Lobbying Services and the attached personal services agreement (Attachment D):



Signature of authorized representative

09/27/2011

Date

Gary Conkling

Type or print name of authorized representative

(503) 294-9120

Telephone Number

Gary Conkling

Type or print name of person(s) authorized to negotiate contracts

(503) 294-9120

Telephone Number

REFERENCES

Marion County, Oregon

Reference #1

(503) 589-3263

Telephone Number

Federal Lobbying

Project Title

Barb Young

Contact Individual

Vancouver, Washington

Reference #2

(360) 487-8606

Telephone Number

Federal Lobbying

Project Title

Jan Buder

Contact Individual

Battle Ground, Washington

Reference #3

(360) 342-5005

Telephone Number

Federal Lobbying

Project Title

John Williams

Contact Individual

AIS-660

Item #: 4.

Business Meeting

Date: 10/11/2011

Length (in minutes): 5 Minutes

Agenda Title: Proclaim September 17-23, 2011 Constitution Week

Prepared For: Joanne Bengtson

Submitted By:

Joanne Bengtson
City Management

Item Type: Update, Discussion, Direct Staff

Meeting Type:

Proclamation

ISSUE

Should Mayor Dirksen proclaim Constitution Week celebrating 224th year since the document was created?

STAFF RECOMMENDATION / ACTION REQUEST

N/A

KEY FACTS AND INFORMATION SUMMARY

N/A - Mayoral Proclamation.

OTHER ALTERNATIVES

N/A

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

N/A

DATES OF PREVIOUS COUNCIL CONSIDERATION

Mayor issued this proclamation last September at the request of the Daughters of the American Revolution (DAR).

Fiscal Impact

Fiscal Information:

none

Attachments

Proclamation for Constitution Week

Proclamation

City of Tigard

Constitution Week

WHEREAS, September 17, 2011, marks the 224th anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebration which will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United State of America designating September 17 through 23 as Constitution Week.

NOW THEREFORE BE IT RESOLVED THAT I, Craig Dirksen, Mayor of the City of Tigard, Oregon, do hereby proclaim the week of September 17-23, 2011 as

CONSTITUTION WEEK

in Tigard, Oregon and encourage all citizens to reaffirm the ideals of the Constitution by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

Dated this _____ day of _____, 2011.

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

Craig E. Dirksen, Mayor
City of Tigard

Attest:

City Recorder

AIS-357

Item #: 5.

Business Meeting

Date: 10/11/2011

Length (in minutes): 15 Minutes

Agenda Title: Consider an Ordinance Adding Chapter 12.01, Utility Services Rules and Regulations, to the Tigard Municipal Code

Prepared For: Greer Gaston

Submitted By:

John Goodrich
Public Works

Item Type: Ordinance

Meeting Type:

Council Business
Meeting - Main

ISSUE

Shall the council adopt an ordinance adding Chapter 12.01, Utility Services Rules and Regulations, to the Tigard Municipal Code (TMC)?

STAFF RECOMMENDATION / ACTION REQUEST

Staff recommends the council adopt the ordinance.

KEY FACTS AND INFORMATION SUMMARY

TMC Title 12, Water and Sewers, is outdated. This title has seen only minor updates since it was copied directly from the Tigard Water District Rules and Regulations in 1994.

If the attached ordinance is adopted, Chapter 12.01, Utility Services Rules and Regulations, will be added to TMC Title 12, Water and Sewers.

The new chapter:

- Allows for the creation and use of administrative rules as they pertain to the water and sewer utility services described in Title 12. The council unanimously authorized the use of administrative rules in Ordinance No. 11-06 on August 23, 2011.
- Establishes consistency by providing definitions that will be applicable throughout Title 12.
- Identifies agreements and establishes authority and responsibility.
- Lays the groundwork to update other chapters within Title 12. These updates will come before council later this year and will enable the city to implement changes regarding water-related business practices and procedures requested by the Intergovernmental Water Board.

The council reviewed Chapter 12.01 at its September 13, 2011 meeting. The only change to the chapter since that time was the addition of the term Responsible Party in the list of definitions under Section 12.01.010.

Chapter 12.01 was reviewed by the city attorney.

OTHER ALTERNATIVES

The Council could choose to not adopt the ordinance adding Chapter 12.01. The existing municipal code would remain in effect.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

2011 Tigard City Council Goal No. 4, "Advance Methods of Communication."

In comparison to the TMC, administrative rules are more accessible and user-friendly. The implementation of administrative rules will improve the city's ability to communicate business practices and procedures to its utility customers.

DATES OF PREVIOUS COUNCIL CONSIDERATION

The council reviewed and discussed code amendments and/or the use of administrative rules at the following meetings:

- September 13, 2011 study session
- August 23, 2011 business meeting
- August 9, 2011 business meeting
- July 19, 2011 workshop meeting
- October 19, 2010 workshop meeting

Attachments

Ordinance

Exhibit A - Chapter 12.01

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

AN ORDINANCE ADDING CHAPTER 12.01, UTILITY SERVICES RULES AND REGULATIONS, TO TIGARD MUNICIPAL CODE TITLE 12, WATER AND SEWERS

WHEREAS, Title 12 of the Tigard Municipal Code is outdated; and

WHEREAS, the City Council unanimously authorized the use of administrative rules in Ordinance No. 11-06 on August 23, 2011; and

WHEREAS, the city intends to implement the use of administrative rules for the water and sewer utility services described in Title 12; and

WHEREAS, Chapter 12.01 establishes definitions, authority and responsibility, identifies agreements, and allows for the creation and use of administrative rules as they pertain to Title 12; and

WHEREAS, Chapter 12.01 was reviewed by the city attorney.

NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:

SECTION 1: Chapter 12.01, Utility Services Rules and Regulations, (Exhibit A), is added to the Tigard Municipal Code.

SECTION 2: This ordinance shall be effective 30 days after its passage by the council, signature by the mayor, and posting by the city recorder.

PASSED: By _____ vote of all council members present after being read by number and title only, this _____ day of _____, 2011.

Catherine Wheatley, City Recorder

APPROVED: By Tigard City Council this _____ day of _____, 2011.

