



**City of Tigard**  
**Tigard Business Meeting – Minutes**

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**TIGARD CITY COUNCIL**

**MEETING DATE AND TIME:** February 14, 2012 6:30 p.m. Study Session; 7:30 p.m. Business Meeting  
**MEETING LOCATION:** City of Tigard - Town Hall - 13125 SW Hall Blvd., Tigard, OR 97223

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

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

Staff present: City Manager Wine, Assistant City Manager Newton, City Recorder Wheatley, Assistant Community Development Director Hartnett, Redevelopment Project Manager Farrelly, City Attorney Ramis, Associate Planner Pagenstecher, Community Development Director Bunch, Senior Management Analyst Wyatt

- **STUDY SESSION**

- > Council President Buehner recommended to Mayor Dirksen that the City Council consider getting involved in the National Conference of Mayors, which is comprised of members from cities with more than 30,000 in population. Mayor Dirksen noted he had not joined the group because of time constraints. Recently, some of the issues taken on by this organization at the national level are of concern to Tigard and the state of Oregon in general. He said he would like to explore ways to become involved with the Conference.

- A. Discuss Proposed Amendment to Resolution No. 07-13 to Renew the City’s Incentives to Annex until February 2013

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Associate Planner Pagenstecher presented the staff report. He distributed a copy of a proposed resolution to the City Council. The topic before the City Council is to discuss its annual review of continuing its policy for incentives for voluntary annexation. He pointed out that reevaluation of the city's annexation policy was designated as a 2012 City Council goal.

Since 2007, council has held a neutral annexation policy. Annexation has been "free" to interested parties. In the last two years, councilors have explored the questions of island annexations and how well annexation incentives have performed.

The proposed resolution shows language highlighted in yellow representing suggested changes from last year's resolution to acknowledge council's 2012 annexation goal. Associate Planner Pagenstecher said staff proposed the council consider the draft proposed resolution at its February 28 City Council business meeting to assure a timely continuation of the policy. In addition, to give context to this resolution and to further the 2012 annexation goal, this session is the opportunity to initiate a discussion on the process to achieve its goal.

In response to a question from Councilor Henderson, Associate Planner Pagenstecher said the previous resolution requires consideration of the annexation policy and the proposed resolution would act as a placeholder until the City Council can hold additional discussions. Mayor Dirksen confirmed Councilor Henderson's observation that if the City Council chose to approve the proposed resolution it would allow interested property owners to annex under the current policy.

Council President Buehner noted the city will lose 14 sets of SDC charges as there is a subdivision going in about a block and a half from the current city boundary. Mayor Dirksen agrees this is unfortunate, but pointed out the City Council has pondered this issue and there has been no mechanism identified to allow the city to annex areas such as the one cited by Council President Buehner. City Manager Wine said the purpose of tonight's resolution is to prompt the council's thinking about the proposed resolution and the potential for what can be changed.

Councilor Henderson said he would like the matter scheduled for a public hearing process so the council could hear a broader perspective.

Council President Buehner said there are two separate issues that need to be considered and discussed separately:

1. The island areas, which can be annexed at any time.
2. Areas outside the city.

In response to a question from Councilor Woodard, Council President Buehner said that not many property owners have annexed under the current policy. With regard to possible enticements to annex, Councilor Wilson commented that as a general rule, people do not want to increase their property taxes. He said he has always been of the opinion that if you

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want people to join the city, why would there be any barriers whatsoever. He suggested the incentive policy be adopted as a permanent policy. While there is a small cost to the city, over the long term there is a net gain. Discussion followed on the benefits gained from joining the city, which is a complex issue when urban developed areas are adjacent to a full-service municipal infrastructure.

Councilor Woodard asked if the city could have a discussion with the county since it is likely they will not be able to continue to sustain current services to these urban developed areas. Something different needs to be done accompanied by good public relations efforts.

