



City of Tigard
Tigard City Council Meeting Minutes
August 28, 2012

• STUDY SESSION

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

City Council Attendance:

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

Staff Present: City Manager Wine, Assistant City Manager Newton, Public Works Director Koellermeier, Senior Project Engineer Murchison, Legal Counsel Bennett and City Recorder Wheatley.

Track 1

A. Administrative Items

Council Calendar was reviewed:

September

- 3 Monday Labor Day Holiday – City Hall Offices Closed
- 4 Tuesday City Center Development Agency – 6:30 p.m., Red Rock Creek Conference Room
- 11 Tuesday Council Business Meeting -- 6:30 p.m., Town Hall
- 18* Tuesday Council Workshop Meeting – 6:30 p.m., Town Hall
- 25* Tuesday Council Business Meeting – 6:30 p.m., Town Hall

In response to a question from Councilor Wilson, City Manager Wine referred to the status of the Urban Forestry Code Revisions process. Staff captured issues raised by the council. These issues are being categorized several areas, including:

- Questions to be answered.
- Potential changes for discussion.

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On September 11, staff will present council with responses to the questions raised and leave time for council discussion. Council President Buehner requested the topic of solar access be placed on the future schedule for council consideration.

Councilor Henderson called for a point of order recalling council discussed who should be able to attend City Council executive sessions and asked if this topic had been settled. City Manager Wine said her recollection was the “default policy” for a City Center Development Agency executive session was that the City Center Advisory Commissioners (CCAC) are invited to attend. Mayor Dirksen said he would prefer mayor and council candidates be invited to executive sessions after the election results are known, Mayor Dirksen said council can determine on a meeting-by-meeting basis who to invite to executive sessions.

Mayor Dirksen called a City Council executive session and read the appropriate citation stating the reason for the session:

- EXECUTIVE SESSION: The Tigard City Council went into Executive Session at 6:36 p.m. to discuss real property transaction negotiations under ORS 192.660(2)(e).

Executive Session concluded at 7:13 p.m. and the council reconvened into the study session.

- > Portland’s consideration of fluoridating its water will be discussed as a non-agenda item during tonight’s City Council meeting. In response to a comment by Councilor Wilson, Assistant City Manager Newton advised that the Tualatin Valley Water District (TVWD) receives water from the City of Beaverton, which is fluoridated. At the time Beaverton began to fluoridate its water, it was a topic of discussion in Tigard since part of the city is served by TVWD.

The City of Tigard is a wholesale water customer of the City of Portland. The cities of Tualatin and Gresham also buy water from Portland and officials from these cities take issue that the City of Portland did not contact its wholesale water customers to ask for opinions on whether to fluoridate the water. Discussion followed on the school of thought that fluoridated water contributes to dental health. The mayor commented that Portland is the only major city in the United States that does not fluoridate its water. In response to a question from Councilor Woodard, Mayor Dirksen said he thinks the cost to implement fluoridation of Portland’s water is about \$5 million.

- > Councilor Henderson referred to the adopted Capital Improvement Program budget document he received recently. In response to an observation by Councilor Henderson about new information in this document, City Manager Wine explained the CIP was developed absent some information that became available later; i.e., the Wal-Mart project improvements and the MSTIP decisions. In the first quarter budget amendments, which will be coming to the council soon, staff will prepare options for amending the CIP to reflect what is now known. City Manager Wine said additional discussion can be scheduled to respond to specific questions and to review how funding is allocated.

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Councilor Henderson said there is a clock tower listed in the CIP document that shows \$300,000 in management fees. City Manager Wine said project management is \$150,000 and construction management is \$150,000 – this seems high and the city manager said she would find out the basis for this cost estimate.

Study Session recessed at 7:20 p.m.