Craig Dirksen, Mayor

Approved as to form:

City Attorney

Date

**Chapter 12.01 UTILITY
SERVICES
RULES AND
REGULATIONS.**

Sections:

12.01.010 Definitions.

12.01.020 Purpose.

**12.01.030 Clean Water Services;
Authority.**

**12.01.035 Tigard Water Service Area;
Authority.**

12.01.040 Amendments.

12.01.050 Utility Fees and Charges.

**12.01.060 Application for Utility
Services.**

**12.01.070 Responsibilities of Property
Owners and Tenants.**

**12.01.080 Utility Services
Administrative Rules.**

12.01.010 Definitions.

City shall mean the City of Tigard.

City Manager shall mean the City Manager of the City of Tigard or the City Manager's designee.

Clean Water Services is a county service agency organized under ORS 451 with managing authority for the sanitary sewer and surface water management systems within the City of Tigard boundary.

Customer means the person in whose name service is rendered, as evidenced by a request for service, receipt of service, signature on an application for service or by receipt and payment of bills for service.

Managing Authority shall mean the entity assigned authority to manage, set fees and charges, and adopt and enforce practices

and procedures. In areas where two or more entities exist with authority to manage, set fees and charges, and adopt and enforce practices and procedures, the Managing Authority shall be designated by agreement between such entities.

Permit means the National Pollutant Discharge Elimination Permit issued to Clean Water Services.

Person means any individual, group or legal entity.

Responsible Party means the Person responsible for curing or remedying a violation of this title and includes:

A. The owner of the property, or the owner's manager or agent or other person in control of the property on behalf of the owner;

B. The Person occupying the property, including lessee, tenant or other person having possession;

C. The Person who is alleged to have committed unauthorized or illegal acts or omissions, or created or allowed an unauthorized or illegal condition to exist.

Tigard Water Service Area shall mean the territory within the boundaries of City of Durham, City of King City, Tigard Water District and the portion of the City of Tigard not served by Tualatin Valley Water District.

Utility means sewer, water and surface water management services provided by the City of Tigard.

12.01.020 Purpose.

This chapter provides provisions, rules, and regulations applicable to all other sections within Title 12, Water and Sewer.

12.01.030 Clean Water Services; Authority.

Clean Water Services as the Permit holder is responsible for the management and operation of the public sanitary sewer and the public storm and surface water systems within its boundaries. The City has certain responsibilities for the operation and maintenance of the public sanitary sewer and the public storm and surface water systems within the City limits, as provided through intergovernmental agreement with Clean Water Services. Clean Water Services, as the Managing Authority may adopt orders, standards, specifications, work programs, reporting requirements, and performance criteria for the proper and effective operation of the sanitary sewer and storm and surface water systems and to meet or comply with state and federal permits, laws and regulation.

12.01.035 Tigard Water Service Area; Authority.

The City is the Managing Authority to provide water service to the Tigard Water Service Area through the adoption of intergovernmental agreements.

All City provisions, rules, regulations, standards, fees, and charges regarding water service provided by the City as Managing Authority shall also apply to all Customers and Persons within the Tigard Water Service Area.

12.01.040 Amendments.

With regard to water facilities and service, the City may at any time amend, change or modify any rule, rate or charge, or make any special rule, rate or contract.

12.01.050 Utility Fees and Charges.

A. Utility fees and charges shall be applied to all persons who use property in a manner which requires city utility facilities or services. If a customer does not put property to a use which requires one or more of the utility facilities or services, the customer shall not be charged for such service.

B. Utility fees and charges shall be established by resolution of the City Council in an amount reasonable and necessary to fund the administration, planning, design, construction, water quality programming, operation, maintenance and repair, and debt service and other revenue requirements as required by bond covenants of the City's Utility systems. The charges shall be based on use of the Utility service.

12.01.060 Application for Utility Services.

Application to use the Utility system shall be made to the City. The application will be made in the format required by the City. The City will require such application to be in writing, or may allow application by telephone or other method. All Persons receiving Utility service but for whom no account exists to pay for such services shall be deemed to be

applicants for such service and shall be billed for such service.

**12.01.070 Responsibilities of
Property Owners and
Tenants.**

Owners of property served by City Utility facilities and services who are not the Customer shall not be responsible for any delinquent Utility charges which the Customer fails to pay. If service is terminated because of delinquent non-payment, and the Customer vacates the premises leaving an outstanding bill, service shall be restored at the request of the property owner or new tenant without requiring the property owner or new tenant to pay the outstanding bill.

A Customer who is a tenant shall continue to be responsible for delinquent Utility charges until paid regardless of relocation to a premise different from the premise at which the delinquent charges were accrued. The City may refuse to provide service to such tenant at any new address, may add the delinquent charge to the tenant's utility bill, and/or may terminate water service until the delinquent bill is paid. The City may also pursue any action available under the laws of the City or State of Oregon to recover payment.

**12.01.080 Utility Services
Administrative Rules.**

The City Manager is authorized to approve administrative rules related to the provisions of Utility services and consistent with the provisions within Title 12, Water and Sewer. Such rules shall be approved pursuant to TMC 2.04.

AIS-620

Item #: 6.

Business Meeting

Date: 10/11/2011

Length (in minutes): 15 Minutes

Agenda Title: Supplemental Appropriation To Amend The FY 2012 Adopted Budget

Prepared For: Toby LaFrance

Submitted By:

Carissa Collins
Financial and
Information
Services

Item Type: Resolution
Public Hearing - Informational

Meeting Type:

Council Business
Meeting - Main

ISSUE

On June 14, 2011, council adopted the city's FY 2012 operating budget including the Capital Improvement Program (CIP). A supplemental budget amendment is required to account for additional revenues and expenses that were not known at the time that the budget was developed. The following issues are addressed in the amendment:

1. Fats, Oils, & Grease (FOG) Program
2. Replacement of Variable Message Sign (VMS) Trailer
3. Reallocation of costs associated with the Environmental Program Coordinator position from the Stormwater Fund to the Sanitary Sewer Fund
4. Change in Collection Services for Municipal Court and Utility Billing
5. Carryover of GIS Contract
6. 2008 GREAT Grant
7. Increased Transfer from Criminal Forfeiture Fund to General Fund
8. Carryover of State Farm Insurance Grant
9. Water System Development Charge Product Line and Service Installation Fee

STAFF RECOMMENDATION / ACTION REQUEST

Approve the FY 2012 Supplemental Budget Amendment.

