



City of Tigard

Tigard Business Meeting – Agenda

TIGARD CITY COUNCIL

MEETING DATE AND TIME: March 26, 2013 - 6:30 p.m. Special Joint Meeting with Lake Oswego City Council followed by a Tigard City Council Business Meeting

MEETING LOCATION: City of Tigard - Town Hall - 13125 SW Hall Blvd., Tigard, OR 97223

PUBLIC NOTICE:

Anyone wishing to speak on an agenda item should sign on the appropriate sign-up sheet(s). If no sheet is available, ask to be recognized by the Mayor at the beginning of that agenda item. Citizen Communication items are asked to be two minutes or less. Longer matters can be set for a future Agenda by contacting either the Mayor or the City Manager.

Times noted are *estimated*; it is recommended that persons interested in testifying be present by 7:15 p.m. to sign in on the testimony sign-in sheet. *Business agenda items can be heard in any order after 7:30 p.m.*

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting by calling: 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

VIEW LIVE VIDEO STREAMING ONLINE:

<http://www.tvctv.org/government-programming/government-meetings/tigard>

CABLE VIEWERS: The regular City Council meeting is shown live on Channel 28 at 7:30 p.m. The meeting will be rebroadcast at the following times on Channel 28:

Thursday	6:00 p.m.	Sunday	11:00 a.m.
Friday	10:00 p.m.	Monday	6:00 a.m.



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6:30 PM

1. BUSINESS MEETING
 - A. Call to Order
 - B. Roll Call
 - C. Pledge of Allegiance
 - D. Council Communications & Liaison Reports
 - E. Call to Council and Staff for Non-Agenda Items

2. JOINT TIGARD AND LAKE OSWEGO CITY COUNCIL MEETING - WATER PARTNERSHIP UPDATE
6:35 p.m. - estimated time

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. Anyone may request that an item be removed by motion for discussion and separate action. Motion to:
8:00 p.m. - estimated time
 - 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
 - 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

● *Consent Agenda - Items Removed for Separate Discussion: Any items requested to be removed from the Consent Agenda for separate discussion will be considered immediately after the Council/City Center Development Agency has voted on those items which do not need discussion.*

4. NATIONAL LEAGUE OF CITIES CONGRESSIONAL CITY CONFERENCE FOLLOW UP REPORT
8:05 p.m. - estimated time
5. COUNCIL LIAISON REPORTS
6. NON AGENDA ITEMS
7. EXECUTIVE SESSION: The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.
8. ADJOURNMENT
8:30 p.m. - estimated time

Business Meeting**Meeting Date:** 03/26/2013**Length (in minutes):** 90 Minutes**Agenda Title:** Joint Meeting with the Lake Oswego City Council — Water Partnership Update**Submitted By:** Cathy Wheatley, Administrative Services**Item Type:** Update, Discussion, Direct Staff**Meeting Type:** Council Business Meeting - Main**Public Hearing:** No**Publication Date:****Information****ISSUE**

The project team will update the Tigard and Lake Oswego City Councils on cost, schedule and program issues related to the water partnership.

STAFF RECOMMENDATION / ACTION REQUEST

No action is required.

KEY FACTS AND INFORMATION SUMMARY

The Lake Oswego Tigard Water Partnership program has reached the 60 percent design threshold and has recently met several major milestones including:

- Receiving land use approvals from the City of West Linn.
- Bidding and awarding the construction contract for the river intake pump station.

The project team will update the Tigard and Lake Oswego City Councils on:

- Upcoming schedule / milestones.
- Fiscal year 2013-2014 budget proposals.
- Future council decisions.
- Emerging issues for the partners.
- Program delivery.

OTHER ALTERNATIVES

Not applicable

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

Tigard City Council Priorities for 6-Month Focus in 2013

Take the Next Step on Major Projects - Water source and supply

Preserve and advance the Lake Oswego Tigard Water Partnership

- Build partnership relationships
- Complete West Linn appeal; secure permits to proceed with plant and pipeline project
- Confer with Lake Oswego regarding 60-percent design estimates
- Evaluate future of partnership roles

DATES OF PREVIOUS COUNCIL CONSIDERATION

On several occasions over the past four years, the council has been briefed on water partnership projects as part of regular capital improvement updates. Additionally, the council participated in the following meetings and/or took the following action on water partnership items:

- July 17, 2007 - Joint meeting with the Lake Oswego City Council
- August 5, 2008 - Adoption of the water partnership agreement
- December 9, 2008 - Adoption of the first amendment to the water partnership agreement
- July 12, 2010 - Joint Meeting with the Lake Oswego City Council
- November 8, 2010 - Joint Meeting with the Lake Oswego City Council
- December 20, 2011 – Adoption of a resolution of necessity to acquire property to construct a water pump station in Tigard
- May 22, 2012 - Joint Meeting with the Lake Oswego City Council

Fiscal Impact

Fiscal Information:

Tigard's 2012-2013 Capital Improvement Plan (CIP) contains \$16.8 million for water partnership activities. As construction gets underway in the next fiscal year, this number will increase to an estimated \$61 million in the 2013-2014 CIP.

AIS-1243

3. A.

Business Meeting

Meeting Date: 03/26/2013

Length (in minutes): Consent Item

Agenda Title: Approve City Council Meeting Minutes

Submitted By: Cathy Wheatley, Administrative Services

Item Type: Motion Requested

Meeting Type: Consent Agenda

Public Hearing:

Publication Date:

Information

ISSUE

Approve City Council meeting minutes.

STAFF RECOMMENDATION / ACTION REQUEST

Approve minutes as submitted.

KEY FACTS AND INFORMATION SUMMARY

Attached council minutes are submitted for City Council approval. (Dates of meetings are listed under "Attachments" below.)

OTHER ALTERNATIVES

N/A

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

N/A

DATES OF PREVIOUS COUNCIL CONSIDERATION

N/A

Attachments

January 22, 2013 Council Minutes

February 12, 2013 Council Minutes



City of Tigard

Tigard City Council Meeting Minutes

January 22, 2013

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

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

Staff Present: City Manager Wine, Assistant Public Works Director Rager, Parks Facilities Manager Martin, City Engineer Stone, Engineering Manager McMillan, City Attorney Bennett, City Recorder Wheatley

- EXECUTIVE SESSION: The Tigard City Council went into Executive Session at 6:30 p.m. to discuss labor negotiations and real property transaction negotiations under ORS 192.660(2)(d) and (e).

Executive Session concluded at 7:30 p.m.

- STUDY SESSION

Administrative Items were reviewed:

- Cities of Honor (airport ceremony) is scheduled for mid-day, probably around noon on May 16, 2013.
- Council Calendar:
 - January 29 – Special Council Meeting, 6:30 p.m. Red Rock Creek Conference Room
 - February 5 – City Center Development Agency Meeting and Special Council Meeting – 6:30 p.m.

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- February 12 -- Joint Meeting with City of Beaverton City Council – City of Tigard will host at Tigard Town Hall – 6:30 p.m. light dinner; 7 p.m. meeting.
- February 19 -- Tigard City Council Workshop Meeting – Tigard Town Hall – 6:30 p.m.
- February 26 -- Tigard City Council Business Meeting – Study Session, 6:30 p.m. in the Red Rock Creek Conference Room; Business Meeting, 7:30 p.m. in the Town Hall.

