



**City of Tigard**  
 Tigard City Council Meeting Minutes  
 March 26, 2013

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1. BUSINESS MEETING

- A. Mayor Cook called the meeting to order at 6:32 p.m.
- B. City Recorder Wheatley called the roll for Tigard and Lake Oswego City Councils:

Tigard:

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Mayor Cook	✓	
Council President Henderson		✓
Councilor Buehner	✓	
Councilor Snider	✓	
Councilor Woodard	✓	

Lake Oswego:

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Mayor Studebaker	✓	
Councilor Bowerman	✓	
Councilor Gudman	✓	
Councilor Gustafson		✓
Councilor Jordan	✓	
Councilor Kehoe		✓
Councilor O'Neill		✓

Staff Present:

City of Tigard: City Manager Wine, Assistant City Manager Newton, City Attorney Ramis, Public Works Director Koellermeier and City Recorder Wheatley.

City of Lake Oswego: City Manager Coffee, City Attorney Powell and Lake Oswego/Tigard Water Partnership Project Director Komarek. Also present: Professional Engineering Consultant Mike Prett.

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- C. Mayor Cook led the Pledge of Allegiance.
- D. Council Communications & Liaison Reports were noted for Agenda Item No. 5.
- E. Mayor Cook asked Council and Staff for Non-Agenda Items. See Agenda Item No. 6.

Mayor Cook announced Agenda Item No. 2:

2. JOINT TIGARD AND LAKE OSWEGO CITY COUNCIL MEETING - WATER PARTNERSHIP UPDATE

Public Works Director Koellermeier introduced the agenda item. Public Works Director Koellermeier, Project Director Komarek and Professional Engineer Prett updated the councils on the Water Partnership costs, schedule and program issues. A copy of the slide presentation used during the update is on file in the record copy of the council meeting packet.

Outline of the update presentation:

- 1. Introductions.
- 2. Program Update.
  - Brief History.
  - Schedule. - Still on schedule for project completion by July 2016.
  - Upcoming actions/decisions for councils.
    - Contracts, Financing, Intergovernmental Agreement Amendment.
  - Status of projects.
  - Cost

Question by Mayor Studebaker: Referred to a slide depicting forecast and budget and asked for explanation on bar graph showing a difference between “forecast” and “budget.” Engineer Prett advised the Project Team is currently reforecasting due to a slow down on the project.

Project Director Komarek asked for discussion and input from council members.

In Lake Oswego, it has been suggested that the program could benefit from another review by an independent third party. This program management performance review items include (Slide 28 of presentation):

- Conflicts of interest and procurement practices.
- Tools to track and forecast cost and schedule.
- Internal controls for payments.

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- Processes for change management and authorization, quality control, and risk management.
- Coordination with O&M staff.
- Project performance post-construction.

Project Director Komarek referred to tonight's presentation where the above performance review items are currently being practiced. He said he hoped the Project Team had given the councils a sense of the robustness of their program management approach, including the protocols, checks and balances in place. He advised he has reached out to his professional colleagues to determine if similar work has been conducted. He referred to a draft scope of work from the Metropolitan Government of Nashville as they also requested an independent review for a project they were undertaking. The bulleted points noted above were the focus for the Nashville independent review effort and Project Director Komarek pointed out that all of the potential review items are currently in practice.

Council comments followed in response to the proposed outside program management performance review:

- Mayor Studebaker allowed that the Project Team has adequately considered the basics. He noted he has only been shown the "30,000-foot level overview" and he would like to see more detail. He advised he needs to have a detailed review of at least one or two areas of the project to obtain a comfort level. There was an offer from the Project Team for council member attendance at the weekly risk management and/or schedule updates.
- Councilor Bowerman said the invitation to attend the weekly updates is welcomed; however, she said the need to see more details does not obviate the third-party review of the project. While there is nothing suspected, a third-party review is standard operating procedure in a large project of this type. The review would evaluate the fiscal aspects as well as the engineering.
- Mayor Studebaker asked about the costs associated with such a review. Project Director Komarek estimated between \$50,000-100,000.
- Councilor Buehner recommended and invited council members to attend Oversight Committee meetings for opportunities to gain useful knowledge about the performance management of the Water Partnership project and to receive answers to questions. Attending weekly technical committee meetings would also be helpful.
- Councilor Snider commented on the need to "trust but verify" and he was doubtful of tangible benefits from the type of third party review as it was described in the presentation. He said he thought the project was well planned and thought through. He said it is a good project and he would be more accepting of a review if it was to determine how to do the project better, faster or cheaper.
- Project Director Komarek and Councilor Woodard discussed the QBS bid process.