Council President Buehner pointed out that the unincorporated areas near Tigard are not included in the Tualatin Hills Park and Recreation District, so they do not pay for parks. The Tualatin Hills Park and Recreation District tax rate is about \$1.50. Mayor Dirksen said the district's tax rate for park services is almost the equal of Tualatin's city tax rate.

Mayor Dirksen said that, typically, when people come forward to annex voluntarily, it is because they own a piece of undeveloped property adjacent to the city and they need to receive extended services for water and sewer.

In response to a question from Councilor Woodard, Mayor Dirksen said that when someone in the Enhanced Sheriff Patrol District comes into the City of Tigard, they are removed from the district. Also if they are paying other types of fees (i.e., street lighting) those fees are not charged. For the first two years, because of the phase-in of taxes, areas on Bull Mountain that choose to annex to Tigard will likely pay less taxes. Mayor Dirksen said this information has been offered in the past, but the figures are challenged by some as to their accuracy/veracity.

Councilor Woodard noted he questions the annual review of the resolution. Mayor Dirksen responded that the resolution is written to require the annual review; however, this could be changed. Council President Buehner said she originally suggested this policy be reexamined noting that circumstances have changed over the years and suggested a determination whether outreach efforts to specific neighborhoods might be productive. Mayor Dirksen said the council might want to consider offering to neighborhoods near recently purchased parkland on Bull Mountain that if they annexed, the amount of property taxes collected from them in the first years would be used to develop the parks.

Councilor Henderson referred to the previous city effort to annex the Bull Mountain area and people in the area commented that the city offered "a little bit too little, a little bit too late." A number of resolutions were adopted and Mayor Dirksen said he believes all of those resolutions are still in effect. Mayor Dirksen outlined the process undertaken during the proposed Bull Mountain area annexation. This process included study groups that met for six months leading to the development of white papers, which were translated into the adoption of the above-cited resolutions. Councilor Henderson suggested these resolutions (Nos. 04-72 through 04-78) be reviewed or brought forward again.

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Councilor Wilson said he would prefer to concentrate on Area 63 first. Eventually, area will be annexed on at least three sides of the unincorporated area on Bull Mountain. He said after Area 63 is annexed, it might be a good idea to start neighborhood groups for communication purposes for a variety of matters, not just annexation possibilities. Council President Buehner said she would like to do outreach to specific areas; i.e., an area along Barrows Road.

City Manager Wine advised that this study session topic was before the City Council tonight as a preview to its conversation on February 28 with regard to annexation strategy and timing of dialog with certain areas with regard to potential incentives.

Mayor Dirksen asked Councilor Henderson said that as part of consideration of a policy, he would like the council to entertain the action of making the proposals in Resolution Nos. 04-72 through 04-78 permanent offerings to areas that choose to annex to the City of Tigard. Councilor Henderson said it would be good to build a policy so people would know if or when they come into the City of Tigard what will be offered. Councilor Wilson said he would like to begin building relationships and discuss public services and desires. Council President Buehner commented that she did not know why the city did not annex neighborhoods that appeared to be in favor of annexing (Menlor area) at the time parkland was acquired.

Additional council discussion followed regarding communication and relationship building in the Bull Mountain area and perceptions of people in the unincorporated area on the topic of annexation.

Mayor Dirksen noted two issues appear to need further City Council discussion:

1. Review the proposed annexation resolution to continue the current annexation policy as brought forward by staff tonight.
2. Schedule an agenda topic to allow the City Council time to discuss how to address annexation policy in the future.

Councilor Wilson reiterated that he would prefer to have discussions on annexation policy after Area 63 has joined the city. Community Development Director Bunch reported that work is underway for a triple majority annexation process, which appears to be achievable. The area recently added to Area 63 requires review by the Department of Land Conservation and Development (DLCD) for findings to determine that this area is inside the Urban Growth Boundary. Mayor Dirksen called the Council's attention to a letter from DLCD on a hearing for the Metro Urban Growth Boundary Amendment. A copy of this January 25, 2012, letter was distributed to the City Council members and is in the meeting file. This letter indicated that the matter might be placed on the March commission agenda; however, Acting Director Jim Rue did not expect that would be the case. Community Development Director Bunch said he thought the hearing might occur in April or May. In response to Council President Buehner, Community Development Director Bunch agreed

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that the application for annexation could be started but not finalized until the DLCD findings were issued.