Study Session concluded at 7:33 p.m.

1. BUSINESS MEETING – JANUARY 22, 2013

- A.  Mayor Cook called the meeting to order. (7:36 p.m.)
- B. City Recorder Wheatley called the roll:

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

- C. Mayor Cook asked for everyone to stand and join him in the Pledge of Allegiance.
- D.  Mayor Cook asked for Council Communications & Liaison Reports.

Councilor Buehner advised she would present a report during Agenda Item No. 8; however, due to the lateness of the hour, she advised she would give her report at the next council business meeting.
- E.  Mayor Cook asked Council and Staff for Non-Agenda Items. There were none.

2. CITIZEN COMMUNICATION

- A. Follow-up to Previous Citizen Communication – None.
- B.  Tigard High School Student Envoy – Associated Student Body Human Relations Officer Courtney Bither updated the City Council on recent activities at

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the high school. A copy of her summary report is on file with the record copy of the council meeting packet.

- C.  Tigard Area Chamber of Commerce – Tigard Area Chamber of Commerce Chief Executive officer Debi Mollahan presented an activity report for the Chamber. A copy of her summary report is on file with the record copy of the council meeting packet.



- D. Citizen Communication –

- Jack Norby, 4040 Kenthorpe, West Linn, OR 97068, referred to a recent visit to the City of West Linn by Councilor Buehner to offer testimony regarding the new water treatment plant in West Linn. Mr. Norby’s testimony is contained in written comments that are on file in the record copy of the January 22, 2013 meeting packet. The issues he raised concerned the water plant at West Linn, the cost of the new water treatment plant, and his recommendation that the City of Portland and the Willamette River be considered as a water source for the City of Tigard. He also presented a copy of his letter “To the Mayors and City Council of Lake Oswego, Tigard and West Linn.” A copy of this letter is on file in the record copy of the January 22, 2013, meeting packet.

After Mr. Norby’s testimony, there was a brief discussion between him and Councilor Buehner about the situation during the West Linn City Council meeting brought up during Mr. Norby’s testimony. They each offered their perspective on what transpired during and after the meeting. Mr. Norby’s comments are contained in his written testimony and Councilor Buehner noted she felt threatened by a person who approached her as she was leaving the meeting.

-  Karleen Norby, 4040 Kenthorpe Way, West Linn, OR 97068, read from a prepared statement. This statement is on file in the record copy of the January 22, 2013 meeting packet. She also submitted a snapshot of Councilor Buehner as she submitted testimony at the West Linn City Council meeting on January 14, 2013. A copy of this snapshot is on file in the record copy of the January 22, 2013 meeting packet. Ms. Norby expressed her disappointment in statements made by Councilor Buehner and disputed the statements Councilor Buehner made at the West Linn Council meeting.
-  Shannon Vrohman 4101 Mapleton Drive, West Linn, OR 97068 testified on the water treatment plant and the LO/City of Tigard water project. She challenged the public to fully investigate the project and to question the

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decisions made by their government. She said the project is estimated to cost \$250,000,000 with 53 percent allocated as the City of Tigard's responsibility. This cost will be borne by ratepayers. She suggested Tigard consider other sources for its water supply. Ms. Vrohman said that, as a citizen of West Linn, she has been involved in fighting this project. She stated that on behalf of the water partnership, Lake Oswego has offered \$5 million to the City of West Linn to pay as a franchise fee. Ms. Vrohman said that she is one of about 60 homeowners that are being sued by Lake Oswego – she referred to “CC&R’s” (covenants, conditions and restrictions) as the central issue to the suit. Ms. Vrohman commented on the impact the water plant, as an industrial use, would have on her as a property owner.



Mayor Cook reviewed the items listed on the Consent Agenda:

3. CONSENT AGENDA:

A. Approve City Council Meeting Minutes for:

1. October 23, 2012
2. December 11, 2012

B. Approve Ten-Year Extension of the Broadband Users Group Intergovernmental Agreement

Motion by Councilor Buehner, seconded by Councilor Woodard, to approve the Consent Agenda.

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

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



4. APPROVE PURCHASE OF THE BAGAN PROPERTY AND AUTHORIZE THE CITY MANAGER TO COMPLETE THE PROPERTY PURCHASE - RESOLUTION



Parks Manager Martin presented the staff report.

Council was asked to consider a proposed resolution to:

- Approve the purchase of the Bagan property as outlined in the purchase agreement and escrow instructions distributed to the City Council with the staff report.

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- Authorize the city manager to take all necessary action to complete the purchase on behalf of the city.

If the resolution is adopted:

- The property would become a publicly owned park and open space.
- The city will purchase the property for \$192,000 per the terms of the purchase agreement and escrow instructions.

There was brief discussion of the Park and Recreation Advisory Board’s (PRAB) ranking of this property. Of the more than 60 potential park properties evaluated by PRAB, the Bagan property was near the top of the acquisition list.

Motion by Councilor Woodard, seconded by Councilor Buehner, to adopt Resolution No. 13-01.

City Recorder Wheatley read the number and title of the resolution:

RESOLUTION NO. 13-01 - A RESOLUTION APPROVING THE PURCHASE OF THE BAGAN PROPERTY, (TAX LOT 1S135BD01400), AND AUTHORIZING THE CITY MANAGER TO TAKE ALL NECESSARY ACTION TO COMPLETE THE PROPERTY PURCHASE ON BEHALF OF THE CITY

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

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



5. QUASI-JUDICIAL PUBLIC HEARING - ANNEXATION OF RIVER TERRACE PHASE II (URBAN GROWTH BOUNDARY AREA 63 AND ROY ROGERS WEST)



Mayor Cook reviewed the information describing the subject of the public hearing listed below:

APPLICANT: Multiple applicants

PROPOSAL: A request to annex to the City of Tigard approximately 268 acres of property (Metro Urban Growth Boundary expansion areas 63 and Roy Rogers West (including adjacent rights-of-way)).

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LOCATION: Multiple parcels generally located east of SW Roy Rogers Road, west of SW 150th Avenue and north of SW Beef Bend Road and portions of SW Roy Rogers and SW 150th Avenue rights-of-way. Washington County Tax Assessors Map (WCTM) 2S10700, Tax Lots 1200 and 1400. WCTM 2S10800, Tax Lots 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1500, 1501, 1503, 1504, 1505, 1506, 1507, 2900, 2901, 3000, 3100, and 3200. WCTM 2S108CA, Tax Lots 100, 200, 300, and 400. WCTM 2S108CD, Tax Lots 100, 200, 300, and 400.

COUNTY ZONE: FD20 Future Development, 20-acre minimum lot size. The FD20 District applies to the unincorporated urban lands added to the urban growth boundary by Metro through a Major or Legislative Amendment process after 1998. The FD20 District recognizes the desirability of encouraging and retaining limited interim uses until the urban comprehensive planning for future urban development of these areas is complete. The provisions of this district are also intended to implement the requirements of Metro’s Urban Growth Management Functional Plan.

EFU Exclusive Farm Use. The intent of the Exclusive Farm Use District is to preserve and maintain commercial agricultural land within the County. The purpose of the Exclusive Farm Use District is to preserve and maintain agricultural lands for farm use consistent with existing and future needs for agricultural products, forests and open spaces; to conserve and protect scenic resources; to maintain and improve the quality of the air, water and land resources of the County and to establish criteria and standards for farm use and related supportive uses which are deemed appropriate. This EFU District is provided to meet the Oregon statutory and administrative rule requirements.