KEY FACTS AND INFORMATION SUMMARY

The following is a list of items that require action by council for the FY 2012 Adopted Budget:

1. Fats, Oils, & Grease (FOG) Program - This program's current budget is \$56,000 for FY 2012, Clean Water Services (CWS) notified the city that the total cost for FY 2012 will be \$63,000.
2. Replacement of Variable Message Sign (VMS) Trailer - Prior to the Balloon Festival, the VMS trailer was totaled. As a result, the city received a check in the amount of \$19,800 from SAFECO Insurance for its replacement.
3. Reallocation of costs associated with the Environmental Program Coordinator position from the Stormwater Fund to the Sanitary Sewer Fund - This position is currently funded 100% in the Stormwater Fund. A reallocation of costs for this position is required due to a change in the nature of its duties that will be doing more planting of trees along tributaries which is a low cost method for cooling rivers per the agreement between Clean Water Services (CWS) and the Department of Environmental Quality (DEQ). The allocation is equally split between Stormwater and Sanitary Sewer Funds. This action will result in a decrease of program expenses in the Stormwater Fund by .50 FTE or \$33,990 in salary and \$76,813 for professional services related to tree plantings. In addition, the Sanitary Sewer Fund program expenditures will increase by the same amount.
4. Change in Collections for Municipal Court and Utility Billing - Previous collection services contracts have been paid on a net basis. In the new contract approved by the Local Contract Review Board on 9/13/11, the vendor will bill the city for their collection fee and return the full amount of collections. This is a change in the way the city conducts business. The effect will increase revenues by \$11,700 with an equal increase in

program expenditures for a net zero impact.

5. Carryover of GIS Contract - A total of \$7,900 will be carried over from FY 2011 to complete the Geographic Information System (GIS) project that will integrate documents with the city's Laserfiche program.
6. 2008 GREAT Grant - An additional \$24,309 in federal grant revenues was received that will fund the Police Department's summer camp and movie nights program.
7. Increase Transfers from Criminal Forfeiture Fund to General Fund - The increased transfer from \$15,000 to \$30,992 from the Criminal Forfeiture Fund to the General Fund will fund drug enforcement activities as well as the purchase of software and hardware for fingerprinting in Police Support Services (\$15,000) and Police Administration (\$15,992).
8. Carryover of State Farm Insurance Grant-Prior to FY 2012, Police received a \$10,000 grant from State Farm Insurance for funding an educational kiosk in Washington Square Mall. The grant was not spent by June 30, 2011, therefore, the total grant will be carried over to this fiscal year.
9. Water System Development Charge (SDC) product line - At the request of the Home Builders Association, the city will offer a 3/4" meter for water service connections. This action will adjust the Water SDC, Customer Charges, Booster Pump Charges, and the Tiered Rate Structure Thresholds in the FY 2012 Master Fees and Charges Schedule. In addition, a service installation fee in the amount of \$3,630 was approved as part of the Water Financing Plan and will be added to the FY 2012 Master Fees and Charges Schedule.

OTHER ALTERNATIVES

Do not approve the supplemental budget amendment.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

6. Financial Stability

DATES OF PREVIOUS COUNCIL CONSIDERATION

N/A

Fiscal Impact

Cost: \$30,992
Budgeted (yes or no): No
Where Budgeted (department/program): PW/PD/FIS

Additional Fiscal Notes:

The total impact of this action will increase the FY 2012 Adopted Budget by \$30,992. Although the supplemental consists of increased requirements, they are offset by additional resources including grant revenues. The Exhibit-A has all details, however below is a summary of the supplemental changes.

Actions that have no impact on future reserves:

1. Fats, Oils, & Grease Program - \$7,000 *Sanitary Sewer Fund*
2. Variable Message Sign Trailer - \$19,800 *General Fund*
3. Reallocation of costs associated with the Environmental Program Coordinator - \$110,803 *Sanitary Sewer & Stormwater Funds*
4. Change in collection services for Municipal Court and Utility Billing - \$11,700 *General Fund & Central Services Fund*
5. GIS Contract Carryover - \$7,900 *General Fund & Central Services Fund*
6. GREAT Grant revenues - \$24,309 *General Fund*
8. Carryover of State Farm Insurance Grant - \$10,000 *General Fund*
9. Water SDC New Product Line and Water Service Installation Charge - At the request of the Home Builder's Association, the city will offer a 3/4" water meter to its list of meters that are available for water service connections. Fees for the 3/4" meter are based on a combination of its Equivalent Dwelling Unit (EDU) and the

number of fixtures (*See Attachment-1*).

In addition, the FY 2012 Master Fees & Charges Schedule will be updated to include a Service Installation Fee that was approved as part of the Water Financing Study (*See Attachment-1*).

Actions that have an impact on future reserves:

7. Increase Transfer from Criminal Forfeiture Fund to General Fund - \$30,992 *Criminal Forfeiture & General Funds*

Actions that have additional resources for additional requirements:

2. Variable Message Sign Trailer - \$19,800 *General Fund*

4. Change in collection services for Municipal Court and Utility Billing - \$11,700 *General Fund & Central Services Fund*

6. GREAT Grant revenues - \$24,309 *General Fund*

8. Carryover of State Farm Insurance Grant - \$10,000 *General Fund*

Attachments

Resolution

Exhibit A

Fees/Charges Attachment 1

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

A RESOLUTION TO ADOPT A SUPPLEMENTAL BUDGET TO ACHIEVE THE FOLLOWING: 1) BUDGET OF UNANTICIPATED EXPENDITURES IN PUBLIC WORKS, FINANCE & INFORMATION SERVICES, AND POLICE; AND 2) INCREASED TRANSFER BY \$30,992 FROM THE CRIMINAL FORFEITURE FUND TO THE GENERAL FUND FOR POLICE; AND 3) UPDATE OF THE FY 2012 MASTER FEES AND CHARGES SCHEDULE.