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- Project Director Komarek, in response to a question from Councilor Woodard, advised the old pipe in the Willamette River would be tied to the new pipe in the short term as a way to get water to the treatment plant for testing. No long-term plans have been made for usage of the old pipe.
- Councilor Woodard reviewed the changing (more costly) estimates for the project during the design phase. Project Director Komarek explained that as the design levels advance cost estimates have been pushed upwards because of factors discovered that affect the cost of the project; i.e., the plant site on liquefiable soils requiring pile support.
- Public Works Director Koellermeier referred to the QBS bid process noting this process is used when retaining professional services. The decision has been made to use a design/build approach for the construction of the project.
- Councilor Jordan commented she has been involved with this project from the outset and she was very comfortable with the work of Brown and Caldwell. Her concern is how to impart information to satisfy the public that the project is necessary and being well managed. Spending additional money on a third party review with the outcome being that there are still no reassurances might not be worthwhile. She referred to the suggestion of a citizen oversight effort; however, she has concerns about selecting individuals with the expertise required to effectively contribute. She advised that demonstrating safeguards and accountability towards keeping costs in check would go a long way to reassure the public. Councilor Jordan concluded by saying that this is a great project and plan.
- Councilor Buehner recalled the use of a citizens' sounding board at one point in the project. This type of board might be useful again; however, she preferred having it assigned to a specific part of the project (intake, treatment, piping, etc.).
- Mayor Studebaker offered that the review could be confined to one or two areas of the project. Project Director Komarek agreed that the scope of work for the review could be anything the council(s) desired it to be.
- In response to a question from Councilor Snider about what part of the entire project gave Project Director Komarek the most concern, Project Director Komarek said when the project enters into active construction in 2014, it is anticipated that \$155 million will be spent that year. Any delays in the project during this time period would be costly. He stressed the need for timely decision making and developing a sound set of clear, easy to understand bidding documents. He advised that Ted Kyle will be giving a presentation in April to the Oversight Committee on change management and factors (such as timely decision making) that will mitigate delays during construction. Council members will be invited to attend this presentation.
- Councilor Snider said he would be more interested in focusing on doing the change management portion of the project well rather than second guessing past policy decisions and concerns about the cost of the project. The performance review as discussed this evening would not provide answers to the questions being asked and said he was not in support of a broad program management performance review.

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- Mayor Cook summarized some of the issues brought out so far during the meeting. He suggested the schedule of Oversight Committee meetings be provided to the council members so they can attend. He also recommended that council members be invited to other meetings or have the agendas and packets for such meetings so they can access information.
- Councilor Gudman outlined his support for the performance audit. The initial report on project costs (the Carollo report) was at \$131,000,000. Now, the project cost has essentially doubled. He would like an examination of the policy decision to accept the Carollo report or would it have been better to spend more money up front for an in-depth assessment of the project.
- Project Director Komarek explained the purpose of the Carollo report was to examine the advisability of the cities to choose a partnership option representing ownership of water rights over other options including procuring water as a wholesale water customer of Portland or to consider the Willamette River as a water source for the future. It still makes sense that the decision to form the water partnership was better than the other options considered.
- Councilor Gudman suggested that it probably would have been beneficial to spend more time and money educating citizens about the merits of the project. With the project doubling in cost from the original projections, citizens are likely to feel that the decision to move forward was a “bait and switch” tactic. Councilor Gudman agreed with Mayor Studebaker’s proposal to limit the performance review to specific areas but rather than focus on two areas, he would prefer that four elements be reviewed:
  1. Ask the question whether more money should have been spent up front before the decision was made to go forward with the project as it now stands. This information would be useful as both Tigard and Lake Oswego consider large capital projects in the future so the cities have a better cost estimate to consider and use to educate and persuade the citizens on the merits for going forward.
  2. Tools to track and forecast cost and schedule.
  3. Internal controls for payments.
  4. Transition phase from design to construction.
- Councilor Bowerman confirmed her understanding with Councilor Gudman that he was intending the proposal process for this outside review would be run through the Oversight Committee and subject to approval by both councils.
- Councilor Bowerman said that in addition to the large increases in the project cost, there is another reason why some citizens have supported an outside study. In this particular project, the engineering is being done by the project manager. The finances and the Oversight Committee functions are being done by the same entity. This is a huge amount of responsibility on one entity and it would be normal for there to be an outside review. The question to come to the two councils is, “How would such an outside study would be formulated?” She suggested there be a separate meeting where

