City *of* Tigard
Tigard Workshop Meeting - Minutes

TIGARD CITY COUNCIL
MEETING DATE/TIME: February 21, 2011 – 6:30 p.m. – Workshop Meeting
MEETING LOCATION: City of Tigard – Town Hall, 13125 SW Hall Blvd., Tigard, OR 97223

1. WORKSHOP MEETING

   A. At 6:34 p.m. Mayor Dirksen called to order the meeting of the City Council and the City Center Development Agency.

   B. Deputy City Recorder Krager called the roll:

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

   C. Pledge of Allegiance

   D. Council Communications & Liaison Reports – Mayor Dirksen noted that Council President Buehner will report on four committees at the end of the meeting.

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

2. RECEIVE TIGARD MUNICIPAL COURT ANNUAL REPORT

Municipal Court Judge O'Brien and Administrative Services Manager Robinson were present to discuss Tigard's municipal court program and give an annual update. Judge O'Brien noted that the date for the report was moved to the beginning of the year so council could receive the calendar year summary on a more timely schedule.

Municipal Court Judge O'Brien gave a PowerPoint presentation on court program highlights. Traffic cases in 2011 were at the second highest level in court history. The fourth quarter broke the record for most violations in a single quarter. Administrative Services Manager Robinson speculated that part of this increase was due to the introduction of the electronic ticketing program, or e-cites. Judge O'Brien said the simplified process means that officers can write tickets faster and Tigard's municipal court responded to this higher caseload by streamlining case processing.

Judge O'Brien said that while the electronic citations are the cause of the increased caseload, they are also part of the solution. The data automatically transmits from the police department to court staff, resulting in time savings and efficiency because data does not have to be manually re-entered by court staff.

Judge O'Brien explained how the fine schedules were changed due to new laws from the 2011 legislative session lowering the fine amount that appears on the front of a citation, effective January 2012. Instead of costs and assessments going to separate agencies, there is one $60 priority payment to the state which must be paid before anything is distributed to local jurisdictions. A bill was introduced in the 2012 legislative session to lower the amount of the state assessment to $45; however, passage of the bill seems unlikely at this date. He said minor housekeeping bills may come out of the legislature yet this session due to ambiguities created by last year's House Bill 2712.

Judge O'Brien said the legislature also gave the courts more discretion in lowering fines. Courts had the discretion to lower a fine by 25 percent but now can lower a fine up to 50 percent. In response to a question from Mayor Dirksen, he said judges can also raise fines although that process is lengthy and cumbersome. Council President Buehner asked if a matrix similar to what exists in criminal courts was put into place. Judge O'Brien said it was, but the court also has discretion to increase or decrease the fine, and it is not as rigid as in the criminal courts. Councilor Woodard asked for clarification about whether it doesn't matter if a fine is increased or reduced, municipal courts still pay $60 to the state. Judge O'Brien said that was correct.

Judge O'Brien presented slides showing traffic fine changes by violation class under House Bill 2712. He said the lower the violation class, the higher the percentage of the fine portion going to the State of Oregon. He provided an example of a Class D violation for speeding from 1-10 miles over the speed limit. This violation used to have a base fine of $145; under the new law it is $110. If a municipal judge reduces it by half for someone with a good driving record, the city would have to pay the entire fine to the state. This leaves very little incentive to enforce Class D violations.

The judge said Tigard's municipal court has a "fix it" program which rewards compliance for drivers with a good driving record with fine reductions, discharges or dismissals. There is an administrative fee of $40 which is not payable to the state. This program includes tickets for not carrying insurance, expired registration, or broken tail lights. He said the court provides payment agreements for those in need. Another way the court uses technology to streamline processes is offering the option to pay fines online through CitePayUSA.

Councilor Henderson asked about cell phone violation statistics. Judge O'Brien said he was amazed there were 1,200 cell phone violations in Tigard over the past two years. He said Oregon State Police only

issued 1,000 tickets statewide in 2010 so Tigard's level is comparatively very high. He noted that state legislation negated the work-related call exemption for all drivers except safety officers. Hands-free devices are required for all other callers. Administrative Services Manager Robinson added that holding or programming a GPS while driving is also illegal.

