Agenda Item No. 3A1
Meeting of 7.24.2012

City *of* Tigard
Tigard City Council Meeting Minutes
May 15, 2012

1. BUSINESS & WORKSHOP MEETING

A. At 6:35 p.m. Mayor Dirksen called the Tigard City Council and Local Contract Review Board meeting to order.

B. Deputy City Recorder Krager called the roll.

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

C. Pledge of Allegiance

D. Council Communications & Liaison Reports – Council President Buehner said she would give her committee reports at the June 12, 2012, meeting.

Mayor Dirksen reported on the League of Oregon Cities' Transportation Committee. He gave council a copy of a document titled, "2013 Transportation Policy Committee Policy Statement," and read the fundamental principles. A copy of this policy statement has been added to the packet for this meeting. He read a list of priorities and specific issues relating to legislation. The Community Development Policy Committee has not yet formulated its policy statement but discussions are continuing, centered on housing rehabilitation programs and concerns about Oregon Department of Transportation policies related to the Transportation Planning Rule and the Oregon Highway Plan.

Councilor Henderson reported on a program he attended in Sonoma County, California, focused on growing sustainable communities. He commented that he was amazed at how much money is spent on water sources in California. He said where $1 million is spent here in the northwest; California will spend $1 billion. Water reuse was discussed.

Councilor Henderson said the city should define existing sustainability practices and recognize the good things Tigard is already doing. He noted that the next steps towards sustainability are to set goals and measure progress, showing the public how we are doing in sustainability. He said people need to consider their daily use of water, including water used for food production and sanitation, which makes water a significant cost to the community. He expressed appreciation to the City of Tigard for allowing him to attend this program.

E. Call to Council and Staff for Non-Agenda Items - City Manager Wine said she had two items to discuss at the end of the meeting, 1) correspondence to the council regarding social gaming; and 2) a public celebration of a recent property acquisition.

2. LOCAL CONTRACT REVIEW BOARD - AWARD PAVEMENT MANAGEMENT PROGRAM – ASPHALTIC CONCRETE OVERLAY PROJECT CONTRACT

Senior Management Analyst Barrett outlined the bid process and results for the asphaltic concrete overlay project contract. Baker Rock submitted the lowest, responsive bid. Mayor Dirksen clarified that this work is funded by the monthly street maintenance fee which appears on Tigard citizens' utility bills and said the list of road projects is based on the amount collected.

In response to a question from Mayor Dirksen regarding different levels of street repairs, Senior Management Analyst Barrett replied that they are crack sealing, slurry sealing an entire street, or complete pavement overlay. Public Works Director Koellermeier commented that a pavement overlay can last twenty years.

Councilor Henderson noted that some streets originally planned for overlays are not going to receive it due to higher material costs this year. He asked if any of those streets were left over from last year's paving projects list. Senior Management Analyst Barrett said they were not and advised that streets taken off the project list this year would receive priority for next year's pavement program.

Council President Buehner disclosed that one of the bidders not selected is a distant relative.

Councilor Wilson moved to approve the award of the contract to Baker Rock and Council President Buehner seconded the motion. There was no further discussion. All voted in approval.

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

3. HIGH CAPACITY TRANSIT LAND USE PLAN PRESENTATION – JOINT SESSION WITH PLANNING COMMISSION

Planning Commissioners Fitzgerald, Muldoon, Doherty, Rogers, President Walsh and Alternate Armstrong were present. Senior Transportation Planner Gray thanked them for attending. She also offered appreciation to members of the Citizen Advisory Committee who were present: Karen Hughart, Steve Bass, Mike Stevenson and Shiela Greenlaw-Fink. She noted that Councilor Wilson and Planning Commissioner Schmidt were liaisons to the CAC. Ms. Gray said the Citizen Advisory Committee attended many meetings and events and spent hours studying the complex subject matter. Small group meetings were scheduled with council and planning commission members and a summary of these meetings is covered in a list of Supplemental Questions and Answers. This was distributed to council and a copy was added to the packet for this meeting.