1. BUSINESS MEETING - August 28, 2012

A. Mayor Dirksen called the meeting to order at 7:30 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 presented a report on the information forthcoming from the August 13 Tigard-Lake Oswego Water Partnership Oversight Committee. Key points:

- Engineering and planning work is progressing. The 60 percent engineering report is nearly done and should be published within the next 60 days.
- A joint Tigard/Lake Oswego council meeting will be scheduled in the next few months.
- All of the permits for piping water from the river have been approved.
- Council President Buehner represented Tigard in meetings with the Robinhood neighbors to work on issues. They have met twice. Meetings will continue without elected officials since policy issues have been addressed.
- An Intergovernmental Agreement between West Linn and Lake Oswego is being drafted. Updates are needed to reflect that Tigard is now a water partner. The draft agreement will be coming to the council for review in the coming weeks.
- West Linn is considering a franchise fee to charge the water partnership for the water site. No additional information is available.
- The revised plant application was filed in West Linn about ten days ago. As a result of the 60 percent engineering findings, the plant site is a little smaller. Also the clean water tank size was reduced. Council President Buehner distributed copies of a map showing the plant facility site plan. This map was included in the amended application filed with West Linn.

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- Mayor Dirksen commented the decision was made to reduce the plant footprint by choosing more expensive alternatives to diminish the impact to the neighborhood.
- Part of the pipe was planned to come through Mary S. Young Park. A letter was received from the Attorney General stating an opinion and raising concerns about the pipe running through the park because of some restrictions put into place when Mrs. Young dedicated the park to the public. Senator Burdick wrote a letter to the Attorney General to advise that those easement restrictions had been released at the time other pipework was done in the park.

Councilor Henderson gave a report as the liaison to the Willamette River Water Coalition (WRWC). The Coalition was created in 1997 under Oregon statute. Its members include the Tualatin Valley Water District, cities of Tigard, Tualatin and Sherwood. The WRWC is committed to providing its members with adequate, reliable and long-term water supply. Communities within the WRWC are estimated to grow substantially, making it necessary to share water in Clackamas and Washington Counties. The WRWC has been working with Metro and other jurisdictions to submit an application for an underground pipeline to cross Metro's Graham Oaks Nature Park near Wilsonville. The Metro staff is recommending the application be denied. Councilor Henderson said he will have more reports in the future – this water resource is vital to Washington County in the future.

Councilor Henderson reported he serves on the Behavioral Mental Health Council and shared important information for our community. About a year ago, Governor Kitzhaber decided to form a system known as Community Care Organizations – a regional care provider. Multnomah, Clackamas and Washington counties have created a CCO called Health Share of Oregon. As the CCOs receive Medicare or Medicaid funding it is distributed in a lump sum to provide mental and physical healthcare. This is a huge project in the State of Oregon and is being copied in other places in the nation. Cost savings are realized because physical and mental health issues are dealt with at the same time. Mayor Dirksen asked Councilor Henderson to share the written information so the city can determine if some of this would be good to place on our website.

E. Call to Council and Staff for Non-Agenda Items

Mayor Dirksen said he would bring up an issue for council discussion at the end of the tonight's agenda. This issue concerns Portland's potential plan to fluoridate water.

2. CITIZEN COMMUNICATION

A. Follow-up to Previous Citizen Communication

City Manager Wine reported that two weeks ago, the City Council heard from Park Street neighbors who had concerns about a new use for a property on this street. She and Assistant City Manager Newton met with the operators of this group home for

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adults recovering from drug and alcohol abuse. This is a “clean and sober” facility for up to eight residents. There is a “mentor” who lives at the home to help residents structure their day. The operator of this property is willing to meet with the neighbors to talk about how this house will operate. The city will facilitate a meeting between the operator and neighbors to be held in the next couple of weeks.

Based on information staff has, this facility is a permitted use and classified as “household living.”

- > Councilor Woodard asked when the next council economic development discussion will occur to follow up his presentation of a few weeks ago. After referring to the council tentative agenda, this topic was scheduled for the September 18 workshop meeting.

B. Citizen Communication – Sign Up Sheet

Joe Jumalon – 14425 SW 93rd Avenue, Tigard OR 97224 – expressed concerns about light rail in Tigard. The mayor and councilors explained the role of TriMet in planning/providing high capacity transit and the importance of the city’s having a seat at the table when decisions are being made about transportation plans affecting our city. Mr. Jumalon was invited to become involved.