WHEREAS, the city is acknowledging those items that were unknown at the time the FY 2012 Budget was adopted; and

WHEREAS, the city recognizes a total of \$80,709 in unanticipated and carryover requirements in Public Works, Finance and Information Services, and Police, and \$80,709 in additional revenue to support those requirements; and

WHEREAS, the city acknowledges the increased transfer from the Criminal Forfeiture Fund to the General Fund in the amount of \$30,992 to support the drug enforcement activities in Police; and

WHEREAS, the city realizes that the increased transfer of \$30,992 from the Criminal Forfeiture Fund to the General Fund will use all available reserves in the Criminal Forfeiture Fund; and

WHEREAS, the Criminal Forfeiture Fund will continue to receive forfeiture funds and will build the reserves over time in the future; and

WHEREAS, the Home Builders Association requests the addition of a 3/4 inch meter is added to the city's line of water meters available for water service connections; and

WHEREAS, the adopted Water Financing Plan includes the fees associated with water service installations; and

WHEREAS, the FY 2012 Master Fees and Charges Schedule will be updated to include charges associated with the addition of a 3/4" meter and water service installations.

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

SECTION 1: The FY 2011-12 Budget is hereby amended as detailed in Supplemental Budget #12-01 including Exhibit-A, and Attachment-1.

SECTION : This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2011.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

City of Tigard

FY 2011 Supplemental Budget Amendment

Exhibit A

Fiscal Year 2011-12 Budget
Amendment #12-01

1. FOG-Fats, Oils, & Grease Program

This program is mandated by Clean Water Services, and requires the city to insure that food establishments are adhering to program requirements. These requirements ensure the proper disposal of fats, oils, and grease in order to prevent clogging of sanitary sewer pipes.

This program's current budget is \$56,000 for FY 2012. CWS notified the city that the total cost for FY 2012 will be \$63,000, increasing program expenses by \$7,000.

Sanitary Sewer Fund	Adopted		Revised
Resources	Budget	Amendment	Budget
Beginning Fund Balance	\$ 9,570,004		\$ 9,570,004
Total Resources	\$ 9,570,004	\$ -	\$ 9,570,004
Requirements			
Public Works	\$ 859,149	\$ 7,000	\$ 866,149
Program Expenditures Total	\$ 859,149	\$ 7,000	\$ 866,149
Contingency	\$ 400,000	\$ (7,000)	\$ 393,000
Total Budget	\$ 4,522,090	\$ -	\$ 4,522,090
Reserve For Future Expenditure	\$ 5,047,914	\$ -	\$ 5,047,914
Total Requirements	\$ 9,570,004	\$ -	\$ 9,570,004

City of Tigard

FY 2011 Supplemental Budget Amendment

Exhibit A

Fiscal Year 2011-12 Budget
Amendment #12-01

2. Variable Message Sign Trailer

The Variable Message Sign (VMS) trailer was totaled prior to the Balloon Festival.
The city received an insurance check in the amount of \$19,800 for its replacement.

General Fund	Adopted Budget	Amendment	Revised Budget
Resources			
Beginning Fund Balance	\$ 7,766,831		\$ 7,766,831
Miscellaneous	\$ 22,431	\$ 19,800	\$ 42,231
Total Resources	\$ 7,789,262	\$ 19,800	\$ 7,809,062
Requirements			
Public Works	\$ 4,823,828	\$ 19,800	\$ 4,843,628
Program Expenditures Total	\$ 4,823,828	\$ 19,800	\$ 4,843,628
Total Budget	\$ 4,823,828	\$ 19,800	\$ 4,843,628
Reserve For Future Expenditure	\$ 2,965,434	\$ -	\$ 2,965,434
Total Requirements	\$ 7,789,262	\$ 19,800	\$ 7,809,062

City of Tigard

FY 2011 Supplemental Budget Amendment

Fiscal Year 2011-12 Budget
Amendment #12-01

3. Reallocation of costs associated with the Environmental Program Coordinator position from the Stormwater Fund to the Sanitary Sewer Fund

A reallocation of costs for this position is needed due to a change in the nature of its duties that will be doing more planting of trees along tributaries which is a low cost method for cooling rivers per the agreement between Clean Water Services (CWS) and the Department of Environmental Quality (DEQ). The allocation is equally split between Stormwater and Sanitary Sewer Funds. This action will result in a decrease of program expenses in the Stormwater Fund by .50 FTE or \$33,990 in salary and \$76,813 for professional services related to tree plantings. In addition, the Sanitary Sewer Fund will increase by .50 FTE and \$110,813 or \$33,990 in salary and \$76,813 in professional services related tree plantings. The professional services expense primarily consists of a contract associated with the reforestation of Ash Creek Forest including site preparation, planting, mowing, and spraying. In addition, this expense includes wetland mitigation monitoring of Hiteon Creek.

	Adopted Budget	Amendment	Revised Budget
Stormwater Fund			
Resources			
Beginning Fund Balance	\$ 641,887		\$ 641,887
Charges for Services	\$ 1,850,689		\$ 1,850,689
Interest Earnings	\$ 7,897		\$ 7,897
Total Resources	\$ 2,500,473	\$ -	\$ 2,500,473
Requirements			
Public Works	\$ 1,323,061	\$ (110,803)	\$ 1,212,258
Program Expenditures Total	\$ 1,323,061	\$ (110,803)	\$ 1,212,258
Contingency	\$ 100,000	\$ 110,803	\$ 210,803
Total Budget	\$ 1,423,061	\$ -	\$ 1,423,061
Reserve For Future Expenditure	\$ 1,077,412	\$ -	\$ 1,077,412
Total Requirements	\$ 2,500,473	\$ -	\$ 2,500,473

	Adopted Budget	Amendment	Revised Budget
Sanitary Sewer Fund			
Resources			
Beginning Fund Balance	\$ 9,570,004		\$ 9,570,004
Total Resources	\$ 11,556,338	\$ -	\$ 11,556,338
Requirements			
Public Works	\$ 859,149	\$ 110,803	\$ 969,952
Program Expenditures Total	\$ 859,149	\$ 110,803	\$ 969,952
Contingency	\$ 400,000	\$ (110,803)	\$ 289,197
Total Budget	\$ 4,522,090	\$ -	\$ 4,522,090
Reserve For Future Expenditure	\$ 7,034,248	\$ -	\$ 7,034,248
Total Requirements	\$ 11,556,338	\$ -	\$ 11,556,338

City of Tigard

FY 2011 Supplemental Budget Amendment

Exhibit A

Fiscal Year 2011-12 Budget
Amendment #12-01

4. Change in Collection Services for Municipal Court and Utility Billing

Previous collection services contracts have been paid on a net basis. In the new contract approved by the Local Contract Review Board on 9/13/11, the vendor will bill the city for their collection fee and return the full amount of collections. This is a change in the way the city conducts business resulting in a zero impact to reserves within the General Fund and Central Services Fund.