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the councils can give this considerable thought. The head of Oregon's Engineering Society lives in the area and someone of that stature would certainly have suggestions. Equally reputable individuals in finance reviews could be consulted about the appropriate questions to be posed in an outside review from a financial as opposed to an engineering perspective. If the councils decide to go forward with a review, the question for the councils is to decide how to proceed.

- Councilor Woodard referred to Slide 27 of the presentation. He inquired about the attention given to the need for the operations and management team to work closely with the design team. He referred to the importance of considering the maintenance service requirements on equipment, which is often overlooked. If safety is not a close punch-list consideration for service/maintenance of the equipment, it can end up running project costs an additional 20 percent.
- Project Director Komarek responded to Councilor Woodard that the Project Team has worked with the water treatment plant staff in plant design with a particular eye towards ease of maintenance, safety and compliance with a wide range of regulations. The team is developing a hazardous materials management plan. Both the plant and the river intake pump station facilities will be operated by the Lake Oswego treatment plant staff. From the beginning the goal was to design a system that would not only perform for at least 75 years, but that the system would have a low life cycle cost (lowest capital, operating and maintenance costs).
- Councilor Woodard advised Project Director Komarek that he was generally comfortable with the project from the quality assurance standpoint.
- Councilor Snider asked Councilor Gudman for clarification on his first recommended stipulation for a performance review. He asked if this request was for a performance review on policy decisions that our councils made multiple years ago. Councilor Gudman advised that Councilor Snider was correct in his interpretation of his first recommendation for review. Mayor Cook added that he would also interpret this to mean that Lake Oswego is going into other projects and Tigard will also have other projects going forward. The outcome for this review is to address a policy issue going forward about how to lay the groundwork to provide information needed for making major decisions. While we cannot change the policy decisions made for this project, "...it's just as the next projects come forward, do we want to look at them from 30,000-foot or 10,000-foot level." Councilor Snider advised his understanding then was that this was a request for a study on this project and perform a "post mortem" assessment. Councilor Gudman said he agreed with Councilor Snider's characterization of what he was recommending.
- Councilor Buehner asked about the costs for performing the in-depth scoping of the project and the cost of the Carollo report. Consultant Prett said about \$5 million. Project Director Komarek said the Carollo report was in the \$3-500,000 range. When proceeding to the definition phase, it includes actually "rolling up your sleeves and starting design and also you are sending field crews out to drill holes in the Willamette River to get you technical information – you are really committing to understanding what the costs are versus...the dry lab or the desk top review..." Councilor Buehner

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said she is raising this because it speaks to the policy review requested by Councilor Gudman that if a project is to be seriously considered, the decision must be made whether to do a paper review or a more in-depth review and how deep the review should be. Councilor Gudman added that this would be helpful for both councils as they consider capital projects in the future.

At this point in the meeting, Project Director Komarek continued with the overall presentation (Slide 29). The issue centers on a potential intergovernmental agreement amendment relative to capacity/cost allocation. Project Director Komarek said the key decision is for Lake Oswego to determine how much excess capacity it would be comfortable reallocating potentially to the City of Tigard. He recommended there be a backward-looking analysis of over the half dozen years of water usage trends and make assessments/assumptions whether this trend is likely to continue and, if so, for how long and for how much.