Michelle Rocheld – 14425 SW 93rd Avenue, Tigard OR 97224 – referenced a letter she received from PGE regarding an increase in a privilege tax that she must pay. She suggested that if cutbacks were to be made, then the city should live with the cutbacks. Ms. Rocheld commented on the rehiring of two police officers and funding restoration for some youth programs. While she said she did not know anything about the Police Department, she asked if the department’s budget could be examined to find funds if these reinstated services were so important. She objected to the increase without notice. She suggested volunteers could provide assistance to troubled youth.

Ms. Rocheld noted people are moving from Tigard because they don’t like the way the community is starting to look. She said she cannot walk from her home on 93rd Avenue to the library because there are no sidewalks. She commented on the number of rented homes and apartments that are in the city.

Mayor Dirksen shared the process the city went through regarding the increase to the utility franchise fee. The staff’s proposed budget identified \$2 million of needed cutbacks. This proposed budget was submitted to the Budget Committee (consisting of the City Council and five citizens at large). There was general dissatisfaction with the proposed cuts. About 100 people testified they were dissatisfied with the cuts and encouraged the city to look for a way to restore a portion. Potential funding options were explored; however, there was no option that would recover all the cut police positions and youth programs. The decision was made by the Budget Committee to recommend increasing the privilege tax as a way to restore some of the cut positions and programs. The budget was developed over multiple weeks and included public process.

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The franchise fee increase was a recommended change to the budget that was forwarded by the Budget Committee to the City Council for final review and approval. The City Council approved the budget with the changes proposed.

Council President Buehner noted the city was looking at losing six positions. With the increase in the franchise fee, two positions were saved. Most of the cities in the region had already raised the franchise fee to the 5 percent; Tigard avoided this increase for a long time. It became clear, as evidenced by all of the people who testified, that many citizens were concerned that losing this amount of police positions was going to cause a public safety problem. Also, people testified with worries about youth program cutbacks.

Ms. Rocheld said the Budget Committee only heard from 100 people out of 45,000. Could not these 100 people ask for help from the community rather than just taking money from everyone?

Councilor Woodard noted his concerns about the youth. The city is working on organizing services through centralized management of services available to youth and senior citizens. He agreed there are a lot of resources “out there.” At this time, the city is looking to seed a recreation program with a small budget of \$50,000. The city is trying to multiply available resources to bring people together. He spoke to gaps in adequate coverage during certain police staff shifts that needed to be addressed.

Councilor Wilson advised that privilege taxes are state regulated and the maximum that can be imposed is 5 percent. Tigard residents have been paying 3.5 percent up until now. For other utilities the tax rates were already at 5 percent. He referred to the current recession in the economy and the city’s attempt to keep services at a safe level. Mayor Dirksen added that during difficult economic times, there are more demands on government services.

Councilor Woodard pointed out that two years ago the budget was cut substantially as well. The city is operating on less funding – the process has been difficult.

Ms. Rocheld commended the cuts made and again suggested the city should reach out to its citizens to volunteer. Mayor Dirksen noted the city uses a high level of volunteer assistance at this time.

Council President Buehner urged Ms. Rocheld to get involved with the Budget Committee or attend Budget Committee meetings.

Councilor Henderson said the city would work to do a better job in the future to get the information out to residents. Ms. Rocheld thanked Councilor Henderson and explained she is a stay-at-home mom so she can be with her children. But, if taxes keep increasing, she might have to work outside the home and rely on someone else to look after her children. She commented on the large number of children who are unattended because both parents are working.

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Ms. Rocheld said she hopes there is a plan for more sidewalks. She would like to be able to walk from her home to the library. The mayor acknowledged the need for sidewalks and noted the high cost and complexities of funding and building sidewalks.

Ms. Rocheld said if the city is going to allow the state to build light rail then city officials should ask for sidewalks to be included. Mayor Dirksen said about half the cost of light rail projects is earmarked for improvements to streets, intersections and sidewalks.

Ms. Rocheld advised of her concerns for her children should light rail come into the community because of increased population and resultant impacts to schools and public safety. Mayor Dirksen said the increased population will happen regardless, so the question is whether we will have a transportation system that will serve it. Councilor Woodard added comments about how the community has grown since he was a child. He noted the people serving on the City Council, boards and committees are concerned and dedicated to making Tigard a better place to live – they want to be here and they want their families to be here. Tigard’s population will continue to grow, so we have got to figure out how to make it work, which is very challenging and difficult.