	Adopted Budget	Amendment	Revised Budget
General Fund			
Resources			
Beginning Fund Balance	\$ 7,766,831		\$ 7,766,831
Charges for Services	\$ 258,155	\$ 10,000	\$ 268,155
Total Resources	\$ 37,101,406	\$ 10,000	\$ 37,111,406
Requirements			
Policy and Administration	\$ 854,157	\$ 10,000	\$ 864,157
Program Expenditures Total	\$ 29,649,009	\$ 10,000	\$ 29,659,009
Total Budget	\$ 31,989,394	\$ 10,000	\$ 31,999,394
Reserve For Future Expenditure	\$ 5,112,012	\$ -	\$ 5,112,012
Total Requirements	\$ 37,101,406	\$ 10,000	\$ 37,111,406
Central Services Fund			
Resources			
Beginning Fund Balance	\$ 214,516		\$ 214,516
Transfers In from Other Funds	\$ 1,508,447	\$ 1,700	\$ 1,510,147
Total Resources	\$ 6,985,823	\$ 1,700	\$ 6,987,523
Requirements			
Policy and Administration	\$ 6,396,617	\$ 1,700	\$ 6,398,317
Program Expenditures Total	\$ 6,396,617	\$ 1,700	\$ 6,398,317
Total Budget	\$ 6,694,117	\$ 1,700	\$ 6,695,817
Reserve For Future Expenditure	\$ 291,706	\$ -	\$ 291,706
Total Requirements	\$ 6,985,823	\$ 1,700	\$ 6,987,523

City of Tigard

FY 2011 Supplemental Budget Amendment

Exhibit A

Fiscal Year 2011-12 Budget
Amendment #12-01

5. Gartrell GIS Contract-Carryover

This is a GIS project to integrate documents with Laser Fiche. A portion of the project was not completed last fiscal year. This request will carry forward the unspent budget.

General Fund	Adopted Budget	Amendment	Revised Budget
Resources			
Beginning Fund Balance	\$ 7,766,831	\$ 7,900	\$ 7,774,731
Total Resources	\$ 37,101,406	\$ 7,900	\$ 37,109,306
Requirements			
Program Expenditures Total	\$ 29,649,009	\$ -	\$ 29,649,009
Transfers to Other Funds	\$ 1,061,630	\$ 7,900	\$ 1,069,530
Total Budget	\$ 31,989,394	\$ 7,900	\$ 31,997,294
Reserve For Future Expenditure	\$ 5,112,012	\$ -	\$ 5,112,012
Total Requirements	\$ 37,101,406	\$ 7,900	\$ 37,109,306

Central Services Fund	Adopted Budget	Amendment	Revised Budget
Resources			
Beginning Fund Balance	\$ 214,516		\$ 214,516
Transfers In from Other Funds	\$ 1,508,447	\$ 7,900	\$ 1,516,347
Total Resources	\$ 6,985,823	\$ 7,900	\$ 6,993,723
Requirements			
Policy and Administration	\$ 6,396,617	\$ 7,900	\$ 6,404,517
Program Expenditures Total	\$ 6,396,617	\$ 7,900	\$ 6,404,517
Total Budget	\$ 6,694,117	\$ 7,900	\$ 6,702,017
Reserve For Future Expenditure	\$ 291,706	\$ -	\$ 291,706
Total Requirements	\$ 6,985,823	\$ 7,900	\$ 6,993,723

City of Tigard

FY 2011 Supplemental Budget Amendment

Exhibit A

Fiscal Year 2011-12 Budget
Amendment #12-01

6. 2008 GREAT Grant

Additional funds were received for Police's GREAT program summer camp and movie nights.

		Adopted Budget	Amendment	Revised Budget
General Fund				
Resources				
Beginning Fund Balance		\$ 7,766,831		\$ 7,766,831
Intergovernmental		\$ 5,486,963	\$ 24,309	\$ 5,511,272
Total Resources		\$ 37,101,406	\$ 24,309	\$ 37,125,715
Requirements				
Community Services		\$ 20,744,094	\$ 24,309	\$ 20,768,403
Program Expenditures Total		\$ 29,649,009	\$ 24,309	\$ 29,673,318
Total Budget		\$ 31,989,394	\$ 24,309	\$ 32,013,703
Reserve For Future Expenditure		\$ 5,112,012	\$ -	\$ 5,112,012
Total Requirements		\$ 37,101,406	\$ 24,309	\$ 37,125,715

City of Tigard

FY 2011 Supplemental Budget Amendment

Exhibit A

Fiscal Year 2011-12 Budget
Amendment #12-01

7. Increase Transfer from Criminal Forfeiture Fund to General Fund

Increased transfer by \$30,992 from the Criminal Forfeiture Fund to the General Fund for use in drug enforcement activities as well as the purchase of software and hardware for fingerprinting. This increase will use all available resources in the Criminal Forfeiture Fund resulting in a reserve of \$0. The department will continue to receive forfeiture funds over time which will build this fund in the future.

	Adopted Budget	Amendment	Revised Budget
Criminal Forfeiture Fund			
Resources			
Beginning Fund Balance	\$ 44,109		\$ 44,109
Interest Earnings	\$ 1,883		\$ 1,883
Total Resources	\$ 45,992	\$ -	\$ 45,992
Requirements			
Program Expenditures Total	\$ -	\$ -	\$ -
Transfers to Other Funds	\$ 15,000	\$ 30,992	\$ 45,992
Total Budget	\$ 15,000	\$ 30,992	\$ 45,992
Reserve For Future Expenditure	\$ 30,992	\$ (30,992)	\$ -
Total Requirements	\$ 45,992	\$ -	\$ 45,992
	Adopted Budget	Amendment	Revised Budget
General Fund			
Resources			
Beginning Fund Balance	\$ 7,766,831		\$ 7,766,831
Transfers In from Other Funds	\$ 3,045,293	\$ 30,992	\$ 3,076,285
Total Resources	\$ 37,101,406	\$ 30,992	\$ 37,132,398
Requirements			
Community Services	\$ 20,744,094	\$ 30,992	\$ 20,775,086
Program Expenditures Total	\$ 29,649,009	\$ 30,992	\$ 29,680,001
Total Budget	\$ 31,989,394	\$ 30,992	\$ 32,020,386
Reserve For Future Expenditure	\$ 5,112,012	\$ -	\$ 5,112,012
Total Requirements	\$ 37,101,406	\$ 30,992	\$ 37,132,398

City of Tigard

FY 2011 Supplemental Budget Amendment

Exhibit A

Fiscal Year 2011-12 Budget
Amendment #12-01

8. Carryover of State Farm Insurance Grant

Prior to FY 2012, Police received a grant in the amount of \$10,000 which was not spent by June 30, 2011. This grant will be used for funding of the educational kiosk at Washington Square Mall.