The Lake Oswego City Council needs to have the benefit of some fairly robust analysis of conservation programs. Perhaps Lake Oswego will want to take a re-look at population forecasts. Project Director Komarek said that both Lake Oswego and Tigard, with the recent passage of the Regional Water Providers Consortium budget, are paying for that population forecast to be done by Portland State University. That work will be completed in about a year. The above considerations are the steps typically taken to assess how much water will be needed. Similar steps were followed for the Carollo work and followed again a year later when the state required development of a water management and conservation plan. This information is key for City of Lake Oswego officials to understand and determine their confidence level in allocating the amount of excess capacity to its partner, the City of Tigard. Once this confidence level is achieved, the next step would be to present an offer to the City of Tigard to serve as a launching point for negotiation between the two partners. Additional questions are: Who should negotiate? Who has the authority to negotiate? What is the process?

Project Director Komarek advised the current IGA took almost a year to complete. The process used was to form a sub-group of each of the councils and employment of an independent legal counsel familiar with drafting these kinds of agreements along with technical staff support.

Councilor Buehner commented that we have experienced three consecutive cool summers and this has significantly reduced the amount of water usage during the hot summer months in both cities. As we go through this review, we need to make sure that we do not make assumptions based on the reduced usage.

Councilor Jordan said in looking at the original policy decision, one of the critical issues for the Lake Oswego council at the time was for control of water rights. Recognizing changes in state law, the council felt it was better given the increasing value of water (more expensive and more precious) for the city to be able to deliver water to its citizens forever. Therefore, the policy decision was really more to maintain the right to that water and going forward, she said she thought the current council will have to look at it the same way. Whatever the decision for amendment(s) to the current agreement will need to take into account climate and potential

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different growth rates for both cities. Perhaps there will need to be some type of flexible agreement that does not end up with Lake Oswego being “penny wise and pound foolish” at some point in the future by not having access to the water it needs for the city it has become. She said, “We need to be very careful about this. At the time, we always felt we could sell water to Tigard that was in excess of our original agreement if they needed it before we did. And, that still is an option. What it doesn’t do, of course, is change our fixed costs and affect our rates...that’s where we have to be very careful about trying to save a few dollars now and, perhaps, end up with a big problem later.”

Councilor Woodard said he would invite the opportunity to review the agreement and have discussions on policy to determine what does or does not make sense. He noted there is a lot of statistical information for which he has not had access. Before decisions can be made, individual council discussions will be required followed by a joint meeting of the councils. He referred to a capped aquifer storage facility in Tigard and there have been no problems filling this facility to capacity although there has been lower demand as customers are practicing conservation. These factors do not offset the increases in rates, however. Because there is additional storage capacity, Councilor Woodard said he would like to have discussions to consider what type of flexibility could be built into the policy to determine capacity/cost allocations.

Public Works Director Koellermeier facilitated the closing remarks for this agenda item and the discussion between the two councils. He said that in looking ahead, he feels staff received good guidance this evening. He acknowledged there were a couple of interesting issues for the cities to move forward on. The Project Team thinks that moving into the construction management portion of this program will be the focus of the next joint meeting.

Public Works Director Koellermeier reiterated an earlier statement by Project Director Komarek that a speaker has been scheduled to address the Oversight Committee; an invitation will be issued to both city councils.

Public Works Director Koellermeier said there are additional things that can be done to better understand the impacts of construction management. He pointed out that “the calendar will not be our friend in the future.” Much will be dependent on how “we work with time and money to make good decisions and I think we will all grow together on that issue.”

In response to Public Works Director Koellermeier’s request for other suggestions, Councilor Buehner referred to Slide 9, which had the various contract decisions to be made in the next few months. She suggested that another joint council meeting be held early- to mid-summer as it is likely there will be a lot of decisions that will be needed then. Project Director Komarek said Councilor Buehner’s suggestion for the timing of the next meeting was good. He noted the construction contract for the plant is planned to come before the Lake Oswego City Council on July 2. They will have “in hand” a bid from a contractor for the facility, which is the largest piece in the overall project.

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Councilor Gudman said he was assuming that the Oversight Committee will be meeting on a monthly basis going forward. Public Works Director Koellermeier and Project Director Komarek confirmed that a monthly meeting would be the minimum.

Public Works Director Koellermeier noted that as things come up, they will be placed on the agenda for a joint meeting to be scheduled sometime around the first of July. Looking ahead, he said he thought the Oversight Committee could expect to see some work products coming back from staff.