Council President Buehner suggested looking at annexing the islands first. Mayor Dirksen agreed and speculated that once the islands are annexed some of the issues would no longer exist.

After discussion, City Council members requested that Associate Planner Pagenstecher bring the proposed resolution (interim, placeholder policy) to the City Council for consideration on February 28, 2012. In the future, City Council will be considering whether additional elements will be added or changed to the city's annexation policy.

## B. Administrative Items

- Senior Management Analyst Wyatt presented an update on legislative activity.
  - House Bill 4090 – focuses on timing and delivery of urban services. Senior Management Analyst Wyatt distributed a February 13, 2012, from Mayor Dirksen. Representative Dougherty entered this letter into the record for Tigard today at a committee meeting (no public comment was entertained). The legislation passed 6-1 onto the House floor, where it is expected to pass; however, it is anticipated that the bill will not pass the Senate level. Contact was made with Senator Burdick. Senior Management Analyst Wyatt reviewed the letter, which lists the concerns Tigard has with this legislation. During discussion City Attorney Ramis suggested asking the legislature to wait to for the decisions on current litigation on this subject. He advised this matter is before the Land Use Board of Appeals and Circuit Court.
  - H.R. 7 – focuses on transportation enhancements and safe routes to schools and the TIGER program for grants for multi-modal projects that have a strong economic development component. Senior Management Analyst Wyatt distributed a letter from Mayor Dirksen to Representative Bonamici that will be sent on February 15. A copy is in the meeting file. Council members agreed that Mayor Dirksen should send the letter.
- Council held discussion on grants and recent successes in obtaining them. Senior Management Analyst Wyatt, in response to a question from Councilor Woodard advised that the city's lobbyist has applied for a couple of grants; grant recipients will be announced in the spring. Mayor Dirksen noted that once the city is over 50,000 in population, we will be able to apply directly for grants – we now have to go through Washington County.
- Groundrules Feedback.
  - City Manager Wine distributed the guidelines prepared as a result of the City Council training with Joel Hertzberg. These notes are in the meeting file. She said no changes appear to be needed to the council groundrules at this time.

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There was discussion about how to memorialize these guidelines with the existing groundrules; Mayor Dirksen suggested it become an addendum.

City Manager Wine reviewed the calendar items for City Council:

- Council/City Center Development Agency Calendar:
  - February
    - 21\* Tuesday - Council Workshop Meeting – 6:30 p.m., Town Hall
    - 28\* Tuesday - Council Business Meeting – 6:30 p.m., Town Hall
  - March
    - 6 Tuesday - City Center Development Agency – 6:30 p.m., Red Rock Creek Conference Room
    - 13\* Tuesday - Council Business Meeting – Canceled
    - 20\* Tuesday - Council Workshop Meeting – 6:30 p.m., Town Hall
    - 27\* Tuesday - Council Business Meeting – 6:30 p.m., Town Hall
  - April
    - 3 Tuesday - City Center Development Agency – 6:30 p.m., Red Rock Creek Conference Room
    - 10\* Tuesday - Joint Meeting with Beaverton City Council & Planning Commission/Metro, 6:30 p.m., Beaverton City Hall, 4755 SW Griffith Drive, Beaverton. Agenda topics include: Climate Smart Communities Findings, SW Corridor Briefing, Urban Growth Boundary Concept Planning
    - 17\* Tuesday - Council Workshop Meeting – 6:30 p.m., Town Hall
    - 23 Monday - Budget Committee Meeting – 6:30 p.m., Public Works Auditorium
    - 24\* Tuesday - Council Business Meeting – 6:30 p.m., Town Hall
    - 30 Monday - Budget Committee Meeting – 6:30 p.m., Public Works Auditorium
  
- EXECUTIVE SESSION: The **Tigard City Center Development Agency** went into Executive Session at 7:19 p.m. to discuss real property transaction negotiations under ORS 192.660(2)(e).

