



City of Tigard

Tigard Business Meeting -Minutes

TIGARD CITY COUNCIL

MEETING DATE/TIME: April 17, 2012 – 6:30 p.m. – Business Meeting
MEETING LOCATION: City of Tigard – Town Hall, 13125 SW Hall Blvd., Tigard, OR 97223

1. BUSINESS MEETING

A. At 6:34 p.m. Mayor Dirksen called to order the April 17, 2012, Tigard City Council business meeting.

B. Deputy Recorder Krager called the roll.

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

C. Pledge of Allegiance

D. Council Communications & Liaison Reports - Council President Buehner said she will present three reports under Agenda Item 4.- Council Liaison Reports. Mayor Dirksen said he will also report on some committees.

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

2. CITIZEN COMMUNICATION

A. Follow-up to previous Citizen Communication – City Manager Wine reported that at the council meeting of March 27, 2012, Myron Robinson requested council consider allowing social gaming in Tigard. Staff discussed this with the city attorney’s office and understands that state law allows by ordinance, council authorization, regulation and licensing of social gaming in cities. Staff is awaiting further process information from the city attorney’s office. She said staff will forward that information to council for their consideration of this request. Staff has been in touch with Mr. Robinson.

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

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3. JOINT MEETING WITH THE LIBRARY BOARD

Library Director Barnes introduced this item and turned the presentation over to Chair Burke and other members of the Library Board.

Library Board Chair Burke said they prepared a brief presentation to update council on the library and its place in the community.

➤ RFID Program

Library Board Member Storhm discussed the RFID (Radio Frequency Identification) program. He said Tigard Public Library is moving ahead with RFID with the goals of improving public service, productivity and security. The program is funded by Washington County Cooperative Library Services (WCCLS) and it is expected that costs will be recouped over the next three to four years. Washington County will pay for an upgrade of the library security gates and all future RFID tags. Tigard is responsible for upgrading their self-check machines.

Library Board Member Storhm said the RFID tags contain a tiny microchip and a small antennae. The tags are coded with the same information as on the barcode and are being placed in all library materials. The barcode stickers will remain on the library materials. The RFID tags are dormant and cannot be read unless they are placed within 18 inches of an RFID receiver or transmitter. He assured council that RFID tags contain no personal or bibliographic information, just the item identification. RFID will improve processing the 50,000 items checked in and out daily within the Washington County Library system. There will be the ability to scan multiple items in a stack, rather than handling each book separately.

Upgraded gates will ensure better security. If the alarm is tripped, the librarian will have the name of the book appearing on the screen so it will be known exactly which book was not properly checked out. In the future, RFID will help move towards automated book handling.

Council President Buehner asked that another article be published in the Cityscape to clarify the program and its benefits to library patrons.

Councilor Wilson asked what happens if materials are scanned by mistake, for example if someone walks near a scanner while holding books. Library Board Member Storm said the item must be within 18 inches of a scanner to be detected. Council President Buehner asked a question about the checkout process and was assured that those who do not use the self-check machine can still take their books up to the circulation desk and be served by library staff.

Council President Buehner asked when the system will be in place. Library Director Barnes replied that the gates will be installed and the self-checkout machines will be operational on May 21. She said there will also be a credit-card slider to make it convenient for patrons to

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pay fines with debit cards. Council President Buehner suggested checking with vendors to make sure they are aware that some people have certain electrical currents in their bodies that are so close to the frequencies in the machine that they can jam it and it has to be rebooted. Library Director Barnes said she will pass this along to the vendor.

➤ E-Books and E-Readers

Library Alternate Board Member Carter spoke about e-books. She said e-books come from a statewide consortium called the Oregon Digital Library and are paid for by federal funds. At present, there are 50,000 digital items available. She said only 21% of the United States population has the electronics necessary to read e-books. She said library staff is available to help those who need assistance learning how to use their devices and user guides were developed. She said at least four people a day ask how to download books or how to use their reader devices. To assist people with choosing a device to use, sessions are held to give patrons a chance to become acquainted with different reader devices.

Councilor Henderson asked how fines are levied on e-books. Alternate Board Member Carter said there are no fines. A book is checked out for 7 or 14 days and when it expires; it becomes unavailable on the person's device. Audio books are also available from the Tigard Public Library. E-reader devices were passed around for council to examine.