Councilor Buehner said it might be necessary for the Oversight Committee to hold an extra meeting in May or June. Public Works Director Koellermeier said staff would be considering this.

Councilor Jordan asked about the timing for individual review of an RFP by each City Council for whatever type of additional oversight seems to be appropriate. She said she is assuming the amendment scheduled for the fall is something that councils would discuss at their joint meetings going forward. She inquired about getting this additional project for the oversight review going. Mayor Cook said that his understanding from the decision made at a recent Lake Oswego meeting was that the proposal for an independent oversight review would go to the Lake Oswego staff and from that point it would go to the Oversight Committee. If the proposal was approved by the Oversight Committee, it would go back to each of the councils for discussion and consideration.

Councilor Bowerman said the reason why the Lake Oswego council vote on the additional oversight review was not unanimous was that if staff is also overseeing the outside report, then it is no longer an outside report. In fact, the staff is overseeing the Oversight Committee right now and in control of the entire project. Therefore, another approach is not to have staff do the outside review or orchestrate it, but to have that done from the outside. This outside review would be with council(s) determining how that process should go forward – not with staff designing it, deciding what questions would be looked at and controlling the entire process again. Mayor Studebaker said this needs more discussion.

In response to a question from Councilor Woodard, Councilor Bowerman said she was not ruling out a staff liaison to the oversight review process. She advised her comments related to how the review would be structured and who would have the accountability for completion and how it was done.

Mayor Cook said based on the approved Lake Oswego motion, the process to go forward with consideration of an additional third-party oversight review would follow the course he described above with any tweaking to the process discussed by the Oversight Committee.

Mayor Cook thanked all who attended and thanked the staff for the presentation.

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Meeting recessed at 8:18 p.m.

Meeting reconvened at 8:28 p.m.

3. CONSENT AGENDA: (Tigard City Council and Local Contract Review Board) These items are considered routine and may be enacted in one motion without separate discussion.
  - A. Approve City Council Meeting Minutes for:
    1. January 22, 2013
    2. February 12, 2013
  - B. Appoint Cameron James as a Member and Clifford Rone as an Alternate to the Audit Committee – Resolution No. 13-12
  - C. Adopt a 2.1% Cost-of-Living Adjustment for Tigard Police Officers Association Effective July 1, 2013
  - D. Local Contract Review Board:
    1. Award Contract for Main Street Off-Street Parking Lot Improvements to D & T Excavating

Councilor Woodard requested that Agenda Item 3D1 be removed for separate discussion.

Motion by Councilor Buehner, seconded by Councilor Snider to approve the Consent Agenda less Agenda Item No. 3D1.

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

Mayor Cook	Yes
Council President Henderson	Absent
Councilor Buehner	Yes
Councilor Snider	Yes
Councilor Woodard	Yes

Discussion on Item No. 3D1 – LCRB - Award Contract for Main Street Off-Street Parking Lot Improvements to D & T Excavating. Discussion highlights follow:

- Councilor Woodard spoke to the LCRB responsibility and the ability to check bids/proposals on the city’s website. He spoke about the timing for an LCRB member to bring up issues or concerns.