EQUIVALENT CITY ZONE: Annexation areas will retain current Washington County zoning until Tigard zoning is applied with the future adoption of a community plan for the area.

APPLICABLE REVIEW CRITERIA: The approval standards for annexations are described in Community Development Code Chapters 18.320 and 18.390, Comprehensive Plan Goal 1, Goal 11, Goal 12, and Goal 14; ORS Chapter 222; Metro Code Chapter 3.09.

- a.  Mayor Cook opened the public hearing.
- b.  City Attorney Bennett reviewed the hearing procedures
- c. Declarations or Challenges – Mayor Cook asked the council the following questions:

- Do any members of Council wish to report any ex parte contact or information gained outside the hearing, including any site visits?

Council President Henderson advised he had nothing to report.

 Councilor Snider advised he has driven by the site.

 Councilor Buehner advised she was very familiar with the site. She advised she was contacted by Mr. Wellner and members of his company

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about two years ago to talk about the area in general; their conversation was not about this specific application.

 Mayor Cook said he has spoken to Mr. Wellner and his associates in general terms and this conversation would not be considered as ex parte contact. The mayor said he has a client in the area; however, the client has not contacted the mayor about this annexation. City Attorney Bennett asked Mayor Cook if the contact with the applicant was before the application was filed. Mayor Cook advised the contact was before the application was filed.

 Councilor Woodard advised he has walked the area and has nothing to report.

- Have all members familiarized themselves with the application? Council members indicated they were familiar with the application.
- Are there any challenges from the audience pertaining to the Council's jurisdiction to hear this matter or is there a challenge on the participation of any member of the Council? There were no challenges.

- d.  Associate Planner Caines presented the staff report. Council was asked to consider a proposed ordinance to annex approximately 260 acres of land (River Terrace Phase II) into Tigard, including adjacent right of way consisting of land east of SW Roy Rogers Road and north of SW Beef Bend Road.

Comments during the staff report included the following:

- Reviewed that the area to be annexed consists of 29 parcels.
- Tualatin Valley Fire & Rescue District is currently servicing the area and this will continue. The Tigard Police Department will begin serving if the ordinance is adopted and once the effective date is declared by the Oregon Secretary of State.
- The action tonight does not represent a change of zoning per City Attorney Bennett.
- The concept plan is in effect for this area.

- e. Public Testimony

- Proponents
 -  Matt Wellner, 17933 NW Evergreen Parkway, Beaverton, Oregon, testified he is a planner with Metropolitan Land Group. His organization owns land within this annexation area and they have been heavily involved with the West Bull Mountain area since it was brought into the Urban Growth Boundary (UGB) and through the concept planning process. His

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firm participated in the stakeholder working group during the concept planning and they look forward to participating with the City of Tigard in the community planning efforts for River Terrace.

Mr. Wellner said his company strongly supports the annexation request. They consider it to be an important and necessary step for the ultimate urbanization of this area, most of which was brought into the UGB in 2002.

 Mr. Wellner reviewed the process they undertook to spearhead this annexation effort for a triple majority annexation. A concerted effort was made to inform everyone in the area about the annexation proposal.

f. Associate Planner Caines advised staff recommended favorable consideration of the proposed annexation, ZCA2012-00003

g.  Mayor Cook closed the public hearing.

h. Council Discussion and Consideration:

 Councilor Woodard said this is a good scenario with the triple majority process completed for this proposal. He said his only concern was the impact the annexation would have on the city's budget; however, he said he thought this impact was probably insignificant.

 Councilor Buehner said she has been interested in this area for about the last 15 years, when she was involved in setting up CPO4K. She said the annexation was needed for the future growth of the City of Tigard. She looks forward to welcoming the residents of that area to the city.

 Council President Henderson complimented those involved in the triple majority annexation process.

 Councilor Snider noted he agreed with Council President Henderson's comments saying he thinks this is an example of democracy at work.

 Mayor Cook concurred with Council President Henderson and Councilor Snider. He said he appreciated the time and effort that went into the triple majority annexation and he applauds the citizens who were involved. He said he welcomes those who will be annexed.

 Motion by Councilor Buehner, seconded by Council President Henderson, to approve annexation of River Terrace, Phase II, Urban Growth Boundary Area 63 and Roy Rogers West.

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City Recorder Wheatley read the number and title of the proposed ordinance:

ORDINANCE NO. 13-01 - AN ORDINANCE ANNEXING 268.14 ACRES OF LAND, INCLUDING TWENTY-NINE (29) PARCELS AND ADJACENT RIGHTS OF WAY; APPROVING THE RIVER TERRACE ANNEXATION – PHASE II (ZCA2012-00003).

City Recorder Wheatley took a roll call vote of the City Council on the motion. The motion was approved by a unanimous vote of City Council present:

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

6. INFORMATIONAL PUBLIC HEARING - SUPPLEMENTAL BUDGET AMENDMENT TO FY 2013 ADOPTED BUDGET

-  Mayor Cook opened the public hearing.
- Hearing Procedures – This is an informational public hearing in which any person shall be given the opportunity to comment.
-  Staff Report: Finance & Information Services Department Director LaFrance presented the staff report. Council was asked to consider a second quarter supplemental amendment to the FY 2013 Adopted Budget. The purpose of the supplemental budget amendment was to account for revenues and expenses that were unknown at the time of budget adoption.

Finance and Information Services Department Director LaFrance reviewed the list of items requiring council action and were represented in a proposed resolution.

Council members asked questions for clarification.

- Public Testimony – There was no public testimony.
- Finance and Information Services Department Director LaFrance advised the staff recommendation was to approve the second quarter amendment to the FY 2013 Adopted Budget.
- Mayor Cook closed the public hearing.

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-  Council Consideration:

Motion by Councilor Buehner, seconded by Councilor Snider, to approve Resolution No. 13-02.

RESOLUTION NO. 13-02 - A RESOLUTION TO ADOPT A SUPPLEMENTAL BUDGET AMENDMENT TO FY 2013 TO ACHIEVE THE FOLLOWING: ADJUSTMENTS TO THE CAPITAL IMPROVEMENT PLAN, CITY OPERATIONS IN POLICE, COURT, AND CITY RECORDER, AND NON-APPROPRIATION ITEMS.

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

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



7. INFORMATIONAL PUBLIC HEARING ON THE URBAN FORESTRY CODE REVISIONS ADMINISTRATIVE RULE PROCESS

The administrative rulemaking procedure is described in Tigard Municipal Code Section 2.04.070, and includes notice to both council and the public. Staff formally notified council of the proposed administrative rules on December 13, 2012. Councilors Woodard and Henderson both notified City Manager Marty Wine by the deadline that they desire to put the administrative rules for discussion as part of the next available council agenda.

Public notice of the administrative rules discussion was sent on January 7, 2013.

Council is scheduled to discuss the administrative rules on January 22, 2013 and, if needed, on February 5, 2013.