In response to a question from Councilor Wilson regarding publisher agreements, Alternate Board Member Carter replied that some titles are in the public domain but publishers are still working on this.

Council President Buehner asked a question about differences in the frequencies of various e-reader devices and noted that the lighting on some of them can cause headaches. Alternate Board Member Carter said there are two ways to put books on devices and the platforms may interact with a person differently. She suggested that patrons attend one of the opportunities provided by the library and try different reading devices.

➤ Programs for the Community

Alternate Board Member Harris spoke about event programming at the library. She mentioned story times, computer classes for all ages, Book Babies, Pajama Story Time, Common Sense for the Future (budgeting, investing and credit classes), tax preparation assistance and Genealogy 101.

Two recent programs were Backyard Beekeeping, which attracted 94 attendees on a Saturday, and an Irish Ceili, song and dance event with 255 attendees on a Wednesday evening. A total of 5,120 participants came to events at the Tigard Public Library in March, 2012.

Councilor Henderson asked if the programs were run by volunteers. Library Director Barnes said programming is developed by the staff. Some presenters are paid for by the

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Library Fund or the Friends of the Library. Posters and handouts to advertise the programs are developed by Officer Services.

Council President Buehner commented that the person writing the press releases is doing a great job.

➤ Teen Volunteer Program

Library Board Member Hancock spoke about the teen volunteer program. A chart illustrated growth in the number of youth volunteer hours from 1,499 annually in 2008 to 5,959 in 2011. Local high school, middle school and home-schooled teens ages 12-17 can participate. Eighty percent of teens surveyed said they would return next summer.

Mayor Dirksen commented on the increase of teen volunteer hours and asked if the Library Board knew the reasons for it. Library Director Barnes said it is a good place to volunteer and is an environment where young people feel valued and respected. Library Board Member Hancock commented that it is also a positive social experience for teens.

➤ Library Survey

Library Board Member Cadiz discussed the annual patron survey which received the highest number of responses ever received. The overall satisfaction rate increased to 97.4 percent. She said Tigard Public Library's turnover rate on materials is 80%.

In response to a question from Councilor Wilson, Library Director Barnes described the protocol for withdrawal of items.

Council President Buehner asked about access to "closed stacks." Library Director Barnes said all of the Washington County libraries have open stacks. She suggested that older books can be specifically requested by author or title and borrowed from Multnomah County Library or other libraries with closed stacks.

Library Board Chair Burke presented a poster of the library "word cloud," which illustrated the words showing up the most on library surveys. A copy of this word cloud is in the meeting packet. He said the Library Board understands that these are very tough economic times and they are grateful for the support received from the council and the entire city. He commented that the Tigard Library is the best run institution he has encountered.

Library Director Barnes noted that Board Member Monahan and Board Member Snyder were also in attendance. Mayor Dirksen thanked the Library Board for their service.

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4. COUNCIL LIAISON REPORTS

Council President Buehner gave a report on the **Intergovernmental Water Board (IWB)**. She said both council and the Intergovernmental Water Board received draft administrative rule provisions for the water division. The IWB will give them a careful review by the end of the 28-day review period. She said the proposed changes reflect the policy recommendations of the IWB with respect to late payments and various processes for handling delinquent accounts, and applying credits for water leaks.

Mayor Dirksen is a member of the League of Oregon Cities' **Transportation Policy Committee**. He said they have met twice and at the first meeting received background information on the 2011-2012 legislature and discussed specific issues. They developed a list of policy items to consider in the next year or so.

Mayor Dirksen said changes to access management administrative rules were discussed and how they impact how cities work with businesses and development along state facilities, similar to what Tigard experiences with Pacific Highway issues. He commented that many of the changes made to the rules were a result of direct action and lobbying by the League, which made this a priority this legislative session.

Jurisdictional transfer was also discussed and the League is taking a generally favorable view of transferring roads, streets and even highways to local jurisdictions when the responsibility should be transferred to the jurisdictions in which they run so they have more influence over them. Mayor Dirksen commented that it was appropriate to a point, but he was not supportive of transferring major highways or interstates to cities because of the onerous burden of taking control of those.