Senior Transportation Planner Gray noted that project consultants Jason Franklin and Marcy McInelly would give a presentation on the results of the Tigard High Capacity Transit Land Use Plan. She said the plan represents almost a year-long conversation with the community and she wants feedback from council and the planning commission so that the report can be finalized. Staff will return to the planning commission and council with a resolution to adopt the final report.

Senior Transportation Planner Gray said input from the public is still being sought so Associate Planner Daniels brought postcards for audience members to take home. If anyone has a question, they can fill out the card, mail it in and city staff will respond.

Consultant Franklin said he and Consultant McInelly enjoyed working with Tigard staff on this complex topic which has not been addressed in this way before. A copy of his PowerPoint presentation is in the packet for this meeting.

Consultant Franklin said this is really a conversation about communities within Tigard rather than high capacity transit stations. The foundation was the four different Tigard Typologies. He reviewed the four types that range from Town Center/Main Street, Employment/Retail, Transit Corridor to Transit Neighborhood. He presented examples and photographs of each type.

He showed slides of each of the seven proposed station communities and recapped comments and discussion surrounding these potential transit neighborhoods. He reiterated that these are potential station communities and during their discussions they found that some would clearly make better high-capacity station communities than others.

Potential Station Communities:
Downtown – Consultant Franklin said this area has been the focus of much planning activity and the downtown concept is consistent with what Tigard has already adopted and planned. It is already designated as a Town Center. Neighborhoods surrounding downtown were considered transit neighborhoods where it is easy to walk and there is connectivity to transit.

Concept highlights emphasize existing downtown assets and connections. 99W is a corridor near the downtown and will most likely continue to be a corridor. It should be easy to cross but is mainly auto-oriented. Crossings are expensive so they need to be done well.

Tigard Triangle – Consultant Franklin said it reflects the greatest opportunity for a station community. There are great destinations but citizens requested that the uses not compete with those in the downtown. A lot of discussion was held on the potential of the Tigard Triangle. A decision was made to keep the activity on the south side of 99W but encourage citizens living in the transit-oriented neighborhoods north of 99W to use the transit investments. A crossing on Highway 217 was envisioned to alleviate congestion on 99W and enhance connectivity.

Washington Square – A discussion was held about shifting the center south of the mall. The mall will continue to be Employment/Retail as it is the most successful mall in Oregon. There was a question on what Lincoln Center should be. Consultant Franklin said it became the focus of new development. Highway 217 is recognized as a busy corridor. Citizens said to make sure there are good transitions between the neighborhoods.

Schools Ferry Road/121st – Stakeholder feedback was that this area works well in its current form, with the possible addition of better pedestrian connections and more parks. Continued use of the greenway was encouraged. This will continue to be a neighborhood center. Possibilities to change 121st into a more pedestrian-friendly street were discussed.

99W/Gaarde-McDonald – This street is a barrier and many concepts to transform it were discussed. It was decided that it will remain a corridor. Suggestions include transitioning buildings closer to 99W, putting parking behind the shops and improving access from nearby neighborhoods. Business access and improved crossings were discussed. While not always possible, additional crossings on 99W are desirable.

99W/Durham – Summerfield and King City residents participated in the discussions. Durham is a Town Center. Consultant Franklin suggested spending effort on it and making sure building fronts are on Durham. This is a wide, fast section of 99W. There are inter-jurisdictional issues with King City. It has high density but there is vacant land that will be developed in the future.

Upper Bridgeport – This is one of Tigard's most important employment centers. Consultant Franklin said people asked if there were better ways to connect Bridgeport Village and Fanno Creek, such as a bridge. Is there a way to give it a center with a residential element in the future?" Many pedestrian connections were considered.

Consultant Franklin offered a few thoughts before the question and answer period.

- This is the first important step. Continue to prioritize and build off current efforts and strengths.
- Mind the market - Look at the Triangle and take it to the next step. He understands that is a council goal and he applauds this because there is so much potential in the Triangle.

- Keep the long view in mind. There is only so much market for retail. 99W took thirty-plus years to get where it is now and transformation will take time. The southwest corridor is a long-range project.
- Next steps: Accept the Final Report. Provide direction to staff and the planning commission to move forward on refining some areas.
- Consider legislation action to get this implemented, such as comprehensive plan changes, zoning, transportation system plan (TSP) and parks plan.
- Remain involved with the southwest corridor plan.