-  Mayor Cook called the meeting to order.
- Hearing Procedures – This was an informational public hearing and any person had the opportunity to comment.
-  Staff Report: City Manager Wine presented the staff report.
 - Staff asked for City Council direction to the City Manager whether to approve, reject or modify the administrative rules included in the Urban Forestry Manual. Staff also

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asked for City Council consideration of a resolution that would amend the citywide Master Fees and Charges Schedule to implement the changes adopted in the Urban Forestry Code Revisions (UFCR) that were previously adopted.

- For the new UFCR revisions to go into effect on March 1, both the administrative rules and the proposed resolution need to be approved by the City Council.
 - City Manager Wine reviewed the administrative rule process in general. 
 - City Manager Wine reviewed the amendments to the Urban Forestry Manual based on council direction during the public hearing process.
 - The staff recommendation was for council to direct the City Manager to accept the Administrative Rules with four revised sections.
-
-  Associate Planner Daniels continued the staff report and reviewed the proposal to amend the citywide Master Fees and Charges Schedule as described in her January 22, 2013, memorandum to the Tigard City Council regarding the UFCR Master Fees and Charges, which was included in the council meeting packet as Attachment 4 to the Agenda Item Summary.

 -  Mayor Cook called for public testimony. There was no testimony.

 -  Associate Planner Daniels reiterated the staff recommendations for council acceptance of the administrative rules with the four amendments described by staff and approval of the proposed resolution amending the citywide Master Fees and Charges Schedule.

 -  Council questions and discussion followed:
 - Councilor Buehner commented that the information provided regarding English (aka “London”) plane trees was non-responsive. She noted the problems encountered on her street with 23 English plane trees were planted, causing issues with water and drainage pipes. All of these trees were removed and all the sidewalks and pipes had to be replaced; this was very expensive to all of the neighbors. Councilor Buehner proposed that this tree be removed from the list of street trees.
 - Consultant Prager advised the trees selected for the list were evaluated for success across the Portland region for specific applications. These trees are resilient and do well in parking lots and as street trees. He agreed that if these trees are not provided adequate space to grow, they will cause damage to pipes and sidewalks. The manual prescribes larger setback from utilities and sidewalks to avoid problems with large-growing trees. This is a new provision to the code.
 - After discussion, there was consensus the new proposed setbacks address the issue and reduced the risk of damage to sidewalks and pipes.
 - Councilor Woodard referred to Administrative Issue A4 – “Is requiring tree protection inspections by arborists/landscape architects twice monthly during developments excessive?” There was lengthy discussion regarding A4 and whether this matter should return to the City Council before having this provision included in the administrative rules. After discussion and the assurances that the administrative

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rules would be evaluated and amended if problems are encountered, the consensus was to move forward with the implementation of the administrative rules.  Principal Planner McGuire referred to staff's intention to monitor the administrative rules.

- o  Councilor Snider reviewed his concerns with hazard tree abatement. He advised his understanding was the costs arising from a complaint about a hazard tree would be borne on the person making the complaint. He asked about the situation where someone has attempted to resolve a problem with their neighbor without city assistance and eventually an arborist proves there is a problem, so why would the full cost to remedy the matter be placed upon the complainant? Councilor Snider said a secondary issue was that there should be a fee waiver available when there is a legitimate concern, but a complainant cannot afford the cost for hazard tree abatement.
 - Associate Planner Daniels said she had given misinformation on this matter. A person making a complaint must pay for costs initially and, if a hazard is found to exist, the complainant will be reimbursed by the city. The person who owns the hazard tree would be assessed the fee by the city.
 - City Manager Wine said fee waivers can be handled through the standard city process in place.

Discussion ensued on the proposed amendments to the Master Fees and Charges Schedule.



In response to a question from Mayor Cook – Associate Planner Daniels distributed a summary of changes to further clarify changes to the master fees and charges schedule. While there are more fees, this does not mean the costs to develop will be more since the amount of the fees for specific actions are less than what is being charged under the existing requirements.

In response to a question from Councilor Henderson an arborist, in some circumstances, must be hired; however, this is a requirement in the existing code also, including when a developer creates a partition (2 or 3 lots) or a subdivision. No arborist is required for an addition to a single-family home.

In response to a question from Councilor Woodard about a tree establishment bond, Associate Planner Daniels advised that the city currently has such a bond, but it is not part of the fee schedule. Staff is proposing to make these charges a part of the fee schedule so everyone knows what to expect. The money paid for the bonds is refunded when the developer has demonstrated the requirements were met.

Councilor Woodard asked about urban forestry inventory fees. Consultant Prager said this is a new fee. This fee would contribute to building the tree inventory so people can more easily identify trees that are protected on their property. In response to a comment by Councilor Snider, Consultant Prager explained that the council, by adoption of the

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Comprehensive Plan/Master Plan, directed that the city should provide a publicly accessible tree inventory so people could find this information more easily. Councilor Woodard noted some concerns about whether this fee will end up costing developers and property owners more than anticipated; he indicated he felt more comfortable with letting this proceed because this can be reviewed when needed; i.e., annually.

Principal Planner McGuire suggested that one way to look at the costs associated with establishing a tree inventory: Currently, if a homeowner knows that some trees on their lot might be protected, they must come to the Permit Center to ask staff to help them identify the trees. Staff then must research records, which might be in a paper or electronic format. Instead of taking staff time to do this research, this inspection could be done at the beginning when subdivisions and plans are being approved by simply referring to the city's GIS system. This fee offsets inputting the information into the GIS system. City Manager Wine, in response to a question from Councilor Snider, said the requirement to build a tree inventory is new and a developer applicant is not paying for staff research time now.

Responding to a question from Councilor Buehner, staff confirmed during the application process that if a tree is identified to remain on a piece of property, then the developer/applicant must pay \$137 to place the tree within the GIS system.

Councilor Henderson commented on how the City of Tigard compares itself to other cities – should this be something we should do? Associate Planner Daniels said the Planning Commission requested this review be done when it was considering this matter; Tigard is comparable with regard to the fees being imposed. Councilor Henderson said he thinks it's often a good idea to look to see how the city compares to other jurisdictions, he thinks we could always strive to do better regardless.

 Motion by Councilor Snider, seconded by Councilor Buehner, to approve the administrative rules proposed in the Urban Forestry Manual.

> Note: Mayor closed the public hearing prior to the City Council taking a vote on the motion.

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

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

Associate Planner Daniels referred to the potential amendments to the called out in the staff report and documentation submitted to the council for its consideration of the proposed administrative rules. Clarification was made that the City Council is directing the City Manager to approve the administrative rules. City Attorney Bennett referred to the motion above on the

TIGARD CITY COUNCIL MEETING MINUTES – JANUARY 22, 2013

administrative rules. This motion was made and seconded and the City Council approved that motion. By approving the motion, the City Council was directing the City Manager to approve the administrative rules. This action has been taken. The administrative rules proposed to the City Council were based upon the staff memorandum. City Attorney Bennett said he would read that to mean the Council has directed the City Manager to approve the manual, consistent with the staff report presented to the City Council tonight.

City Attorney Bennett said, "To make it clear...you direct the City Manager to implement the administrative rules proposed in the Urban Forestry Manual, based upon the staff report presented to you tonight and the modifications that were included that staff report." Council members indicated this was its direction.

City Attorney recommended that the City Council entertain a new motion to clarify the decision made by council earlier to direct the city manager.

Motion by Councilor Woodard, seconded by Councilor Buehner, that the City Manager is hereby directed to approve the administrative rules proposed in the Urban Forestry Manual, consistent with the recommended changes in the staff report dated January 22, 2013.