Councilor Wilson requested a list of the top ten traffic violations. He said he has been studying ODOT safety data and noticed that rear-end accidents are the most common cause of city driving accidents. He said he discussed this with Police Chief Orr and advocated for greater enforcement priority for following too closely, aggressive driving or driving while distracted. Judge O'Brien said the court is seeing a large number of citations written for following too closely. He noted for the audience that a microchip can be inside a radar gun is used to measure the distance and time separation between cars.

Mayor Dirksen asked Judge O'Brien if the court database can produce a report on the ratio of resident to non-resident violations. Judge O'Brien said staff did this in response to a question from Councilor Wilson a few years ago and found that thirty percent of citations were written to Tigard residents and seventy percent to drivers from other communities.

Councilor Woodard asked if there was space on the ticket for the court staff to list the reasons given in court for speeding. These could help identify hot spots where accidents are more likely to occur. Administrative Services Manager Robinson said information is written on the tickets in court, but it is not entered into a database. She said she will ask the police department about using a section on the e-cites where officers could record such remarks.

Councilor Wilson said he suggested to Police Chief Orr that police officers and city engineers share information. He said accidents are one reason for traffic congestion through Tigard. Finding out what causes them can help city engineers design traffic lanes to alleviate problems. He said collecting and analyzing crash data at McDonald/Gaarde/Pacific Highway can influence the design of that new intersection, for example. Judge O'Brien commented that he has been seeing McDonald Street frequently on police car videos in court. He said staff is considering the use of GPS technology to identify exact incident locations.

Council President Buehner pointed out a problem with a blind corner at Walnut and 135th Avenue. The intersections are close together and create traffic backups due to difficulty turning into the traffic coming from Murray Road as it is travelling too fast. She expressed interest in obtaining crash data for this location because the city and county are discussing the installation of a traffic signal there.

3. ANNUAL JOINT CITY CENTER DEVELOPMENT AGENCY/CITY CENTER ADVISORY COMMISSION MEETING

Redevelopment Project Manager Farrelly asked CCAC Members to introduce themselves. Present were Ralph Hughes, Jeff Mauro, Alex Craghead, Elise Shearer, Peter Louw, Tom Murphy, Deanie Bush and Phil Thornburg. Redevelopment Project Manager Farrelly noted that CCAC Members Linli Pao and Sherri Devaney were unable to attend.

CCDA Director Buehner announced for the viewing audience that the CCDA will now have dedicated meetings on the first Tuesday of each month, beginning on March 6, 2012. Redevelopment Project Manager Farrelly said the CCAC is planning to send representatives to the meetings.

CCAC Chair Craghead summarized annual report highlights and introduced the CCAC 2012 goals, which were included in the meeting packet.

2011 highlights include:

- Preparation for the Main Street Green Street Project
- The Burnham Street Project is complete!
- Planning for another entrance to the WES parking lot
- Meetings with consultant Michelle Reeves
- Completion of two façade improvement projects

CCAC Chair Craghead said the CCAC 2012 Goals are ambitious and include:

- **Main Street Green Street -** CCAC Chair Craghead said the Main Street Green Street project needs to be planned so it is not an undue burden on downtown businesses. Land is being assembled in preparation for a downtown park and plaza.

- **Façade Improvement Project -** CCAC Member Shearer said the façade improvement program has been very successful. Fifteen properties applied and four were accepted. Three more requests are pending. The CCAC will evaluate these and develop a matrix evaluating success of the program. She said facade improvements align with the City Council goal to attract new downtown tenants. CCDA Director Wilson commented that he would like to see property owners become more ambitious with their improvements.

  CCAC Member Shearer said there are questions about whether expanding the program beyond Main Street is a good idea at this time and this will be an ongoing discussion topic. Chair Dirksen suggested they consider whether or not the money would stretch far enough to cover other streets. In response to CCDA Director Wilson's earlier comment, Chair Dirksen said opening the façade improvement program to include tenant improvements may encourage downtown building owners to become more ambitious. Redevelopment Project Director Farrelly said a tenant improvement program will be discussed at the CCDA meeting of March 6, 2012.