		Adopted Budget	Amendment	Revised Budget
General Fund				
Resources				
Beginning Fund Balance		\$ 7,766,831	\$ 10,000	\$ 7,776,831
Total Resources		\$ 37,101,406	\$ 10,000	\$ 37,111,406
Requirements				
Community Services		\$ 20,744,094	\$ 10,000	\$ 20,754,094
Program Expenditures Total		\$ 29,649,009	\$ 10,000	\$ 29,659,009
Total Budget		\$ 31,989,394	\$ 10,000	\$ 31,999,394
Reserve For Future Expenditure		\$ 5,112,012	\$ -	\$ 5,112,012
Total Requirements		\$ 37,101,406	\$ 10,000	\$ 37,111,406

Department	Revenue Source	Fee or Charge	New Fee or Charge	Effective Date
PUBLIC WORKS - UTILITIES				
	<u>Booster Pump Charge</u>			
	Meter Size (diameter inches)			
	5/8 x 3/4	\$4.08 /monthly		1/1/2011
		\$4.32 /monthly		1/1/2012
		\$4.58 /monthly		1/1/2013
		\$4.86 /monthly		1/1/2014
		\$5.15 /monthly		1/1/2015
	3/4 x 3/4	\$5.88 /monthly		10/1/2011
		\$6.22 /monthly		1/1/2012
		\$6.60 /monthly		1/1/2013
		\$7.00 /monthly		1/1/2014
		\$7.42 /monthly		1/1/2015
	1	\$10.87 /monthly		1/1/2011
		\$11.52 /monthly		1/1/2012
		\$12.21 /monthly		1/1/2013
		\$12.95 /monthly		1/1/2014
		\$13.72 /monthly		1/1/2015
	1.5	\$32.60 /monthly		1/1/2011
		\$34.56 /monthly		1/1/2012
		\$36.63 /monthly		1/1/2013
		\$38.83 /monthly		1/1/2014
		\$41.16 /monthly		1/1/2015
	2	\$52.93 /monthly		1/1/2011
		\$56.11 /monthly		1/1/2012
		\$59.47 /monthly		1/1/2013
		\$63.04 /monthly		1/1/2014
		\$66.82 /monthly		1/1/2015
	3	\$93.33 /monthly		1/1/2011
		\$98.93 /monthly		1/1/2012
		\$104.87 /monthly		1/1/2013
		\$111.16 /monthly		1/1/2014
		\$117.83 /monthly		1/1/2015
	4	\$191.41 /monthly		1/1/2011
		\$202.89 /monthly		1/1/2012
		\$215.07 /monthly		1/1/2013
		\$227.97 /monthly		1/1/2014
		\$241.65 /monthly		1/1/2015

Department	Revenue Source	Fee or Charge	New Fee or Charge	Effective Date
		6	\$203.75 /monthly	1/1/2011
			\$215.98 /monthly	1/1/2012
			\$228.93 /monthly	1/1/2013
			\$242.67 /monthly	1/1/2014
			\$257.23 /monthly	1/1/2015
		8	\$326.00 /monthly	1/1/2011
			\$345.56 /monthly	1/1/2012
			\$366.29 /monthly	1/1/2013
			\$388.27 /monthly	1/1/2014
			\$411.57 /monthly	1/1/2015
		10	\$636.93 /monthly	1/1/2011
			\$675.15 /monthly	1/1/2012
			\$715.65 /monthly	1/1/2013
			\$758.59 /monthly	1/1/2014
			\$804.11 /monthly	1/1/2015
		12	\$917.17 /monthly	1/1/2011
			\$972.20 /monthly	1/1/2012
			\$1,030.53 /monthly	1/1/2013
			\$1,092.36 /monthly	1/1/2014
			\$1,157.91 /monthly	1/1/2015
	Customer Charge			
	<i>(Basic fee charged to customers to have the City deliver water.)</i>			
	Meter Size (diameter inches)			
	5/8 x 3/4		\$15.78 /monthly	1/1/2011
			\$17.99 /monthly	1/1/2012
			\$20.51 /monthly	1/1/2013
			\$23.38 /monthly	1/1/2014
			\$24.38 /monthly	1/1/2015
	3/4 x 3/4		\$22.72 /monthly	10/1/2011
			\$25.91 /monthly	1/1/2012
			\$29.53 /monthly	1/1/2013
			\$33.67 /monthly	1/1/2014
			\$35.11 /monthly	1/1/2015
		1	\$35.40 /monthly	1/1/2011

Department	Revenue Source	Fee or Charge	New Fee or Charge	Effective Date
		\$40.36 /monthly		1/1/2012
		\$46.01 /monthly		1/1/2013
		\$52.45 /monthly		1/1/2014
		\$54.70 /monthly		1/1/2015
	1.5	\$93.49 /monthly		1/1/2011
		\$106.58 /monthly		1/1/2012
		\$121.50 /monthly		1/1/2013
		\$138.51 /monthly		1/1/2014
		\$144.47 /monthly		1/1/2015
	2	\$151.68 /monthly		1/1/2011
		\$172.92 /monthly		1/1/2012
		\$197.12 /monthly		1/1/2013
		\$224.72 /monthly		1/1/2014
		\$234.38 /monthly		1/1/2015
	3	\$298.56 /monthly		1/1/2011
		\$340.36 /monthly		1/1/2012
		\$388.01 /monthly		1/1/2013
		\$442.33 /monthly		1/1/2014
		\$461.35 /monthly		1/1/2015
	4	\$567.12 /monthly		1/1/2011
		\$646.52 /monthly		1/1/2012
		\$737.03 /monthly		1/1/2013
		\$840.21 /monthly		1/1/2014
		\$876.34 /monthly		1/1/2015
	6	\$635.88 /monthly		1/1/2011
		\$724.90 /monthly		1/1/2012
		\$826.39 /monthly		1/1/2013
		\$942.08 /monthly		1/1/2014
		\$982.59 /monthly		1/1/2015
	8	\$993.12 /monthly		1/1/2011
		\$1,132.16 /monthly		1/1/2012
		\$1,290.66 /monthly		1/1/2013
		\$1,471.35 /monthly		1/1/2014
		\$1,534.62 /monthly		1/1/2015
	10	\$1,832.55 /monthly		1/1/2011
		\$2,089.11 /monthly		1/1/2012
		\$2,381.58 /monthly		1/1/2013