Council President Buehner said she was concerned that the city line ends at Fred Meyer and the property north of 99W is not within the city limits. She asked how to address planning for an area not in the city's jurisdiction. Consultant Franklin said sensitivity must be employed when coordinating with adjacent jurisdictions. He said most of the effort should be in the part south of 99W, but the city should continue to work with the Metzger members of the Transportation Advisory Committee. He advised, "Focus the most on what you can control."

Councilor Henderson asked Consultant Franklin what area he thought Tigard should concentrate on first. Consultant Franklin said the downtown and the Triangle were top priority. He said those are areas in which Tigard is already working and they have good bones. He said when high capacity transit comes to the area, the city needs to be prepared and have resolved how to connect to it.

Mayor Dirksen said the committee identified the locus where planned development is needed and where it could be built with less impact on existing neighborhoods, which are part of what makes Tigard great. He said 99W is auto-centric and already congested so putting high capacity transit down the middle of it would have a negative impact. He said he has heard from some citizens that 99W is already a barrier in the community so making it wider is problematic. He suggested finding an alternative right of way for high capacity transit and seek ways to make it work with Pacific Highway. Councilor Woodard agreed and said rapid bus transport might create opportunities for outlying areas to use transit.

Councilor Wilson said he was the city council liaison to the CAC. He referred to a Michael Freidman comment about limited future demand for retail, office space and big box stores. He said the Costco store was discussed at the first meeting he attended as a Tigard Planning Commissioner twenty years ago. A neighborhood street of single-family homes and an elementary school were torn down to allow for Triangle construction. He said since current development demand is limited, his preference is to leave some areas as they are now and concentrate activity around nodes, putting higher density within easy walking distance of the stations.

Councilor Wilson referred to Agenda Item 4 - Outline of River Terrace Community Plan and said Washington County's zoning proposals suggest rather high densities in the new urban growth boundary (UGB) expansions areas. He said he would like to transfer some of that density to the downtown and Triangle areas where it can be served by transit instead of

at the fringes where it could cause horrendous traffic problems on Highway 99W and Scholls Ferry Road. He asked staff if the flyover ramp between Hunziker and Hampton has been moved to the north. Senior Transportation Planner Gray confirmed that it has not.

Council President Buehner said the city should examine the possibility of a flyover ramp next to Costco at Dartmouth to connect to downtown, since more traffic cannot be put onto 99W. Mayor Dirksen said once a location for the high capacity corridor is identified there is an opportunity to make the flyover an option for transit and auto traffic, keeping both off of 99W.

Councilor Woodard said he liked the idea about focusing on an area and not painting the corridor too broadly. He said he thinks of each station as a ground zero and likes the concept of spotlighting each station area.

Mayor Dirksen said it was his impression that the city is not transforming areas appearing in the bubble drawings that are not part of Tigard. He said they would retain their current character but would be able to avail themselves of the commercial and transit improvements.

Community Development Director Bunch commented that this process not only leads transit with land use but it has also been a values-driven process. He said this is the community that Tigard residents and businesses have to live in so they need to define the housing choices they want to see in the future. Prosperity and mobility are tied together.

Mayor Dirksen referred to Council President Buehner's earlier question about planning for areas outside of Tigard's jurisdiction and said everything is part of something bigger – the Southwest Corridor Plan. Each jurisdiction is creating its own plan and then meeting together to coordinate. He said it may be better to call it the southwest corridor study, as what we are doing is preparing for what may happen – not so much any particular plan.

Planning Commissioner Walsh commented on the large amount of discussion regarding the Tigard Triangle. He said he agreed that a lot of the Triangle will stay the same, "unless we take advantage of this great opportunity." The current residential area could have density increased which would align well with the assumption that Portland Community College will be connected by transit.