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- Councilor Buehner commented that an LCRB member should ask staff if they have questions.
- Councilor Woodard said he is unclear as to the role of the LCRB. He said he sees no functionality associated with the role of the LCRB other than accepting contracts. He referred to the process in place a couple of years ago concerning placement of LCRB items on the Consent Agenda, which were sometimes for large dollar amounts. He noted there is a member on council, Councilor Henderson, who has expertise in construction and there is never an opportunity to have discussions on LCRB matters.
- Councilor Woodard said there are projects out for bid now, but asked whether there would ever be a time set aside for the LCRB to discuss these proposed projects before it goes through the bidding process.
- City Manager Wine advised that the role of the LCRB is activated at the time of bid award. She reviewed some history surrounding the LCRB for the city. If some clarity or additional discussion is needed as bids are developed and this is to become part of the LCRB role, then this could be arranged. Councilor Woodard said his experience has been that there is really no role for the LCRB other than approvals must be granted because of state law requirements.
- Councilor Buehner explained to Councilor Woodard that her understanding is that when an LCRB board member has a question then staff should be notified so the relevant staff person would attend the City Council meeting and be prepared to discuss the particular question.
- Councilor Woodard spoke to a different level of discussion when trying to determine a mix of funding sources and projects; i.e., urban renewal fund sources and general funds. Councilor Buehner said this type of information could be conveyed to the entire LCRB with an advance question submitted to staff that can be responded to during the meeting at the time of consideration.
- Councilor Woodard noted that in his review process, he would likely have questions about every proposed contract. He would like to entertain the idea of having a project review list perhaps in the form of a quarterly update – something that can show forecasting. This would be a good process as part of the LCRB role. This would give an opportunity for each LCRB member to review the information from their area of expertise perspective.
- Councilor Snider asked if Councilor Woodard was suggesting that LCRB items should not be on Consent Agendas. Councilor Woodard said he thought there was a threshold that when a bid award reached a certain dollar amount, then it would not be placed on the Consent Agenda.
- Councilor Snider said the other thing he thought he heard Councilor Woodard saying was that no matter the dollar amount of the contract that the staff responsible for it should be at the City Council meeting. Further, staff with expertise on the LCRB item should attend a council meeting regardless of whether it has been pulled from the Consent Agenda.
- City Manager Wine responded that the venue, whether it is a City Council meeting or a Study Session for a preliminary review of issues or an LCRB consideration, this is the council's time to ask any question that needs to be resolved. City Manager Wine said if it is desired by the council to have a staff person available to answer questions on LCRB matters, that can be arranged.

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- City Manager Wine made a process point about the Consent Agenda. In the past, she has heard from council members that items on the Consent Agenda must consist of matters for which the City Council has had adequate time in advance to consider. Staff will not place something on a Consent Agenda that the Council has not already briefed about unless it was time sensitive. If the item was new because it was time sensitive, staff would fully expect that council would pull the matter off of the Consent Agenda for discussion.
- City Manager Wine said tonight, regarding the issue about the parking lot, staff members who are working on the project are present to answer questions. Staff heard that there were questions about the LCRB process. She said she would like to address this question; although, she did not think it could be answered in full tonight. Councilor Woodard said he was also speaking on this matter for Council President Henderson, who was unable to attend tonight. He would appreciate a list of LCRB responsibilities and the process. He noted that when "...we put on three hats at once – we meet as council, the Local Contract Review Board and the City Center Development Agency, it becomes confusing. Each of these decisions might end up on different forms on a segment of the agenda and this causes confusion."
- Councilor Buehner commented that there is a City Center Development Agency meeting held on the first Tuesday of the month, although Mayor Cook noted that these first Tuesday meetings will often have a council or an LCRB element as well. Councilor Woodard said having a meeting every Tuesday of the month has also become overwhelming.
- Councilor Buehner recalled training on the LCRB role last year. She noted that Mayor Cook and Councilor Snider were not on the City Council at that time and she said another training could be scheduled. Councilor Snider said he felt comfortable with the information he received on LCRB from the League of Oregon Cities. City Manager Wine said staff will accommodate everyone where they have questions. Paraphrased summation from City Manager Wine: *When you are considering a contract that comes from a funding source other than the General Fund, council would like to receive fuller accounting of the funding sources supporting a project. What we try to do in the effort to make sure that everybody receives the same information, is to spend council or CCDA meeting time in covering those issues or that you are all getting that information in your newsletter. We can cover some of the role issues or reviewing what the LCRB is on a one-on-one basis.*
- Councilor Buehner requested if another LCRB training is set up, that it either be set at a non-regular council meeting time or at the end of the meeting since she has had the training several times.
- Councilor Woodard said with regard to LCRB Consent Agenda Item 3D1, he had no issues with this project. He said both he and Council President Henderson are in favor of the project. He was using this opportunity to present concerns.

Motion by Councilor Woodard, seconded by Councilor Buehner, to approve Consent Agenda Item No. 3.D.1.