Department	Revenue Source	Fee or Charge	New Fee or Charge	Effective Date
		\$2,715.00 /monthly		1/1/2014
		\$2,831.75 /monthly		1/1/2015
	12	\$2,592.94 /monthly		1/1/2011
		\$2,955.95 /monthly		1/1/2012
		\$3,369.78 /monthly		1/1/2013
		\$3,841.55 /monthly		1/1/2014
		\$4,006.74 /monthly		1/1/2015
	<u>Final Notification Process Fee</u>	\$30.00 /per instance		7/1/2009
	<u>Fire Hydrant Flow Test</u>	\$325.00 /test		12/9/2008
	<u>Fire Hydrant Usage - Temporary</u>			
	3" hydrant meter deposit*	\$650.00		9/1/2002
	*Deposit is refundable if returned in good condition			
	Hook-up service	\$50.00		2/27/2001
	Continued use	\$50.00 /month		2/27/2001
	Consumption	Current irrigation water usage rate per 100 cubic feet of water used		9/1/2002
	<u>Fire Rates (Sprinklers)</u>			2/27/2001
	6" or smaller	\$17.00 /month		
	8" or larger	\$22.50 /month		
	<u>Fire Service Connection</u>	\$1,400.00 /+ 12% fee based on construction costs.		2/27/2001
	<u>Meter Disconnection</u>	Actual labor and material costs + 10%		9/1/2002
	<u>Meter Installation Fees</u>			
	5/8" x 3/4" Meter	\$350.00		9/1/2011
	3/4" x 3/4" Meter	<i>n/a</i>	\$400.00	10/1/2011
	1" Meter	\$550.00		9/1/2011
	1 1/2" Meter	\$850.00		9/1/2011
	2" Meter	\$1,100.00		9/1/2011
	3" or more Meter	Actual labor & materials + 10%		9/1/2011
	<u>Meter Out-of-Order Test</u>	Meter calibration cost + actual labor and material costs + 10%		9/1/2002
	<u>Sanitary Sewer Service (Fee set by Clean Water Services)</u>			
	(City receives 16.306% of fees collected)			

Department	Revenue Source	Fee or Charge	New Fee or Charge	Effective Date
	Base Charge	\$23.52 /dwelling unit/month		7/1/2011
	Use Charge	\$1.56 /100 cubic feet/month for individual customer winter average		7/1/2011
	<u>Service Installation Fees</u>			
	Single Trench - Single Residential Service	\$3,630.00 includes labor & materials		10/1/2011
	1 1/2" Meter and greater	Actual labor and material costs + 10%		10/1/2011
	<u>Storm and Surface Water (Fee set by Clean Water Services)</u>			
	(City retains 75% of Service Charge fees collected)			
	(City retains 100% of its Surcharge fees collected)			
	Service Charge	\$5.25 /ESU/month		7/1/2011
	Tigard Surcharge	\$2.00 /ESU/month		7/1/2009
	<u>Water Bacteriological Quality Testing</u>			
	Cost per test	\$60.00		7/1/2008
	<u>Water Disconnection Charge for Non-payment</u>			
	During business hours	\$50.00		2/27/2001
	<u>Water Line Construction - New Development</u>		12% of Actual Cost	2/27/2001
	<u>Water Main Extension</u>			
	Designed and installed by others	12% of Actual Cost		9/1/2002
	<u>Water Meter Radio Read Device</u>		\$156.80	7/1/2008
	<u>Water Usage Charges</u>			
	Residential			
		Tier 1	\$2.04 /100 cubic feet of water	1/1/2011
		Tier 2	\$2.98 /100 cubic feet of water	1/1/2011
		Tier 3	\$3.41 /100 cubic feet of water	1/1/2011
		Tier 1	\$2.33 /100 cubic feet of water	1/1/2012
		Tier 2	\$3.40 /100 cubic feet of water	1/1/2012
		Tier 3	\$3.89 /100 cubic feet of water	1/1/2012
		Tier 1	\$2.65 /100 cubic feet of water	1/1/2013
		Tier 2	\$3.87 /100 cubic feet of water	1/1/2013
		Tier 3	\$4.43 /100 cubic feet of water	1/1/2013
		Tier 1	\$3.02 /100 cubic feet of water	1/1/2014
		Tier 2	\$4.42 /100 cubic feet of water	1/1/2014