Planning Commissioner Doherty said, "One thing I have seen with transportation development in Oregon and the Portland area is that we only look 30 years ahead. We need to look 50 or 60 years ahead." She said this plan does a good job. She said she agreed with the recommendation to keep 121st Avenue and Scholls Ferry Road as residential and not define it as a retail area.

Planning Commissioner Walsh said the study has been provocative and he looks forward to future work on this topic.

Mayor Dirksen said council was pleased with the work so far and encouraged staff and the consultants to move forward. Council President Buehner suggested the planning commission be included at the council meeting when the final report is considered.

Councilor Wilson said the report captures the values of the community. He suggested that if a southwest light rail line does get built, it should connect the airport to Portland State University, Oregon Health Sciences University, Portland Community College and Kruse Way.

Council Woodard said he agreed with Planning Commissioner Doherty that we should be looking 50 years down the road. He said he liked what he saw in the report.

Councilor Henderson referred to a comment that 80 percent of commuters are migrating back and forth and he suggested a study be done to figure out how to reverse that trend. He said this would create a big change in what our community looks like. He suggested investigating 20 minute communities. This may impact how the stations are designed.

Mayor Dirksen agreed that many people who live in Tigard don't actually work in Tigard and added that there is limited housing stock. He suggested that adding workforce housing for people working here would go a long way towards reducing traffic congestion.

4. OUTLINE OF RIVER TERRACE COMMUNITY PLAN

Community Development Director Bunch briefed council on the status of the River Terrace Community Plan and discussed the timeframe. He said annexing the River Terrace area is a significant accomplishment and is the result of council's steadfast policy that cities are the best place for urban development to occur. A PowerPoint was presented and is in the packet for this meeting.

Community Development Director Bunch noted progress towards annexation of this area. He said there is agreement that 276 acres of Areas 63 and 64 will be subject to future urbanization. Area 64 has been annexed but Area 63 has not. The city is in conversation with those property owners. Tigard and Washington County have an intergovernmental agreement authorizing Tigard to refine and implement to the extent practical, the West Bull Mountain Concept Plan.

In response to a question from Council President Buehner, Community Development Director Bunch replied that the Land Conservation and Development Commission has met and recommended that Metro's urban growth policy be remanded. He said the matter has been continued to July and the outlook is positive at this time.

Community Development Director Bunch said Area 63 needs to be annexed, Areas 63 and 64 need to be brought into the Metro boundary and Clean Water Services also requires annexation of these areas into their boundaries.

The time frame and schedule list numerous legislative changes including zoning, comprehensive plan map changes, completion of a Goal Five Natural Resource Inventory, development code amendments, transportation system plan, land use regulations and amendment of the Tigard Urban Services Agreement. The county has indicated that they

will initiate changes to the intergovernmental agreements and is supportive of the annexations. The trails and parks need to be added to the city's Parks and Open Spaces Plan and the Urban Forestry Plan will need to be updated. Washington County has transferred construction excise tax funds to Tigard and there is county support for transportation and land use planning in these areas.

Community Development Director Bunch said Tigard, Washington County and Metro share the common goal that Tigard needs to develop a timely and efficient Community Plan based on the West Bull Mountain Concept Plan. Council has asked staff to honor that plan as it incorporated significant public input from agencies, other jurisdictions, and stakeholders. He said the question was asked by the Tigard-Tualatin School District and property owners if Tigard would give preference to one group of properties over another in terms of developing sooner. He said council has given direction to staff that no preference should be given to one area over another in terms of development timing. Tigard will involve stakeholders in implementation of the plan. Tigard's existing regulations and standards will be used for the new area, rather than "reinventing the wheel."

Community Development Director Bunch said the Community Plan requires a financial component showing how the capital infrastructure will be built, operated and maintained. Clean Water Services will be a major player in this. He said a big policy question for council is whether existing citizens and businesses pay for development in the newly annexed areas. Should there be different rates? He said staff proposes that council hold meetings on these elements similar to the process for the comprehensive plan update; that is, review each element, tentatively approve it, and then review it at completion, hold a hearing, true things up for current circumstances and send the entire package to the Department of Land Conservation and Development and Metro for their approval. This will provide property owners an opportunity to participate and see the plan moving forward. A commitment was made to complete this plan within 18-24 months.