  CCDA Director Buehner urged the agency to make sure there is balance because if an existing business moves downtown to receive the improvements, a vacancy is created elsewhere in Tigard.

  CCDA Director Wilson said the city made improvements for a coffee shop tenant when the library was built. He said that considered within the context of the entire project; the cost was not that much. He noted the first coffee shop tenant failed but the second is successful. He said when the city pays for improvements but the first business does not succeed or move elsewhere, it does not mean that the improvements are lost.

- **Construction impact mitigation of Main Street Green Street -** CCAC Member Louw provided historical perspective on the Main Street Green Street project from the view of business owners. He said initial objections to another street project beginning so closely to the end of the previous one was due to disruption and impacts Burnham Street construction had on their businesses.

  He said the objective is to "get in and out of there as fast as possible to avoid affecting businesses in a negative way." He said the parking lot will be completed this year. CCDA Director Buehner clarified that this parking lot is for employees of downtown businesses so that customers can have better access. CCAC Member Louw said there is apprehension from Main Street businesses about project communication, although it was improved during the Burnham Street project. CCDA Chair Dirksen said, "We learned a lot about communicating on that project." CCAC Chair Craghead said the methods of communicating with the Main Street businesses should not be limited to the use of electronic media.

  CCDA Director Henderson acknowledged the leadership of CCAC Member Louw. City Manager Wine said a briefing on the Main Street Green Street project is scheduled for the March 20, 2012 council meeting and invited the CCAC to attend.

- **Land Use and Transportation -** CCAC Member Thornburg emphasized the CCAC goal of land development and acquisition. He noted that housing is a priority, including the consideration of the use of the city's current public works yard space for housing. CCDA Chair Dirksen commented that the economy causes difficulties but also creates opportunities. He said he requested public works staff to examine their long-range goals and asked them, "If a development opportunity arrived tomorrow, how quickly could you move out of that area?" CCAC Chair Craghead encouraged incentives for developers and said a discussion will be scheduled.

  CCDA Director Buehner cautioned that a component of land acquisition negotiations is that discussions need to happen in executive sessions and CCDA and CCAC members may not discuss what is said in executive sessions outside of them. CCDA Chair Dirksen said the upcoming CCDA meetings will include several executive sessions on land acquisitions.

  CCDA Director Woodard commented that the Ash Avenue Rail Crossing is a challenge. He asked when the CCDA would receive an update. Chair Dirksen said it is part of the conversation about downtown circulation. He asked if there had been discussions on the Hunziker/Scoffins realignment. CCDA Director Buehner said the CCDA received a number of circulation plan presentations in 2010, prior to CCDA Director Woodard's election to council. CCDA Chair Dirksen asked if there was a timeline on the latest circulation plan. Redevelopment Project Manager Farrelly said it was recently reworked, with upcoming code amendments and communication to property owners.

  CCDA Director Buehner asked Redevelopment Project Manager Farrelly to follow up on questions regarding structuring the intersection with Hall and Scoffins, across from Garden Street. She indicated a response had not been received after the last meeting with CCAC. CCAC Chair Craghead clarified that there were 12 projects identified in the circulation plan and the CCAC

recommended the following as their top priorities: 1) Scoffins Street/Hunziker Street realignment, 2) Ash Avenue crossing and 3) Commercial Street/Main Street realignment.

- **Communication** - CCDA Director Henderson said he applauded CCAC for their outreach to other committees. He suggested they contact the Parks and Recreation Board (PRAB) to share information. CCAC Chair Craghead responded that a joint subcommittee with PRAB had just been formed to work on long-term park development. He noted that there were CCAC members involved with transportation committees including some that are participating in a Metro high-capacity transportation project group.

CCDA Director Buehner noted that she has been speaking with private and public banking entities regarding the development of credit lines to encourage public/private investment in development.