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

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



Consideration of a resolution to amend the citywide master fees and charges schedule.

Councilor Buehner noted that the City Council usually considers the master fees and charges scheduled during the consideration of the budget each year. City Manager Wine advised these charges before the City Council this evening will be included in the schedule submitted to the City Council during the FY 2014 budget adoption process.

Motion by Councilor Buehner, seconded by Councilor Woodard, to adopt Resolution No. 13-03, a resolution to amend the Citywide Master Fees and Charges Schedule as Adopted by Resolution No. 12-22 to institute new and revised fees necessary to implement the Urban Forestry Code Revisions Project.

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

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

- 8. COUNCIL LIAISON REPORTS – Councilor Buehner advised she would present her report at the next business meeting.
- 9. NON AGENDA ITEMS – None.
- 10. EXECUTIVE SESSION -- Not held.



- 11. ADJOURNMENT: 9:58 p.m.

Motion by Councilor Buehner, seconded by Council President Henderson, to adjourn the meeting.

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

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

Catherine Wheatley, City Recorder

Attest:

Mayor, City of Tigard

Date: _____

TIGARD CITY COUNCIL MEETING MINUTES – JANUARY 22, 2013



City of Tigard Special Joint Council Meeting Minutes February 12, 2013

TIGARD CITY COUNCIL AND BEAVERTON CITY COUNCIL

MEETING DATE AND TIME: February 12, 2013

MEETING LOCATION: City of Tigard – Town Hall – 13125 SW Hall, Tigard, OR 97223



1. SPECIAL JOINT MEETING WITH TIGARD AND BEAVERTON CITY COUNCILS

A. Mayor Cook called the Special Joint Meeting of the Tigard and Beaverton City Councils to order at 7:03 p.m.

B. Deputy City Recorder Krager called the roll:

	Present	Absent
City of Tigard		
Mayor Cook	✓	
Councilor Buehner	✓	
Council President Henderson	✓	
Councilor Snider	✓	
Councilor Woodard	✓	
City of Beaverton		
Mayor Doyle	✓	
Council President Arnold	✓	
Councilor Bode	✓	
Councilor King	✓	
Councilor Fagin	✓	
Councilor San Soucie	✓	

Tigard staff present: City Manager Wine, Assistant City Manager Newton, Community Development Director Asher, City Attorney Ramis, City Engineer Stone, Principal Planner McGuire, Senior Planner Wyss, Deputy City Recorder Krager

Tigard Planning Commissioner Shavey

Beaverton staff present: Chief Administrative Officer Ealy, City Attorney Kirby, Assistant City Attorney Scheiderich, Community and Economic Development Director Mazziotti, Public Works Director Arellano, Principal Planner Sparks, Senior Planner Sutton and Principal Engineer Winship.

SPECIAL JOINT COUNCIL MEETING MINUTES – February 12, 2013

Clean Water Services Engineer Pak and Washington County Principal Engineer Younkins were also present.

C. Pledge of Allegiance

D. Council Communications & Liaison Reports

E. Call to Council and Staff for Non-agenda Items City Manager Wine said she had two non agenda items to be discussed at the end of the meeting.

2. PLANNING COORDINATION BETWEEN TIGARD AND BEAVERTON

 Mayor Cook said the cities of Tigard and Beaverton are commencing a planning effort to get land use and infrastructure plans in place to allow urban growth expansion areas to transition from rural to urban use. The planning areas are adjacent, River Terrace in Tigard and South Cooper Mountain in Beaverton, and there are several issues of mutual interest. Opportunities exist for coordination and reduced duplication of efforts, which will lower the cost for each jurisdiction. At the end of the discussion, councils from both cities will consider placing a joint resolution on their future agendas directing staff to coordinate between the two cities.

Tigard Senior Planner Wyss introduced Beaverton Senior Planner Sutton and said the presentation tonight will be an overview of each city's process and planning efforts. He said Tigard Community Development Director Asher and Beaverton Principal Planner Sparks will lead a discussion on coordination.

Senior Planner Wyss said the River Terrace Community Plan will refine the West Bull Mt. Concept Plan completed by Washington County in 2010. The River Terrace Community Plan area covers 500 acres. Major tasks include refining the comprehensive plan land uses into zoning and regulations for development to occur. Updates are required for city infrastructure master plans including water, sewer, storm water, transportation and parks. The River Terrace Community Plan area anticipates 2,800 housing units and a small neighborhood commercial area. He distributed a handout showing development examples and noted that the average will be just over ten units per acre.

Senior Planner Wyss said the concept plan laid out a series of three community parks, eight neighborhood parks and a connecting trail system. There will be a well-connected street system to relieve traffic pressure and good pedestrian/bicycle infrastructure. The Tigard-Tualatin School District owns property on the southern edge of the area and a new school is planned once development creates a demand.

He said much of this planning will take place over the next year. Some natural resource tasks have begun, including a tree grove inventory to coincide with the recent adoption of the urban forestry code revision project. A wetland inventory created for the West Bull Mt.

SPECIAL JOINT COUNCIL MEETING MINUTES – February 12, 2013

Concept Plan was accepted by the state and Tigard will complete the analysis required for the Goal 5 program. Assigning zoning to the comprehensive plan land uses is just beginning and will feed into many other tasks. This will be the topic of the first round of committee and community meetings to be scheduled in the next few months. Tigard will use the services of a consultant team to help with the infrastructure plans.

 Beaverton Senior Planner Sutton said the South Cooper Mountain Concept and Community Plan Area (SCM) includes the 510-acre Cooper Mountain area added to the urban growth boundary in 2002, 544 acres added in 2011, and the balance of the Urban Reserve Area 6B (1,232 acres). The Cooper Mountain area remains in Washington County and planning work has not been done. In 2011 544 acres were added with the balance of Urban Reserve Area 6B (1,232 acres), which has not been added to the UGB. She said the planning work was not done for URA 6B, which remains in Washington County. Metro asked Beaverton, as part of the ordinance adding 544 acres to the UGB, to complete the concept planning for all of area 6-B. Another Metro condition of the UGB expansion was that Beaverton must provide capacity for 5,500 dwelling units, a density of over 15 units per acre. She said their goal is to spread density, placing more near the infrastructure and transportation along Scholls Ferry Road and 175th Avenue. Beaverton School District is planning to build a new high school.

Senior Planner Sutton said she knew of no other situation where concept and community planning work to this degree is going on in two adjacent jurisdictions at the same time. Major issues include sanitary sewer on both sides of Scholls Ferry, stormwater management and natural resource protection. She said the City of Beaverton issued an RFP and received a proposal from a team of consultants that has worked on all 14 of the concept plans in the region. The project begins in March and the target for the concept plan and comprehensive plan amendments (and zoning amendments for areas within the city) should be ready for adoption by the Beaverton City Council in late summer 2014.

 Councilor Buehner said, “Washington County is currently improving Scholls Ferry up to 175th Avenue and your description indicates the high school will be west of 175th. Has the city considered improvements west of 175th to address these issues?” Principal Planner Sparks said it is an MSTIP project with limits that go a little beyond 175th Avenue but whether this will be adequate for added high school traffic is in question. He said the school district would be required to provide mitigation.