Community Development Director Bunch said an important thing to consider is that stakeholders essentially agreed on the nature of the plan and it will be implemented in accordance with the West Bull Mountain Concept Plan. He said it will be a different kind of citizen engagement process. We are not starting at the beginning; we are half-way or two-thirds there in terms of what it will look like. The city's core team consists of Planners Caines and Wyss and Community Development Director Bunch. Associate Planner Daniels, Senior Transportation Planner Gray and Urban Forester Prager will also be involved.

Staff will bring to council revised timelines and scope as work with other agencies moves forward.

Community Development Director Bunch noted upcoming challenges. There are specific stakeholder interests and issues. Natural resources, transportation and developers have specific targets and timeframes. While developing the plan, Tigard needs to be aware of where along the process there is potential for appeal. He said an important part of the plan is the principle of equity and transparency.

Other issues include council and planning commission meeting schedules and the legislative process, which will need to be well managed, with council making policy decisions along the

way. He said other challenges are staff and money. There is $134,000 of Construction Excise Tax funds and council may wish to develop a means to recoup some staff time.

Council President Buehner commented that the city did not have much involvement in the West Bull Mountain Concept Plan. She expressed concerns that Tigard is low in employment land and noted some flat land in the rural area would be great for job producing development. She suggested removing that segment for separate study. She said Tigard primarily focused on the acreage west of Area 64 along Scholls Ferry Road as being the most important. She noted that all of the land on the other side of Scholls Ferry was brought into Beaverton's urban growth boundary, and they are looking at significant development soon. She asked, "Should we be getting the community plan done at the same time? Should we be looking at this section and the urban reserves separately from that land already brought into the urban growth boundary to be ready for the next UGB expansion, which probably will involve this land?" Community Development Director Bunch said Council President Buehner had a valid concern as all the areas need to work together. He said, however, Metro allows counties to do concept plans for unincorporated areas. Washington County agreed that Beaverton could do the concept planning for Cooper Mountain. He said it is appropriate for Tigard to do the concept plan for the additional urban reserves since they will most likely be brought into the city of Tigard. He said the timing of the next urban growth boundary expansion is three years from now, but it is important for the city to signal its interest in doing the future concept plan for these reserves. He recommended doing some "sketch" planning for these areas while working on the larger community plan to ensure road spacing, access and general land use forms are considered.

Council President Buehner suggested it was timely to move the school district line to Scholls Ferry Road before building starts. Community Development Director Bunch said if council wants to talk to the school districts, they could do so.

Councilor Wilson said the city needs to consider the widely surrounding context and recognize that any neighborhood commercial development will be for the entire west side of Bull Mountain, not just Areas 63 and 64. He said Tigard also needs to consider what Beaverton is doing on the north side of Scholls Ferry so it doesn't compete with or duplicate things. He said it is important to recognize that the Roy Rogers Road is the de facto bypass and he hoped that the city would reserve enough rights of way for travel lanes and safe, widely spaced intersections. Community Development Director Bunch responded that this would be considered in the area's Transportation System Plan, as there are some substantial offsite traffic impacts. He said council may wish to work with Washington County and Beaverton to develop a coordinated strategy to manage traffic or consider additional financing tools to pay for the significant offsite impacts.

Councilor Henderson referred to the "elephant in the room," or the desire of some unincorporated Bull Mountain residents to remain outside the City of Tigard. Community Development Director Bunch responded that a major concern of west Bull Mountain residents was transportation impacts. He said there are a number of neighborhood connections from this area to west Bull Mountain and in the current plan these are called, "areas of special concern." The residents are concerned about the nature of development and impacts on their lifestyle, but the Bull Mountain representatives on the stakeholder

groups said they liked the plan and suggested the city move forward and implement it. He noted they were also pleased with the parks and accessibility to them.