CCDA Chair Dirksen thanked the CCAC for their hard work that benefits the entire City of Tigard.

At 7:44 p.m. the City Center Development Agency meeting ended and the Tigard City Council reconvened.

4. COUNCIL LIAISON REPORTS - Council President Buehner reported on meetings she attended:

Regional Water Providers Consortium - Council President Buehner praised Councilor Wilson for his determined support for evaluating conservation efforts year-around and not just summer. She noted that a majority of the Water Consortium members have agreed to adopt this approach due to Councilor Wilson championing this idea for many years. Council President Buehner said their executive director is retiring so they will be searching for a new executive director. She said a final draft of the Five-year Regional Water Strategic Plan will be presented to the state in June. She said the report outlines issues and challenges facing regional water providers and how to overcome them. She offered to obtain a copy for anyone interested.

***Willamette River Water Coalition* (WRWC)**- Council President Buehner said one issue is a pipeline for the Tualatin valley water providers that will reach Wilsonville and is part of their long-term plan. An easement is required to build the pipeline over a wetland in Wilsonville that is owned by Metro. Metro may require them to build the pipeline section on the wetland island immediately. Council President Buehner said she has asked City Manager Wine to add this topic to a future council workshop agenda.

Tigard-Lake Oswego Joint Water Partnership Oversight Committee – Council President Buehner said the thirty-percent engineering plan is proceeding and is required before permits can be obtained to place the raw water pipeline under the Willamette River. Thirty-percent plans for the outtake, plant and the processed water pipeline are also proceeding. A number of discussions have been held and council will receive a presentation on costs in April or May. She said one goal of the thirty-percent study is to review a worst case cost scenario. She noted that Robinwood neighborhood meetings are continuing. She said she and Mayor Dirksen attended a West Linn city council meeting to discuss providing water to them. There remains a small group of West Linn residents who want the plant taken out of West Linn and moved to Lake Oswego.

Council President Buehner distributed a copy of the Lake Oswego-Tigard Water Partnership Communications Goals and Objectives. A copy is included in this meeting packet. She summarized the water partnership activities and noted that the Tigard's council will hold a joint meeting with Lake Oswego city council in late April or May. She reported that plans for the Waluga reservoir have been delayed as it is not needed until the end of the project and other steps are a higher priority now.

Mayor Dirksen said everything is moving forward and timelines appear to put the partnership on track for our needs in 2016. Council President Buehner mentioned that the Water Watch group, who opposes every water right renewal application, must file their appellate brief within ten days. She said there will then be 45 days for city attorneys to file their responding brief. Water Watch will have 21 days to submit their reply brief. Mayor Dirksen commented that this was anticipated and built into the project schedule.

Councilor Henderson asked if the agreement with Portland was finalized for emergency Bull Run water. Council President Buehner said it was in progress.

A discussion was held on the Tualatin Valley Water Providers and their drinking water options. Referring to the earlier topic of the Willamette River pipeline running on land Metro owns, Mayor Dirksen said Tigard has a right on the pipe and there are two options; water coming from it to Tigard or Tigard sending water to the pipe. He said Tigard has water rights on the Willamette but has chosen not to use them. The City Charter requires a vote on that by the citizens. If the water plant proved to supply quality water and Tigard citizens voted to use some Willamette River water, the pipe could be used to bring water from the Wilsonville treatment plant. Conversely, if additional water was needed by communities served by the Wilsonville plant, Tigard could sell them water.

5. NON AGENDA ITEMS – None.

6. EXECUTIVE SESSION – None.

7. ADJOURNMENT

At 8:06 p.m. Councilor Wilson moved for adjournment. The motion was seconded by Council President Buehner and all voted in favor.

	Yes	No
Mayor Dirksen	✓	
Councilor Henderson	✓	
Councilor Woodard	✓	
Councilor Wilson	✓	
Council President Buehner	✓	

Carol A Krager

Carol A. Krager, Deputy City Recorder

Attest:

Mayor, City of Tigard

March 27, 2012

Date

I/ADM/CATHY/CCM/Final/February/120221