 Councilor Buehner said the 6-B Area is split between the Beaverton and Hillsboro School Districts. She noted that there is proposed legislation to adjust school district lines and asked if the city was taking a position on this. Mayor Doyle said the City of Beaverton is not taking a position at this time.

 Councilor San Soucie asked for information about cooperative planning for trails. Senior Planner Sutton said she has spoken with the Tualatin Hills Park and Recreation District (THPRD) and they are enthusiastic about working together on providing trail connections. There are opportunities to connect to major regional investments such as the

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Cooper Mountain Nature Park, West Side Regional Trail and the Tualatin River National Wildlife Refuge. She noted that there is a condition in the urban reserves IGA establishing Area 6-B that Beaverton provide enhanced resource protection and public access to the regional park. In response to a question from Councilor San Soucie about whether Tigard's River Terrace area has a similar requirement, Senior Planner Wyss replied there was not, but the West Bull Mt. Concept Plan identifies a trail starting on 150th Avenue that follows the 300 foot elevation contour to Scholls Ferry Road. He said this is an opportunity to coordinate with Beaverton and THPRD to make sure the trails line up. Metro is interested in the possibility of connecting 150th Avenue with the Westside Corridor Trail, which is only one quarter-mile away. Principal Planner Sparks noted that the Westside Corridor Trail is within the BPA power line easement.

 Community Development Director Asher suggested moving the discussion to one between the councils and mayors. He stated that the level of coordination between the cities is not difficult and staff can be counted on for this. He said the challenge is the coordination that will make both planning areas turn out better and happen faster, and this will occur at the elected official level. The mayors and councils will need to be involved when figuring out the cost allocations for systems crossing boundaries, such as sewer, water and roads. He said staff wants to hear what the elected officials are looking for out of these planning processes so that in 12-18 months' time there is financing in place to prepare for development.

Principal Planner Sparks agreed that financing issues are key and there are a lot of partners that can be relied on to help with that. Part of the planning process is having financing first and foremost. Each community is at a different stage in their planning. He said they don't want to slow anyone down or speed anyone up, but where we can cooperate and have economies of scale, they want to take advantage of them.

 Mayor Doyle said, "We can't afford not to work together." He said the cities have worked well together before and he wants to lead the way in showing how the cities are careful with spending every dollar as judiciously as possible. He said coordination makes sense and it is owed to the taxpayers to do it this way. He acknowledged that each city's staff will be very busy in the next year and a half and, "Everything we can do to support you, we will do. We're all in this together."

Councilor Snider said this is an example of something that would be a colossal failure if there was no coordination. He said this should occur at the highest level, including the councils and every opportunity should be taken to do this well.

 Councilor Woodard referred to the SW Transit Corridor and asked the planners if they have scoped outside of these areas to consider congestion-reducing transit. Community Development Director Asher said he heard concerns at the SW Corridor Steering Committee meeting about the transit planning process stopping at the "front door" of this area. He said transit planning should be a part of what is done here. He said a frequent mistake in this kind of "edge" area is assuming too many trips are in single-occupancy automobiles. He said he was pleased that a lot of the planning already occurring for River

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Terrace shows a commitment to connectivity so other travel modes (bicycle or pedestrian) are effective for certain trips and transit has a role. He said there is a regional commitment to build places that support other modes of travel, besides cars.

Principal Planner Sparks commented that the collective challenge in this area will be transportation, particularly employment transportation. Employment is largely going to be in Hillsboro, north Beaverton or downtown Portland, putting a lot of traffic, both east and west, on Scholls Ferry Road and Murray Boulevard. He said there are many questions about what mitigation can be achieved and we have to realize what is realistic and achievable. He said, "I don't think we can make Scholls Ferry Road and River Road into a west side corridor substitute. But I think we also have to recognize that people are going to go certain ways to get to the employment areas. How we address this will be a challenge and a coordination issue with Washington County."

 Councilor Bode suggested it is timely to consider the long-term visions of TriMet and Metro to see what instruments they can put into play to support developing a public transit line to these areas. She said a red flag for transportation is that Tualatin Valley Fire & Rescue went to a smaller truck for a 911 call that was medical so they get through the traffic and reach victims more quickly. She asked, "If we are already at capacity, what is the selling point going to be? Own a home - but you'll never leave it because you can't get out on the road?" She said people need to be shown that by developing this area it will have all the elements, including effective transportation.

 Principal Planner Sparks said TriMet released information on westside enhancement, which is not a commitment but a study on routing ideas and questions. He said he talked to TriMet about routes for this area and Senior Planner Sutton invited TriMet to participate in the planning process. He said that TriMet's finances are dire and services are being cut.

 Councilor San Soucie commented that the transportation network map doesn't show the south Hillsboro planning work which will impact Scholls Ferry and Tile Flat Road. He said Tile Flat Road connects to Clark Hill Road which is the logical southern extension of Cornelius Pass Road, the principal arterial through south Hillsboro. He said we need to be aware of their efforts and while the level of coordination would be lower, this is worth tracking. Senior Planner Sutton said she has spoken with Hillsboro planning staff and while the areas are not adjacent, the transportation ties are close and Hillsboro is interested in coordination.

Councilor San Soucie expressed confidence in staff being able to work out sanitary sewer and storm water issues. He hoped that attention is also paid to parks and trails. He said people don't care which jurisdiction a park or trail is in, they are attracted to pleasant and convenient amenities and will use them without thinking of boundaries.

Councilor Fagin said what is important to him is the idea of doing things once. Especially in the Cooper Mountain and South Cooper Mountain areas, sewer and water pipes need to be installed that are sized to accommodate future needs. He mentioned another thing to

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keep in mind is that Hillsboro's new water source may cross Beaverton through this area. Principal Planner Sparks said along this line, Washington County is taking a lead role in making sure all agencies are at the table during the widening of Scholls Ferry Road to ensure the pipes underneath the road are adequately sized.

 Council President Arnold asked where water for South Cooper Mountain will come from. Principal Planner Sparks said Beaverton's water engineers are considering a new tank in Area 65-B to serve the South Cooper Mountain area. Senior Planner Wyss said the City of Tigard will provide water to the River Terrace area.

 Councilor Snider expressed concerns about pressure put on Highway 217 from Scholls Ferry traffic. He asked if these impacts need greater consideration and coordination in the planning phases. Community Development Director Asher said this will be a problem, but questioned whether this means that the development creating the exacerbation can fix it. He said it may be completely unrealistic to think that this planning effort is going to solve that. He said, "We do need to be smart and creative about how much we take on, how much we allocate to this project and what kind of signals we send as to what we intend to do about that."

 Mayor Cook asked about specific road issues and connectivity to Scholls Ferry. He asked if intersecting roads from River Terrace and South Cooper Mountain will connect across Scholls Ferry. He noted that the county's plans only show existing roads and they will have their work completed before Tigard or Beaverton build anything. In response, Senior Planner Wyss said a key coordination point is to have models, assumptions and outputs consistent and then figure out how to pay for offsite impacts.