Executive Session concluded at 7:30 p.m.

## **TIGARD CITY COUNCIL MEETING MINUTES -- FEBRUARY 14, 2012**

1. BUSINESS MEETING -- FEBRUARY 14, 2012

- 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 advised she will report on several water-related items at the City Council workshop meeting on February 21, 2012.

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

2. CITIZEN COMMUNICATION

- A. Follow-up to Previous Citizen Communication: None.
- B. Tigard High School Student Envoy Courtney Bither presented a report on activities at the high school. A copy of her report is in the meeting file.
- C. Tigard Area Chamber of Commerce – Chief Executive Officer Debi Mollahan will present the Chamber report on 2/28/2012.
- D. Citizen Communication – None.

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Mayor Dirksen reviewed the Consent Agenda:

3. CONSENT AGENDA: (Tigard City Council)

A. Approve City Council Meeting Minutes for:

1. December 13, 2011
2. December 20, 2011
3. January 10, 2012
4. January 17, 2012
5. January 24, 2012

B. Receive and File:

1. Council Calendar
2. Tentative Agenda

C. Add the Sunrise Property Purchase to the List of 2006 Metro Bond Projects and Approve an Agreement Regarding the Property

RESOLUTION 12-03 - A RESOLUTION ADDING THE SUNRISE PROPERTY TO TIGARD'S LOCAL SHARE PROJECT LIST AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT (IGA) WHEREBY WASHINGTON COUNTY WILL MAKE A \$400,000 CONTRIBUTION TO PARTIALLY FUND THE PURCHASE OF THE SUNRISE PROPERTY

D. Add Two Trail Projects to the List of 2006 Metro Bond Projects

RESOLUTION NO. 12-04 - A RESOLUTION ADDING TWO TRAIL PROJECTS TO TIGARD'S LOCAL SHARE PROJECT LIST

E. Initiate the Transfer of Jurisdiction of a Portion of Barrows Road to the City

RESOLUTION 12-05 - A RESOLUTION INITIATING ACTION TO TRANSFER JURISDICTION OF A PORTION OF SW BARROWS ROAD (COUNTY ROAD NO. 812) WITHIN THE CITY OF TIGARD TO THE CITY OF TIGARD

F. Authorize the Submission of a Grant Application to Partially Fund the Aquifer Storage and Recovery (ASR) Improvement Project

RESOLUTION NO. 12-06 - A RESOLUTION SUPPORTING THE SUBMISSION OF A BUREAU OF RECLAMATION WATERSMART WATER AND ENERGY EFFICIENCY GRANT APPLICATION TO PARTIALLY FUND AQUIFER STORAGE AND RECOVERY (ASR) WELL HEAD IMPROVEMENTS

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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. NAME THE TIGARD LIBRARY COMMUNITY ROOM THE "GEORGE AND YVONNE BURGESS COMMUNITY ROOM" - RESOLUTION

The following individuals attended the Council meeting for this item: Library Board Chair David Burke and Library Board members Cecilia Nguyen and Linda Monahan. Kathy Sleeper from the Friends of Library also attend.

Library Director Barnes introduced this agenda item.

Representatives of the Library Board and the Friends of the library reviewed their association with George and Yvonne Burgess and recalled the extent of their dedicated service to the library and the Tigard community

Council members shared their memories and contacts with the late George Burgess throughout his years of service. Councilors expressed appreciation for dedicated volunteers noting that the works of George and Yvonne Burgess made it possible for Tigard to have the beautiful library building. A ceremony to formally name the facility is being planned.

Motion by Council President Buehner, seconded by Mayor Dirksen, to adopt Resolution No. 12-07.