Council President Buehner asked about the road work being done on the corner of Bull Mountain and Roshak. She said this is a change since the Concept Plan was done. Community Development Director Bunch said he will follow up on this

Councilor Woodard expressed concern about staff resources taking on this large amount of planning work. He also expressed concern about the lag time between city financing of infrastructure and receipt of the money from development and taxes. He mentioned the heavy traffic on Roy Rogers Road and Beef Bend Road. Mayor Dirksen said when Tigard went to Metro during the urban and rural reserves discussions last year a request was made that the area down to Beef Bend Road be brought into the urban growth boundary so it could be part of the community plan and we could do the transportation coordination. We did not get it. He said it may be brought into the UGB in the future but Tigard cannot use it as a resource during this planning process. Community Development Director Bunch said he shared Councilor Woodard's financing concerns and said this would be addressed in the financial plan.

5. UPDATE ON THE LAKE OSWEGO-TIGARD WATER PARTNERSHIP

Public Works Director Koellermeier gave council a preview of items scheduled for discussion at the Joint Lake Oswego/Tigard City Council meeting on May 22, 2012. He noted that these issues are Tigard-specific.

He said the actual construction plan is at the 30-percent point and this is the appropriate time to examine prices and costs. He said they will meet with Council at 60-percent and again at 90- percent completion. Council President Buehner asked if a worst-case scenario was included in the cost estimates and Public Works Director Koellermeier said it is part of the estimate. He said issues include postponements with water resources and land use issues in West Linn.

Public Works Director Koellermeier said the schedule is on track to beat the July 2016 deadline and the project remains within budget. He said a decision was made to build the entire treatment plant in one phase.

Councilor Woodard asked about neighborhood amenities for the neighbors of the plant in West Linn and Public Works Director Koellermeier mentioned several things being done to help address concerns brought forth by the neighborhoods. He acknowledged that there will be impacts during construction, but worker and delivery truck traffic, once the plant is up and running will be minimal.

Public Works Director Koellermeier said though the pipe will be completely underground at Mary S. Young Park, mitigation is required. Channel improvements will help fish movement near the screen. Costs were added for excavation, a bridge and a cofferdam. Financing costs are lower because the cost of borrowing money was less. This is good news for

customers. There will also be a series of processes, including value engineering, to drive costs down.

Councilor Henderson remarked that the partnership with Lake Oswego is very positive and he complimented the team on their efforts. Mayor Dirksen agreed and said it is a credit to this council and those former council members who made the decision to move forward to solve our water source problems. Public Works Director Koellermeier expressed pride that Tigard's citizens are educating themselves about this issue.

Councilor Woodard asked about the current pipeline under the Willamette River and Public Works Director Koellermeier said Tigard owns part of it and selling is currently under consideration. He said there was some life left in it for potential use as a wire corridor. Councilor Henderson said the pipe could be lined to increase its usefulness.

6. RECEIVE FIRST QUARTER 2012 COUNCIL GOAL UPDATE

Mayor Dirksen recommended that councilors review their written copy of the goal update and refer questions to City Manager Wine.

7. COUNCIL LIAISON REPORTS: None

8. NON AGENDA ITEMS

A. City Manager Wine advised council that staff is planning a community celebration for the new park purchases and will be checking with them for open calendar dates.

B. City Manager Wine mentioned previous citizen communication from Mr. Robinson regarding social gaming and the city's response. She noted that Mr. Robinson or the Poker Player's Association could request that council approve an ordinance to allow social gaming inside the city limits of Tigard, or they could collect signatures from supporters. An alternative for them is to put articles in the newspaper to gauge community interest.

Councilor Wilson commented on the difficulty defining social gaming, noting that it was a "slippery slope" which could cover anything from playing games at home, to activities held in casinos. City Manager Wine said she will prepare a definition for council.

Councilor Henderson asked if the city could place parameters around the activity.

Councilor Woodard asked if any nearby cities allow this and mentioned safety concerns. City Manager Wine replied that Portland allows social gaming. She will keep council informed of any proposals received.

9. EXECUTIVE SESSION: None held.

10. ADJOURNMENT

At 9:32 p.m. Council President Buehner moved for adjournment. Councilor Wilson seconded the motion and all voted in favor.

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

Carol A Krager

Carol A. Krager, Deputy City Recorder

Attest:

Mayor, City of Tigard

Date: July 24, 2012