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

Mayor Cook	Yes
Council President Henderson	Absent

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Councilor Buehner	Yes
Councilor Snider	Yes
Councilor Woodard	Yes

4. NATIONAL LEAGUE OF CITIES CONGRESSIONAL CITY CONFERENCE FOLLOW UP REPORT AND REPORT FROM MAYOR COOK ON HIS WASHINGTON D.C. TRIP

Individual City Council member reports:

- Report from Mayor Cook on his and City Manager Wine’s Washington D.C. Trip (March 2013)
  - Met with the city’s lobbyist to receive briefings.
  - Met with 14 different groups and/or individuals, which included Senators Merkley, Senator Wyden’s staff, and Representatives Bonamici and Schrader and ten agencies including the Departments of Justice, Economic Development, Agriculture, Education, the Farm Bureau and Environmental Protection Agency.
  - City Manager Wine referred to the Tigard brochure highlighting the points of interest for the city, which was shared with the officials they visited. She explained the staff for the agencies provided gave Mayor Cook and her some education on how certain programs might match with efforts that Tigard has on the horizon. She and Mayor Cook learned about the way the federal programs work not only from a funding perspective but to understand areas of focus.
  - Mayor Cook noted they were able to learn about potential impacts due to the sequestration with regard to programs that might not be funded or cutback. They were also able to learn about what grants might be offered that might benefit Tigard and when they would be issued. The exchange of information allowed Mayor Cook and City Manager Wine to determine what agencies might have grants likely to be of interest to Tigard and whether our proposals would fit well with grant requirements (i.e., brownfield clean up, after-school programs, farm-to-school programs). Information about the likelihood of a Tigard grant application being funded was sometimes available.
  - In response to a question from Councilor Snider about feedback from Washington D.C. officials regarding Tigard’s legislative agenda, Mayor Cook shared that all were impressed with the brochure. A copy of this brochure is on file in the record copy of the meeting packet. The brochure helped bring a focused message. Visiting among the agencies and officials’ offices was helpful in bringing up legislation that would benefit the City of Tigard.
  
- Councilor Buehner Update (NLC and Meeting with Legislators)
  - The Oregon delegation met with Oregon legislators. They met with Senator Merkley’s staff to address a number of issues. She said youth members from Beaverton and Hillsboro were present. She advocated that the city become more involved in getting the

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Youth Advisory Council to Washington D.C. in the future. The League of Oregon Cities (LOC) asked the Oregon delegation to raise four issues with the legislative leaders:

- Continue the municipal bond tax exemption.
  - Support for the federal timber payments.
  - Marketplace Fairness Act (sales tax/Internet issue)
  - Water infrastructure financing.
- Prior to the NLC conference, Councilor Buehner was part of the JPACT delegation members who met with the legislators including Senator Merkley. Sequestration budget cuts were reviewed and ramifications of furloughing of federal employees. Congressman Schrader estimated \$500 million would be cut from the transportation infrastructure program. A bill is being prepared to set up an infrastructure bank for private/public partnership funding using a sales tax, which would work great in states that have a sales tax. Congressman Schrader was hopeful that for some kind of structure so the three states that do not have a sales tax can utilize this type of program.
  - Congresswoman Bonamici and the JPACT group discussed the Columbia River Crossing. Councilor Buehner brought up issues relating to the SW Corridor. Congresswoman Bonamici requested more detailed information from Tigard to distinguish this project from the rest to be considered for funding.
  - Councilor Buehner referred to a meeting with the Director of Strategic Partnerships of the Berkling Institute. He offered strategies for exports for smaller cities and said the Portland pilot project was the most successful of all such projects.
  - Congressman DeFazio is working on a proposal for an indexing program for the federal gas tax, which has been stationary since 1987. He feels we need to work on a long-term substitute funding policy to replace the gas tax.
  - Senator Wyden's Transportation Aide talked to the group and asked for information.
  - The group met with Department of Transportation staff and discussed how to approach the department for funding. Sequestration will impact the new start program and there will be regulations requiring that proposals include an affordable housing component analysis. A maintenance program, rather than construction, is under consideration. There is work being done on infrastructure of safety elements to balance with other concerns.
  - Reported on innovation clusters and business accelerators with the Economic Development Department. There are a set of programs and grants for cities to help minority businesses.
  - Councilor Woodard's update:
    - Referred to a meeting with CFM representatives, Joel Rubin and Julie Crockett. When CFM meets with the City Council in June, it is likely the council will be asked to reprioritize its legislative agenda.
    - Commented on Michelle Obama's program, *Let's Move* (second phase) working with communities/school systems participating to get people more active. Councilor Woodard said this could be another opportunity for the city to partner with the school.