Department	Revenue Source	Fee or Charge	New Fee or Charge	Effective Date
		Tier 3	\$5.05 /100 cubic feet of water	1/1/2014
		Tier 1	\$3.15 /100 cubic feet of water	1/1/2015
		Tier 2	\$4.60 /100 cubic feet of water	1/1/2015
		Tier 3	\$5.27 /100 cubic feet of water	1/1/2015
	Multi-Family	Tier 1	\$1.70 /100 cubic feet of water	1/1/2011
		Tier 2	\$2.48 /100 cubic feet of water	1/1/2011
		Tier 3	\$2.84 /100 cubic feet of water	1/1/2011
		Tier 1	\$1.94 /100 cubic feet of water	1/1/2012
		Tier 2	\$2.83 /100 cubic feet of water	1/1/2012
		Tier 3	\$3.24 /100 cubic feet of water	1/1/2012
		Tier 1	\$2.21 /100 cubic feet of water	1/1/2013
		Tier 2	\$3.22 /100 cubic feet of water	1/1/2013
		Tier 3	\$3.69 /100 cubic feet of water	1/1/2013
		Tier 1	\$2.52 /100 cubic feet of water	1/1/2014
		Tier 2	\$3.67 /100 cubic feet of water	1/1/2014
		Tier 3	\$4.21 /100 cubic feet of water	1/1/2014
		Tier 1	\$2.63 /100 cubic feet of water	1/1/2015
		Tier 2	\$3.83 /100 cubic feet of water	1/1/2015
		Tier 3	\$4.39 /100 cubic feet of water	1/1/2015
	Commercial	Tier 1	\$2.32 /100 cubic feet of water	1/1/2011
		Tier 2	\$3.38 /100 cubic feet of water	1/1/2011
		Tier 3	\$3.87 /100 cubic feet of water	1/1/2011
		Tier 1	\$2.64 /100 cubic feet of water	1/1/2012
		Tier 2	\$3.85 /100 cubic feet of water	1/1/2012
		Tier 3	\$4.41 /100 cubic feet of water	1/1/2012
		Tier 1	\$3.02 /100 cubic feet of water	1/1/2013
		Tier 2	\$4.39 /100 cubic feet of water	1/1/2013
		Tier 3	\$5.03 /100 cubic feet of water	1/1/2013
		Tier 1	\$3.44 /100 cubic feet of water	1/1/2014
		Tier 2	\$5.01 /100 cubic feet of water	1/1/2014
		Tier 3	\$5.73 /100 cubic feet of water	1/1/2014
		Tier 1	\$3.58 /100 cubic feet of water	1/1/2015

Department	Revenue Source	Fee or Charge	New Fee or Charge	Effective Date
		Tier 2	\$5.22 /100 cubic feet of water	1/1/2015
		Tier 3	\$5.98 /100 cubic feet of water	1/1/2015
	Industrial	Uniform Rate		
			\$3.23 /100 cubic feet of water	1/1/2011
			\$3.68 /100 cubic feet of water	1/1/2012
			\$4.20 /100 cubic feet of water	1/1/2013
			\$4.79 /100 cubic feet of water	1/1/2014
			\$4.99 /100 cubic feet of water	1/1/2015
	Irrigation	Uniform Rate		
			\$4.59 /100 cubic feet of water	1/1/2011
			\$5.23 /100 cubic feet of water	1/1/2012
			\$5.97 /100 cubic feet of water	1/1/2013
			\$6.80 /100 cubic feet of water	1/1/2014
			\$7.09 /100 cubic feet of water	1/1/2015
	Tiered Rate Structure Thresholds (100 cubic feet of water)			
	Meter Size			
	5/8 x 3/4			
		Tier 1	6 ccf	
		Tier 2	15 ccf	
		Tier 3	over 15 ccf	
	3/4 x 3/4			
		Tier 1	9 ccf	
		Tier 2	22 ccf	
		Tier 3	over 22 ccf	
	1			
		Tier 1	16 ccf	
		Tier 2	40 ccf	
		Tier 3	over 40 ccf	
	1.5			
		Tier 1	48 ccf	
		Tier 2	120 ccf	
		Tier 3	over 120 ccf	
	2			
		Tier 1	78 ccf	
		Tier 2	195 ccf	
		Tier 3	over 195 ccf	
	3			
		Tier 1	137 ccf	
		Tier 2	344 ccf	
		Tier 3	over 344 ccf	
	4			
		Tier 1	282 ccf	

Department	Revenue Source	Fee or Charge	New Fee or Charge	Effective Date
		Tier 2	705 ccf	
		Tier 3	over 705 ccf	
	6	Tier 1	300 ccf	
		Tier 2	750 ccf	
		Tier 3	over 750 ccf	
	8	Tier 1	480 ccf	
		Tier 2	1,200 ccf	
		Tier 3	over 1,200 ccf	
	10	Tier 1	938 ccf	
		Tier 2	2,345 ccf	
		Tier 3	over 2,345 ccf	
	12	Tier 1	1,350 ccf	
		Tier 2	3,376 ccf	
		Tier 3	over 3,376 ccf	

Department	Revenue Source	Fee or Charge	Authority	Effective Date
PUBLIC WORKS - WATER				
	Water System Development Charge (SDC)*			
	5/8" x 3/4" Meter	\$3,821.00	ORS 223.304(8)	2/1/2011
		\$4,747.00	Res. 10-76	2/1/2012
		\$5,640.00		2/1/2013
		\$6,532.00		2/1/2014
	3/4" x 3/4" Meter	\$5,501.00		10/1/2011
		\$6,835.00		2/1/2012
		\$8,120.00		2/1/2013
		\$9,405.00		2/1/2014
	1" Meter	\$10,191.00		2/1/2011
		\$12,664.00		2/1/2012
		\$15,044.00		2/1/2013
		\$17,424.00		2/1/2014
	1 1/2" Meter	\$30,555.00		2/1/2011
		\$37,968.00		2/1/2012
		\$45,105.00		2/1/2013
		\$52,243.00		2/1/2014
	2" Meter	\$49,616.00		2/1/2011
		\$61,653.00		2/1/2012
		\$73,242.00		2/1/2013
		\$84,833.00		2/1/2014

3" Meters and larger diameter

For connections to the water system with meters larger than 2-inches, the City will forecast the demands on an average-day, peak-day, and peak-hour basis.

The number of EDUs associated with the demands will be determined by the following:

$$EDUs = \left(\frac{ADD * 0.400}{226.4} \right) + \left(\frac{(PDD - ADD) * 0.343}{249.1} \right) + \left(\frac{(PHD - PDD) * 0.257}{90.6} \right)$$

*See Appendix for methodology used to calculate the charges.

Where:

ADD is the projected average-day demand of the new user in gallons per day, and

PDD is the projected peak-day demand of the new user in gallons per day, and

PHD is the projected peak hour demand of the new user in gallons per day, and

The constants used in the above formula are:

0.004 equals the proportion of the City's water facilities allocated to the average-day function

226.4 equals the estimated gallons per day on an average-day basis demanded by an EDU

0.343 equals the proportion of the City's water facilities allocated to the max-day extra-capacity function

249.1 equals the estimated gallons per day on an max-day extra capacity demanded by an EDU
0.257 equals the proportion of the City's water facilities allocated to the max-hour extra capacity function
90.6 equals the estimated gallons per day of max-hour extra-capacity demanded by an EDU
The City may update the values in the formula above as the system changes to recognize
the changing costs imposed by large customers