Other issues of note from the LOC Transportation Policy Committee include:

- Least-cost planning for highway and road projects. Where planning is done for facilities, the least cost now has to be included in the study to qualify for funding.
- Transportation Planning Rule (TPR). The Community Development Committee spent as much time talking about the TPR as the Transportation Committee did. He commented that the committees need to talk about this together.
- Using transportation funding for non-road uses. The LOC said there is an even view of this priority and no urban/rural divide as might expected.
- Electric vehicles –Mayor Dirksen gave a short report on work he did as part of a Governor's task force on how gas tax revenue can be replaced for vehicles that don't buy gas. This task force will make a recommendation to the legislature in the next session.
- Federal Transportation Reauthorization – Mayor Dirksen noted that neither the Senate nor the House passed their transportation bill so they voted to extend the existing funding to allow more time for consideration.
- Legislative objectives for 2013 were discussed. Some issues LOC will follow up on based on policy committee member recommendations are: transportation priorities and principles; with the first priority to preserve existing systems and the funds

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required for road maintenance. These costs should be paid by users through the gas tax or other systems. The methods of financing roadway improvements and construction need to be updated continually to ensure an adequate source of funding. Regarding mandates, the state should not usurp a city's ability to raise their own fees on motor vehicles and the use of roadways to ensure their ability to fund maintenance and improvements. The fuel tax should be viewed as both a revenue source and as a tool to create financial incentives that accelerate the adoption and use of more efficient transportation technologies (non-road uses). We need to work more on opportunities to enhance partnerships with ODOT regarding product delivery and ways it can be leveraged. He noted that the City of Tigard has been a model in recent years of cooperation and partnering with ODOT to get things accomplished.

- The general policy is that a strong, multi-modal system of transportation in Oregon including rail, transit, air, marine, bike and pedestrian components supplements the road and highway network by providing alternative options, reducing congestion and creating efficiencies. It also helps achieve other goals such as reducing air pollution, increasing access and service to disabled individuals and bringing millions of dollars of federal funds to the state. This means that an adequate system of rail, transit, air and marine transport for freight and for people is essential to the state's economic health and community well-being. Because rail transport and transit systems, airports and marine ports are regional economic assets, the state and federal governments should be significant financial participants in the establishment and maintenance of these facilities.

In response to a question from Councilor Wilson, Mayor Dirksen read the list of committee members and discussed the process to become a member of the committee.

Council President Buehner reported on the **Lake Oswego/Tigard Water Partnership Oversight Committee**. At the March meeting the proposed budget was reviewed. It includes the recommended budget from the oversight committee. There have been changes adding to the cost including the need for pilings under the new plant because the ground around the plant is Missoula Flood mud and subject to liquefaction.

Council President Buehner said federal permitting is proceeding and is going according to plan. On the other hand, there are issues in renewing the permit. Water Watch got an extension to file their appellate brief. Council President Buehner will inform council of the oral argument date.

Another issue relates to the conditional use application in West Linn and the relations with the Robinwood neighborhood. There have been 20 meetings with neighbors. At a special meeting Council President Buehner and the oversight committee met for two hours with Robinwood residents and discussed their questions. She gave council a list of their questions, construction issues and requests. Councilor Wilson expressed surprise at the number of questions. He asked if the cost for twenty meetings, the expense of what was promised plus the cost of the piles made it sensible to explore other alternatives.

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Council President Buhner received a copy of the staff report from the city of West Linn for the Planning Commission. If the Planning Commission follows the criteria and recommendations of the staff, they should approve the application of conditional use. Even so, an appeal to the West Linn City Council is anticipated.

Council President Buehner said that things are moving along well and we are still within the timelines set forth at the beginning of the project.

Mayor Dirksen reported on the **League of Oregon Cities' Community Development Committee** which covers land use and economic development. He said they discussed impacts of the urban growth boundary on cities in the Portland area. He said they would like to see some legislative adjustments to the urban growth boundary system that would consider different policies for annexing pre-urbanized areas. Also proposed are conflict resolution procedures between counties and cities. He said an interesting idea was to consider legislation that would allow the sequential adoption of urban growth boundary expansion components for cities over 25,000, arguing that they would not be subject to the same scrutiny as others.