In response to a comment from Mr. Jumalon about land uses in Boston, Mayor Dirksen and Council President Buehner noted Oregon laws and the Oregon Constitution are very different from the State of Massachusetts. Oregon land use planning is under the purview of the metropolitan planning organization and not under the control of each individual city.

Councilor Wilson commented that it is not uncommon for people to get involved in government because they are upset about something. He welcomed the input from Mr. Jumalon and invited him to become involved and to learn. Influence can be accomplished through participation and being informed.

Discussion then turned to Ms. Rocheld’s concerns about lead in the water. Councilor Wilson recalled a notice that went out about lead in the water for people who live in older houses who might have old lead pipes. Tigard’s water sources do not contain lead.

Councilor Wilson said Ms. Rocheld could contact the city staff to learn how she could become involved. City Manager Wine said that Assistant City Manager Newton will visit with Ms. Rocheld.

- Mayor Dirksen reviewed the Consent Agenda:
3. CONSENT AGENDA: (Tigard City Council)

A. Approve City Council Meeting Minutes for:

1. ~~July 10, 2012~~ (July 10 minutes will be rescheduled)
2. July 17, 2012

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- B. Approve the Purchase of the Skelton Property and Authorize the City Manager to Complete the Property Purchase - Resolution

RESOLUTION NO. 12-34 - A RESOLUTION APPROVING THE PURCHASE OF THE SKELTON PROPERTY, (TAX LOT 2S1 02BB 00700) AND AUTHORIZING THE CITY MANAGER TO TAKE ALL NECESSARY ACTION TO COMPLETE THE PROPERTY PURCHASE ON BEHALF OF THE CITY

- > Mayor Dirksen commented that the Skelton property is located on Walnut Street adjacent to Derry Dell Creek. The city is purchasing the property to resolve some sewer facility problems. This will involve relocating a stream that was moved from its original location and is interfering with the city's sewer system. This project will also allow the city to restore some wetland habitat and provide trail access to Fanno Creek Park. There might be an opportunity to have a small neighborhood park and vehicle parking. This area will link to Woodard Park and eventually to downtown and Summerlake Park. Councilor Woodard said this will also provide a connection to the Genesis Trail Loop.

Councilor Henderson noted the city will be paying for this property with sanitary sewer funds. Mayor Dirksen said park funds would likely reimburse the sewer fund if park improvements are made on the property.

Motion by Council President Buehner, seconded by Councilor Woodard, to approve the Consent Agenda, leaving out the minutes for the July 10, 2012 City Council 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

4. DISCUSS COUNCIL GROUNDRULES AND CONSIDER AMENDMENTS TO THE GROUNDRULES - RESOLUTION

Assistant City Manager Newton reviewed the proposed resolution before the City Council that reflects the council's discussion on August 14, 2012. Two changes are proposed:

1. Delete reference to specific months for the annual review of the groundrules. The groundrules will be reviewed annually, but the proposed wording change would allow flexibility for the council to determine the timing of the annual review.
2. The second amendment pertains to the rules regarding the mayor and council using their titles in support or not in support of a political candidate or issue. The proposal

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clarifies that the use of titles would be for identification purposes only, so it was clear an individual would not be speaking for the entire council when a title is used in that fashion. There would be no need to identify that you are not speaking on behalf of the council, but as an individual since the forms for endorsement have a field to fill out if an individual is speaking for or representing the organization.

Motion by Council President Buehner, seconded by Councilor Wilson, to approve Resolution No. 12-35.