 Councilor Buehner asked if the long term plan is to widen Scholls Ferry Road to seven lanes into Highway 217, and where that project is in the county's priority system. Washington County Principal Engineer Younkins replied that it is not on any MSTIP list. If it were to happen the county would do a series of intersection improvements. He said they have a new signalization system now. Cornell Road is one example. He acknowledged that with the new system drivers on side streets do have to wait a bit longer. Signalization is based on cars approaching from the east-west direction. He said they are looking at signal timing and safety improvements on Roy Rogers Road at Scholls Ferry, Beef Bend and Bull Mountain, and also the intersection of Scholls Ferry and Tile Flat Roads. Councilor Buehner said she hoped the county would coordinate with Tigard on Roy Rogers Road because the city will be doing the concept planning for the urban reserves area.

Washington County Principal Engineer Younkins said federal, state and Metro greenhouse gas initiatives are coming so the county is holding off on revising their transportation plan until most likely 2014 so they can consider these impacts.

 Mayor Doyle said we need to avoid the mistakes that have been made in this region because people did not think a little farther out than their project area and failed to correctly estimate growth. He said the cities should work closely with the county because they will

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need to help pay for some of this. He commented on the idea of a seven lane road and said he was against it saying, “They destroy communities.”

Principal Planner Sparks said the councils have an opportunity to coordinate lobbying efforts for project support and grant funding, promoting the cooperation between the cities on issues of mutual interest.

 Councilor San Soucie said a lesson learned from the North Bethany process was that the concept plans were attractive but didn’t line up with practical realities on the ground. He asked to what extent can we work better with land owners and developers so we don’t run into hurdles to development. Community Development Director Asher said one thing would be to make this a real planning process that results in ordinances within these timeframes so that we attract private sector investment from homebuilders, developers and contractors. They will know what is coming and will invest. He said in the River Terrace area some of those interests have already made investment decisions and will continue to be involved. He said, “They will raise those very issues for us and we will be sensitive to them.”

Councilor Woodard urged everyone to remain cognizant of zoning ideas that benefit public/private partnerships. He suggested thinking of destination points that are exciting and interesting such as Big Al’s Bowling and New Seasons. He said there are some great opportunities and we should not be afraid of “dreaming big.”

Councilor San Soucie said there are countless places already in cities where five-lane arterial intersections are normal, pedestrian-oriented, urban places. He said, referring to Scholls Ferry Road, “We don’t have to think of this as a super highway separating two cities. We can think of this as a street between two neighborhoods. That’s what I’m hoping for.”

Councilor Buehner noted that Tigard has recently purchased a large amount of park property on west Bull Mountain which is very close to this area. She also mentioned that Tigard wants to use the density transfer as a vehicle to move density to the downtown and the Tigard Triangle from other areas. She asked if Beaverton has this option. Planner Sparks said it was certainly on the table. He said Metro Code dictated fifteen units to the acre but 15.7 units per acre is what is listed in the ordinance.

Community Development Director Asher said there is a joint resolution and as this is a work session, staff is requesting that each council take it back to their jurisdiction for adoption. He said this is a formal action that punctuates the coordination that has occurred already and will continue in the future.

Mayor Doyle said Beaverton’s city council will take action to formally adopt the resolution at their next meeting. Mayor Cook said Tigard will do the same. Councilor Buehner requested that another joint meeting be scheduled within six or twelve months to make sure everyone is on target for coordination and cooperation.

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At 8:13 p.m. Mayor Cook called for a short break. He announced that Tigard would continue on with their agenda and Beaverton council and staff were welcome to stay.

The meeting was called back into session at 8:27 p.m.

3. REVIEW AND DIRECT STAFF REGARDING TIGARD'S FEDERAL LEGISLATION AGENDA

 Assistant City Manager Newton highlighted a few things from Tigard's proposed federal legislative agenda.

- Grant Opportunities include funding for the Fanno Creek Regional Trail and the 72nd Avenue/Highway 217 interchange, which are on the 150 percent list for Washington County. The city's lobbyists advised that there is potential funding for the Hall Boulevard from Burnham to Durham Road program. A few police equipment requests were submitted and she said the city often tries to get federal funding for these. Chief Orr is prioritizing them.

Other projects include the after-school program for Metzger, which Tigard is working on with the Tigard-Tualatin School District. Also, the Farmer's Market is enlarging and moving to a new location and Tigard has been encouraged to apply for grant funds to promote the market.

- Projects Supported by the City of Tigard include projects that Tigard is not asking for funding but may benefit from, if funding becomes available for these projects:
 - Pacific Highway (99W)/Barbur Boulevard High Capacity Transit Alternatives Analysis
 - Lake Oswego-Tigard Water Partnership
 - Columbia River Crossing Project
- Policy Items are those Tigard has support for moving forward but not necessarily funding.

Assistant City Manager Newton said once the legislative agenda is adopted by council, a brochure will be produced and this is what Mayor Cook and City Manager Wine will take to Washington, DC when they visit our legislators.

 Councilor Snider asked how "Opposing Sequestration Cuts" ended up on the list. He commented that many of the aforementioned items were ones he recognized as those discussed by council in the past year. He said he did not recall any discussion, for or against, sequestration. Assistant City Manager Newton said there is usually some wording about protecting Community Development Block Grants or specific programs and the city has gone on the record supporting no cuts to those programs. She said because they are part of

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the sequestration package this year they were not listed separately. Councilor Snider said he understood that the city supports programs that will be affected by sequestration but felt the wording takes too strong a stand on managing the federal budget. Councilor Buehner said the city is very dependent on federal transportation funding and sequestration will gut this funding. Assistant City Manager Newton said this section will be reworked.

Councilor Woodard asked about the P&W Rail Abandonment item. He said he was hopeful to see movement on this because the Rotary Club must decide by 2014 the location of their equipment donation installation and the first choice would be along the Tigard Street Trail. Assistant City Manager Newton said CFM Lobbyist Rubin scheduled a meeting for City Manager Wine and Mayor Cook with the Surface Transportation Board when they are in Washington DC.

 In response to a question from Council President Henderson, City Manager Wine said she and Mayor Cook will meet with the city's lobbying group and federal agencies or members of our congressional delegations. City Manager Wine said they meet frequently with CFM during the preparation of this legislative agenda and the lobbyists are always looking for potential grant opportunities for Tigard. She said Lobbyist Rubin is aware of council's upcoming Washington DC trip plans and if there are opportunities for connections he will set them with council.

Mayor Cook addressed the wording relating to the sequestration priority, saying he agreed with Councilor Snider on amending the wording. Options: "We oppose the impacts of the cuts and programs that are important to us" or "We oppose arbitrary reductions."

Councilor Buehner moved and Council President Henderson seconded her motion to approve the proposed federal agenda with amended wording regarding sequestration. Motion passed unanimously.

	Yes	No
Mayor Cook	✓	
Councilor Buehner	✓	
Council President Henderson	✓	
Councilor Snider	✓	
Councilor Woodard	✓	

4. COUNCIL LIAISON REPORTS -

Councilor Woodard attended his first TTAC meeting and learned about a potential JARC (Jobs Access and Reverse Commute) grant to get enhanced bus services in the 72nd Avenue and Bonita area.

Councilor Woodard reported on the PRAB meeting and said things are moving well on Jack Park, Sunrise Park, Fanno Creek House, East Butte Heritage Park and the Dirksen Nature

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Park He said former dog park committee chair Chris Garstek asked that the dog parks be an official subcommittee of the PRAB. He noted that they couldn't have their dog Halloween costume contest last year because they didn't have the money for necessary insurance. He said a majority of the voters who voted for the parks bond were dog owners and they would like a voice. A dog park is seen as an amenity for nearby housing.