Mayor Dirksen said the Transportation Planning Rule was discussed and although some changes were effective in January, 2012, there is still a need for better definition of terms. He said the League would like to see the timing of SDCs (System Development Charges) and Transfer Development Taxes and the need for mitigation requirements be tied to the time of the development application rather than when the zoning changes. ODOT's input or veto would be moved to the time of specific development applications rather than at the time of zone changes, which would allow incremental mitigation and transportation improvements to alleviate degradation of a state facility

Mayor Dirksen said a Planning Smart Communities initiative recommendation will be made that the LOC monitor the process as it moves forward in Portland. The rest of the state will wait to see how Portland develops ways to reduce greenhouse gases.

Councilor Henderson asked if there were conversations about smart communities going on in smaller cities. Mayor Dirksen said they are not at the same point as the Portland metro area, Eugene and Bend because those areas are required to go through the program and develop mitigation procedures by a certain deadline. The rest of the state does not have to do this yet and the smaller cities will monitor what these first cities develop.

Mayor Dirksen said LOC's Community Development Committee is looking at a bill to place limitation on standing under land-use litigation. Three attempts were made in the 2012 legislative session but none passed. Mayor Dirksen said they will attempt to come up with a suitable concept in the 2013 session.

Council President Buehner said she is on the **League of Oregon Cities' Finance and Taxation Committee** and reported on some current issues including the transient lodging tax, central assessment and the letter to Governor Kitzhaber signed by more than 20 mayors from the metro area requesting a large-scale tax reform task force be created.

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Council President Buehner said a long discussion was held on making the tax system better for cities. She mentioned the fiscal instability of various counties. She distributed copies of county tax rates from all over Oregon. She noted Curry County does not have enough of a tax base to pay for three critical functions of a county: jails, tax assessment and collection, and elections. Jefferson County could provide the jail function but the tax collection would have to be run by the state. Proposals to reset tax rates were considered. Another suggestion is to go to the legislature with a repeat of a house joint resolution that failed to pass in 2012, which would have restored the maximum length of local options to ten years and changed whether a local option levy is subject to compression. She said this is a real concern for communities receiving local options.

Council President Buehner distributed to council a copy of the PowerPoint featuring the “Reset at Sale” scenario from the LOC Finance and Taxation Policy Committee on April 4, 2012. A copy is in the packet for this meeting.

Council President Buehner said the committee will support sending a bill to the legislature in 2013 that addresses tax reform, because the economy has now reached a crisis mode and the survival of jurisdictions is at stake. She said a subcommittee will set up an education program with a team of experts to meet with like-sized city councils to explain how Measure 50 works because it was determined that most city councils do not understand it. She said, “If councils can become more open to understanding, then we can help citizens understand.”

Councilor Wilson observed that the problem of resource-based counties with artificially low rates is that those resource revenues are not sustainable. He said tax base limitations hinder their ability to raise taxes to a realistic level. He suggested that due to dramatic declines in rural populations, consolidation of counties should be an option. Council President Buehner said the consolidation issue was discussed and is politically charged. She pointed out that Wheeler, Gilliam and Sherman counties combined make up a total population of less than 5200.

Councilor Wilson questioned the high cost of maintaining lightly travelled roads in rural counties. He said that more people are concentrating into fewer and smaller areas where the roads are congested and yet they are paying not only for the roads they use but for those in remote areas of the state that are very lightly used. He asked if there was a movement towards reallocating road funding. Council President Buehner said there is a Washington County policy that allows some roads in rural areas to go back to a gravel surface. She said she didn’t know if such a policy exists in other counties.

Council President Buehner commented that this committee is addressing a huge number of issues, many of them politically charged. She added that it was her hope that by next year the dire financial situation of some counties will gain enough attention from lawmakers in Salem that they do something about the tax system.

5. NON AGENDA ITEMS – None.

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6. ADJOURNMENT – At 8:35 p.m. Council President Buehner made a motion to adjourn the business meeting. Councilor Wilson seconded the motion and all voted in approval.

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

7. At 8:36 p.m. Mayor Dirksen announced that the Tigard City Council was entering into an Executive Session to discuss real property transaction negotiations, under ORS 192.660(2) (e). The Executive Session ended at 8:56 p.m.

Carol A. Krager, Deputy City Recorder

Attest:

Mayor, City of Tigard

Date

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