RESOLUTION NO. 12-35 - A RESOLUTION AMENDING THE COUNCIL GROUND RULES AND SUPERSEDING RESOLUTION NO. 10-60

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

Councilor Henderson referred to his list of issues attached to the agenda material on this item. He said he would like clarification on most of the listed items:

- Item No. 2 – Asked the council to recognize that council rules are the council’s responsibilities.
- Item No. 3 – Suggested that after the General Election is over in November, that there be an orientation given by the council and to include the following:
 - Identify staff, boards and committees – who they are and how they function.
 - How they are important to the council.
 - Provide a departmental flow chart (he noted the structure can change quite a bit from year to year).
 - Identify how the City Charter affects the City Council.
 - Recommended that all council members read the City Charter as there are stipulations with regard to how the council functions. In addition there are several places in other government documents that set rules with regard to the council’s behavior. Orienting newly elected council members will get them off to a good start.
 - Define the City Center Development Agency (CCDA).
 - Explain Tigard Municipal Code 2.64.050 – the section specifying “Limitation on Action” of the CCDA.
 - Define the City Center Advisory Commission (CCAC).
 - Explain roles and responsibilities.
 - Define the Local Contract Review Board (LCRB).
 - Review the Tigard Municipal Code section on LCRB.

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At this point in the review, Councilor Wilson said he agrees with Councilor Henderson that the council could do a better job of orienting new councilors. He recalled when he was new to the council he received numerous city documents. He and Councilor Sherwood (Webb) requested and received a tour of city facilities and participated in a police ride-along. There is so much to learn and care needs to be taken that the new official is not overwhelmed. It takes time to absorb all that needs to be known. He suggested an orientation manual.

City Manager Wine said Assistant City Manager Newton and City Recorder Wheatley provided her with information on past orientation presentations. Thought has been given to assembling a “desk manual” for reference – both for current and new council members. A tour and orientation highlighting city services will be offered.

Councilor Henderson referred to his experience. For instance, he was surprised at the responsibilities held by the Local Contract Review Board (LCRB). The learning process was difficult because negative feedback was not balanced with positive advice. He noted he valued the orientation session presented by the League of Oregon Cities.

Council President Buehner agreed with Councilor Henderson about the need for a good orientation for new members. She recalled she met with the City Manager shortly after elected and they spent almost a day reviewing questions she had. The learning curve for a new City Council member is about six months. She expressed some reservations about councilors providing the orientation to the new members noting she feels she is not a good teacher.

Discussion followed on an orientation session and Mayor Dirksen said orientation should not be conducted during a regular council meeting. He commented that one or two council members, not necessarily the entire council, could take the lead in providing orientation.

Councilor Woodard recalled that when he was a candidate that Councilor Wilson reviewed a number of city documents during a session attended by all the candidates. Councilor Woodard said this session was helpful.

Councilor Wilson said the important thing to convey to new people is that they are not expected to be an “expert” at first. It is a continual learning process. He suggested it would be a good idea to formalize the process.

Assistant City Manager Newton advised that in her experience, the more valuable orientations are when a staff member is available to describe the more technical aspects along with the presence of a councilor to talk about their perspective. Mayor Dirksen said he agrees with Councilor Henderson that the city’s elected officials take the lead during the orientation session. He referred to Councilor Henderson’s list that could be used as an excellent guideline.

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Councilor Henderson continued his review of his list of recommendations:

- Reserve the first week of December to evaluate council rules and goals. Discussion followed with support expressed for this recommendation. This does not need to be stated in the groundrules, but this should be the general guideline and to reserve the first part of December on the council's tentative agendas. Councilor Wilson suggested that it be stated to say this review should be scheduled between the time period right after the election and early in the year (aka November – January). City Manager Wine said staff could follow this policy/guideline to target this time period for the council groundrules discussion.
- There was discussion on setting time aside to review groundrules and goals into one session rather than discussing separately – dedicating a full day.
- Councilor Henderson's recommendation No. 5 was for changes to the current City Council Groundrules.
 - Page 2 – General groundrules provisions
 - Provisions governing proceedings (Groundrules, Page 3) of the City Council, Local Contract Review Board and City Center Development Agency appears to be incomplete. After discussion it was determined that this was a formatting issue insofar as the fourth bulleted item in this section is simply a statement that the council groundrules cannot conflict with statutory provisions. City Manager Wine confirmed that staff could fold in this change with any others that might be proposed during the council's review of the groundrules in December. Council President Buehner offered that this change could be considered a scrivener error and could be amended without council action. Assistant City Manager Newton said the formatting change would be included in the groundrules presented to the City Council in December.
 - Page 8 – Communications with potential mayor and council candidates – the rules state the council will host an event. The mayor and councilors acknowledged this was overlooked this year. There was discussion about whether this was a good idea. Mayor Dirksen suggested a better way might be to encourage people contemplating running for council to contact elected officials to get a perspective on what type of a commitment is entailed with regard to council service. Council decided to discuss this more at the next groundrule, goal-setting meeting.
 - Page 9 – Communications with other public agencies – this section needs to have examples described. Not all activity is reported. Council discussed various ways the council receives information on activity on these outside agency meetings through means other than direct reports; i.e., sharing of documents, announcing upcoming events, and regular written updates/monthly reports etc. MPAC and JPACT representation will change after the first of the year and the mayor recommended either a council member or senior staff member attend these meetings on a regular basis.