## **TIGARD CITY COUNCIL MEETING MINUTES – MARCH 26, 2013**

- Reviewed some of the key elements for public/private partnerships. While the city has many pieces to move forward with public/private partnerships, but there is a need for an economic development organization.
- Councilor Buehner shared that she has additional information on public/private partnerships and will prepare a memo for council.
- Assistant City Manager Newton follow-up report on federal legislative priorities:
  - The Farm-to-School grant: A grant application will be submitted for a greenhouse at Durham School for a community garden to provide produce to families who rely on food boxes. Elements of the program were outlined by Ms. Newton. This is one example of cooperative efforts between the school district and the city.
  - Later in the discussion, Ms. Newton described a partnering opportunity with the school district – a pilot project with Metzger Elementary school on joint use of school facilities. It is possible that schools could be utilized to serve a community center function and for the grounds to serve as a neighborhood park.
  - The Farmers Market grant – City staff has discussed this with Chamber CEO Debbie Mollahan and consideration is being given to apply for a grant for the Farmers Market for marketing and to assist with a relocation event.
  - The City Manager has been in conversations with executive staff and Portland and Western Railroad regarding advancement with the Tigard trail issue.
  - The council as the City Center Development Agency (CCDA) will be seeing information on brownfields at the April 2<sup>nd</sup> CCDA meeting. Community Development Department staff will bring information on a proposed Tigard environmental clean-up fund program.
  - Senator Wyden is interested in a pilot demonstration program for the Farm-to-School grant. Staff is looking at proposing Metzger for the demonstration program.
  - The National Endowment for the Arts might be a funding source for Broadway Rose and Mask & Mirror. The city can help facilitate the process to apply for this funding.
  - Congresswoman Bonamici's staff was interested in assisting Tigard in obtaining its own zip code.

Mayor Cook: Announce Agenda Item 5:

#### 5. COUNCIL LIAISON REPORTS

Councilor Woodard submitted a letter from Edward Heintz requesting consideration of naming recently purchased 2.9 acre property after John Peter Bagan. A copy of this letter is on file in the record copy of the meeting packet.

Councilor Woodard gave Mayor Cook a copy of some information regarding the Westside Economic alliance relating to funding mechanisms.

Councilor Woodard shared that Council President Henderson will be reporting on activities on the CDBG in the near future. Later in the meeting, City Manager Wine advised that a memo regarding these activities was prepared by Assistant Planner Daniels. This memo will be distributed to the City Council.

### **TIGARD CITY COUNCIL MEETING MINUTES – MARCH 26, 2013**

Councilor Woodard referred to the River Terrace Stakeholder Work group. There was a good turnout at the last meeting. Land use and zoning has been reviewed. The biggest concern centers around density and identifying areas where the density can be placed to meet the required numbers. Questions about the school were brought up. A representative of the Homebuilders Association noted concerns with flexibility of the plan.

The next Stakeholder meeting will be devoted to review of parks, water and storm sewer service.

Councilor Buehner reported on contact from Ed Bartholomew who owns a parcel in the River Terrace area. He asked if there was a possibility to add a member to the Work group. City Manager Wine advised that Mr. Bartholomew has made contact with Senior Planner Wyss. Councilor Buehner said Mr. Bartholomew was also wanting to have open discussions about relocation of the commercial areas from what is designated in the Concept Plan. Councilor Woodard said the commercial area is under review.

Councilor Snider said he has had success in finding out more information on the Youth Advisory Council. He expects he will be notified for meetings and plans to participate as much as possible. The chair of this YAC is Alison Burke and Councilor Buehner mentioned that Ms. Burke is also the Rose Festival Princess for this region.

6. NON AGENDA ITEMS:

Mayor Cook reminded City Council of the upcoming Shining Stars Banquet on April 26, 2013.

7. EXECUTIVE SESSION: Not held.

8. ADJOURNMENT: 9:38 p.m.

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Catherine Wheatley, City Recorder

Attest:

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Mayor, City of Tigard

Date: \_\_\_\_\_

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**TIGARD CITY COUNCIL MEETING MINUTES – MARCH 26, 2013**