RESOLUTION NO. 12-07 - A RESOLUTION NAMING THE COMMUNITY ROOM WITHIN THE TIGARD PUBLIC LIBRARY TO HONOR GEORGE AND YVONNE BURGESS FOR THEIR SERVICE TO THE CITY OF TIGARD AND AS THE TIRELESS LEADERS OF THE FRIENDS OF THE TIGARD PUBLIC LIBRARY

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

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

5. PRESENTATION BY METRO COUNCILOR CARL HOSTICKA ON CLIMATE SMART COMMUNITIES SCENARIOS PROJECT

Kim Ellis, Metro Principal Planner was also present with Metro Councilor Carl Hosticka.

Information was distributed to the City Council, which is filed in the meeting packet:

- Article: *Climate Smart Communities Scenarios*
- Information Packet: *Understanding our Land Use and Transportation Choices, Phase 1 Findings, January 12, 2012*

Councilor Hosticka reviewed the information distributed to the City Council including history of the project and the project timeline. Adoption of a preferred strategy is scheduled for June 2014.

Councilor Hosticka reviewed the building blocks for regional scenarios testing combinations of plausible strategies to reduce greenhouse gas emissions and the findings of these tests as the project enters Phase 2.

Councilor Hosticka referred to policy questions to be addressed in Phase 2 with the following elements to be considered: fiscal, economic and equity.

Councilor Hosticka advised that Metro representatives are meeting with communities to give them an overview of the project, hear questions from communities, and identify strategies to move forward.

Council members asked questions and discussed this project with Councilor Hosticka and Metro Principal Planner Ellis.

In response to Councilor Woodard's question about benefits to the city, Planner Ellis advised that there is a lot of work to be done in the coming year to quantify cost savings at the household level.

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Councilor Wilson referred to the complexities in forecasting development and how communities will build out. Councilor Hosticka commented on the transportation and forecasting models being used to forecast growth. He said the forecasting will not be completely accurate, but he would prefer an overestimate rather than an underestimate in the infrastructure required to accommodate future needs. Planner Ellis referred to work being done by the Oregon Department of Transportation (ODOT) for similar types of analyses and the innovative results.

Councilor Wilson commented on the community design and dependency on adequate transit infrastructure. He referred to the need for suburban transit service and improvements to the Transportation Planning Rule.

Councilor Henderson emphasized the need for sustainable programs. Planner Ellis referred to the efforts to plan to the year 2035. Councilor Hosticka commented on the issue for the future, which will be to retrofit suburbs and provide small-scale retail in a more distributed manner. Lengthy discussion followed on recent work to identify key components of current issues and efforts to address the problem areas in the urban infrastructure for improved livability as desired in a variety of neighborhoods for the present and the future.

## 6. REVIEW AND DISCUSS THE PROPOSED 2012 FEDERAL LEGISLATIVE AGENDA

Senior Management Analyst Wyatt presented the staff report and the attached draft 2012 Federal Legislative Agenda, which is in the meeting file.

Mayor Dirksen and City Council members discussed the agenda and were in agreement that the 2012 Federal Legislative Agenda was accurate.

Motion by Councilor Wilson, seconded by Councilor Henderson, to approve the legislative agenda as proposed.

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 |

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7. COUNCIL LIAISON REPORTS

Councilor Henderson advised he would give a report at a future meeting on Community Development Block Grant Proposals.

Council President Buehner advised she attended the neighborhood workshop meetings last weekend. About 65 people attended.

Councilor Woodard noted that information will soon be coming forward on social grant applications.

8. NON AGENDA ITEMS None.

9. EXECUTIVE SESSION: Not held.

10. ADJOURNMENT (8:59 p.m.)

Motion by Councilor Wilson, seconded by Councilor Woodard 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 |

/s/Catherine Wheatley  
Catherine Wheatley, City Recorder

Attest:

/s/ Craig E. Dirksen  
Mayor, City of Tigard

Date: March 27, 2012

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