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City Manager Wine noted that Councilor Henderson recommended that “communicate” be defined. She suggested this as a topic for the groundrules, goal-setting meeting. Timely communications were discussed. One method to convey events/activities for outside agencies is to advise the City Manager so she can advise council members of evolving situations through her weekly one-on-one meetings, the council packets or the end-of-the week newsletters.

Councilor Woodard said it would be helpful if a list of priorities relating to MSTIP selections be discussed by the City Council prior to the budget process. Council President Buehner commented on the Capital Improvement Program (CIP) process. She recalled that some years ago, City Engineer Duenas would come to the Planning Commission in February with the draft list for the CIP. City Manager Wine and Assistant City Manager Newton explained the process now proposed, which is to have a public process during September and October, which is the time where Planning Commission members could participate. Council members expressed a desire to have ample time to review and give input before the CIP list is finalized for budget purposes.

Discussion was held on setting priorities so the city would be poised to take advantage of available funding. Councilor Wilson pointed out that the next priority might not fit funding requirements, so it is good to have more projects listed than we know can be done or funded.

Assistant City Manager Newton confirmed with Councilor Henderson that he would like the council to define “communicate” within the context of the council groundrules.

- Councilor Wilson commented on the “no surprises, no secrets” statement contained in the groundrules. He finds that he often needs to make a judgment on whether the council would find information of interest that was shared at a meeting he has attended. Councilor Henderson said he felt outside the communication circle when meetings were held regarding Areas 63 and 64. While he understands events can occur quickly, he would like to have as much information as possible before asked to make a decision.
- Council conduct with one another during meetings. Councilor Henderson said he also would like to add a provision dealing with how the City Council members interact with committee members. He suggested there be some way to subtly communicate to one another when a discussion might need to be curtailed; as an example, he cited a recent meeting where information about issues were, in his view, being misdirected and communicated improperly. There was brief discussion. Mayor Dirksen suggested that a council member could call for a “point of order” to direct the council’s attention to the groundrules and to take pause. City Manager Wine also suggested she or a council member might ask for a brief recess in the proceedings. Councilor Henderson noted the importance of maintaining good relationships to retain members on boards and committees.

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- Councilor Henderson suggested the list prepared during the last discussion with Joe Hertzberg be included in the council groundrules. City Manager Wine advised this could be considered in the upcoming groundrules, goal-setting discussions to determine how this list could be incorporated into the groundrules. Assistant City Manager Newton noted the mayor, at the February 14, 2012, City Council meeting proposed that the Hertzberg list be included as an addendum to the groundrules; however, no formal action was taken.
- Councilor Henderson said he appreciated the assistance from Mr. Hertzberg whether it is in a one-to-one conversation with each member of the council or as a group. City Manager Wine said Mr. Hertzberg is always a resource for the council throughout the year. One-to-one meetings with him are helpful as a lead-in to council goal setting and groundrules. She said he will meet with council members individually in preparation to the groundrule discussion.
- There was discussion on the final point listed by Councilor Henderson, which is to bi-annually sign the council groundrules certification. Assistant City Manager Newton said councilors would be asked to sign the certification when the groundrules are revised. She suggested that after the election, the entire “new” council would be asked to sign in acknowledgement of the groundrules signaling their commitment to each other. Council consensus was that this was a good idea. City Manager Wine, in response to a question from Councilor Henderson, said the Executive Staff signs groundrules to acknowledge the rules for how they interact with one another. Mayor Dirksen noted it was a good idea to have board and committee members sign the code of conduct again when new member(s) are appointed.
- Councilor Henderson asked about the budget for education for the new mayor and whether that person would spend whatever was remaining in the fiscal year’s budget – Mayor Dirksen indicated that he thought this would be the case. There are some education dollars remaining in this budget allocation to attend some important sessions coming up. If new councilors are elected, Mayor Dirksen suggested the council review the education dollars remaining and whether reapportionment should be considered. Assistant City Manager Newton said, if needed, the council could consider a budget amendment. Council President Buehner said she would like council member training funding to be reconsidered as she believes training is underfunded.
- Councilor Henderson asked about the mayor’s stipend. Mayor Dirksen said the stipend is to be re-evaluated every year based on what the council recognizes to be needed for regional representation and participation. The stipend can be offered to no one, the mayor or council president, depending on who the council feels should represent the city and who has the time to be a representative.

Councilor Henderson said he would appreciate more conversation on the additional stipend and what needs to be done to represent the City of Tigard. Mayor Dirksen said he would recommend how to transition within the various roles he has been filling before he leaves office. Councilor Wilson commented the council decided to offer an increased stipend for additional duties because other cities were more successful in obtaining grants from the state, ODOT, TriMet, and Metro when represented by elected officials at regional meetings. The council was uncomfortable with the idea of having a

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full-time, paid mayor position because the members did not want people to run for the sole purpose of receiving a salary. The mayor said the success can be measured by monetary as well as other benefits; i.e., influence on county and regional policy.

Councilor Henderson referred to a Beaverton plan regarding a first-tier suburb and suggested this is something Tigard might want to consider. There was discussion on similar efforts that Tigard should be involved in.

Council President Buehner said it would be beneficial if one of the Tigard councilors was a member of the League of Oregon Cities board of directors.

Councilor Henderson commented that he saw the additional duties/stipend for the mayor to be beneficial.

- Councilor Henderson would like to have a Charter amendment prepared to deal with the “elected vs. appointed” issue for council members as it relates to term limitations. He referred to the current circumstance where the mayor resigned with two years remaining on his term. He would have preferred that the election to determine a new mayor could have been for a new, four-year term.

Councilor Henderson said he thought the language regarding term limitations and the filling of an unexpired term is confusing. Consensus of the council was that additional discussion is needed on the subject of term limits.

Assistant City Manager Newton suggested a discussion on potential charter amendments be discussed separately from the discussion on groundrules.

5. COUNCIL LIAISON REPORTS: None.

6. NON AGENDA ITEMS

Mayor Dirksen advised that the City of Portland will be considering fluoridating their water. Tigard and several other cities are wholesale water customers of the City of Portland. The mayors of Tualatin and Gresham are addressing letters to the Portland City Council taking issue that the wholesale customers were not consulted prior to consideration. Mayor Dirksen said he was asked if the City of Tigard would be interested in submitting a similar letter.

Council President Buehner said she thought it was a great idea for the City of Tigard to send a similar letter. She was concerned that past experience has shown that this will likely have no effect on how Portland decides to proceed. Mayor Dirksen said such a letter, at the least, gives Tigard the opportunity to “go on record” with its opinion. Mayor Dirksen said a draft letter would be forwarded for council members’ review and, if there are no objections, he will submit the letter.

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In response to a question from Councilor Henderson, Mayor Dirksen said the city has heard “next to nothing” regarding the potential of fluoridated water being piped to Tigard water customers. The issue is that the city was not consulted by our water provider.

After discussion, council members indicated their support for the mayor to proceed with drafting the letter as he proposed.

- 7. EXECUTIVE SESSION: Not held
- 8. ADJOURNMENT: 9:58 p.m.

Motion by Council President Buehner, seconded by Councilor Wilson 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: November 13, 2012

TIGARD CITY COUNCIL MEETING MINUTES – AUGUST 28, 2012