He said other cities have dog parks that create revenue that helps pay for maintenance and capital projects. Money is often raised from a dog photography program which proves to be a popular city recreation program. She said Ms. Garstek had some interesting ideas and council will be updated soon.

Councilor Woodard said a citizen mentioned that the YMCA does recreation program market feasibility studies, at a cost. Councilor Woodard said he let PRAB know there is money available for studies like this, but it is up to them to forward what they plan to do through staff who will then bring it to council. He said he felt he had council support to ask them to get started on studying support for a recreation program.

 Council President Henderson said the CBDG program is finished and he will spend February 14 endorsing this year's grant winners. He cannot reveal who received them yet but \$3 million dollars is available to be distributed.

Council President Henderson reported on the Willamette River Water Coalition meeting. He said this is a permit held with others on the Willamette River. We only take half of the budget every year but this year we are asking for all of the money because there is a greater monitoring need because the Army Corps of Engineers will be examining all the water not being used. He said, "We want to be at the table." New members include Wilsonville and Hillsboro.

 Councilor Buehner reported last night the application for the permit for the new water treatment plant was approved by the West Linn council.

Councilor Buehner reported on the Regional Water Providers Consortium meeting, which included a presentation on how an 8.5 or 9 earthquake would affect infrastructure. While discussion is commonly held on preparation for 72-hours of emergency response and inconvenience, that preparation is inadequate. It would be closer to three months. She noted that the planned Lake Oswego/Tigard water treatment plant will be one of the few water plants that can withstand an earthquake of that size.

Councilor Snider said the Social Services subcommittee of the Budget Committee will be meeting the evening of February 27 and requested that any councilors wishing to give input or perspectives contact him.

Mayor Cook reported on the Washington County Coordinating Committee meeting and said Tigard projects remaining on their 150 percent list for Washington County funds are the Tigard Street Trail and 72nd Avenue/Highway 217.

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Mayor Cook said he attended a SW Corridor Steering Committee meeting. He said a council briefing is scheduled so he would not go into too much detail at this time. He said over the next three months the committee will be asking for support from the councilors and input from citizens for the projects on the list. Information will be gathered from cities, chambers of commerce, stakeholder groups, homeowner associations and citizens. He would like to hold a citywide open house in April to receive citizen input prior to a decision in May on which of the projects on the list are most important.

5. NON AGENDA ITEMS

Washington County Surplus Properties

City Manager Wine distributed a map showing two Tigard parcels in foreclosure due to not paying taxes. She said surplus properties are offered by the county to agencies first. They represent opportunities to make linkages to the city's park system.

The Essex parcel was reserved for a path to adjacent city-owned open space. Staff believes this would be a good trail network connection in the future.

The Rockingham parcel is in the Amesbury Heights subdivision and is adjacent to a city-owned water quality facility and could be used for a pocket park.

City Manager Wine said usually the city can pick up these kinds of properties for the amount of the back taxes. For the Essex parcel that amount is about \$5,000 and the Rockingham parcel is about \$15,000. The county needed to hear of any interest by Friday. She authorized staff today to let Washington County know that the city is interested in purchasing these parcels. . Council President Henderson noted that they are too small for home lots. Councilor Buehner said she has long-time had an interest in having the Essex property be a small pocket park and the Rockingham property connects to a stairway that connects to a city-owned easement.

Council Groundrules

City Manager Wine said council met on January 10 and 29, 2013 and one topic discussed was council groundrules. The final groundrule documents have been prepared and are ready for signature. She asked that council see Deputy City Recorder Krager at the end of the meeting to sign their groundrule documents.

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6. ADJOURNMENT

Councilor Woodard moved for adjournment and the motion was seconded by Councilor Buehner. All voted in favor. The meeting adjourned at 9:06 p.m.

	Yes	No
Mayor Cook	✓	
Councilor Buehner	✓	
Council President Henderson	✓	
Councilor Snider	✓	
Councilor Woodard	✓	

Carol A. Krager, Deputy City Recorder

Attest:

John L. Cook, Mayor

Date

SPECIAL JOINT COUNCIL MEETING MINUTES – February 12, 2013

Business Meeting**Meeting Date:** 03/26/2013**Length (in minutes):** Consent Item**Agenda Title:** Appoint Cameron James as a Member and Clifford Rone as an Alternate to the Audit Committee**Prepared For:** Debbie Smith-Wagar**Submitted By:** Debbie Smith-Wagar
Financial and Information Services**Item Type:** Resolution**Meeting Type:** Consent Agenda**Public Hearing:** No**Publication Date:****Information****ISSUE**

Consider a resolution to appoint Cameron James as a member and Clifford Rone as an alternate to the Audit Committee.

STAFF RECOMMENDATION / ACTION REQUEST

Staff recommends approval of this resolution.

KEY FACTS AND INFORMATION SUMMARY

On June 26, 2012 the Council passed resolution 12-26 creating a three-member Audit Committee along with one non-voting alternate member. In December 2012 Council appointed Peter Hedgecock to the committee. In January 2013 the Council appointed Gretchen Buehner to be the Council member liaison.

Mayor Cook and Councilor Buehner interviewed Budget Committee members interested in serving on the Audit Committee and recommend that Budget Committee member Cameron James be appointed to a two-year term and Budget Committee member Clifford Rone be appointed to the non-voting alternate position for two years. The terms will expire on December 31, 2014.

OTHER ALTERNATIVES

Direct Mayor Cook and Councilor Buehner to interview additional candidates.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS**DATES OF PREVIOUS COUNCIL CONSIDERATION**

None

Attachments

Resolution

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO 13-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TIGARD, OREGON APPOINTING CAMERON JAMES AS A VOTING MEMBER AND CLIFFORD RONE AS AN ALTERNATE TO THE AUDIT COMMITTEE.

WHEREAS, two positions are open on the city's audit committee; and

WHEREAS, Mayor Cook and Councilor Buehner conducted interviews of several individuals on March 4, 2013 for Audit Committee; and.

WHEREAS, Mayor Cook and Councilor Buehner have recommended that Cameron James be appointed to the city's Audit Committee as a voting member and Clifford Rone be appointed as a non-voting alternate,

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: Cameron James is appointed to a two-year term on the City of Tigard's Audit Committee beginning immediately.

SECTION 2: Clifford Rone is appointed to a two-year non-voting term on the City of Tigard's Audit Committee as an alternate beginning immediately.

SECTION 3: The two-year terms will end on December 31, 2014.

SECTION 3: This resolution is effective immediately upon passage.

PASSED: This _____ day of _____, 2013.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

Business Meeting

Meeting Date: 03/26/2013
Length (in minutes): Consent Item
Agenda Title: Adopt Cost-of-Living Adjustment for Tigard Police Officers Association Effective July 1, 2013
Prepared For: Sandy Zodrow **Submitted By:** Sandy Zodrow, City Management
Item Type: Motion Requested **Meeting Type:** Consent Agenda
Public Hearing: No **Publication Date:**

Information

ISSUE

Should the Tigard City Council approve a cost-of-living adjustment for the Tigard Police Officer's Association effective July 1, 2013

STAFF RECOMMENDATION / ACTION REQUEST

Approve a cost of living adjustment for the Tigard Police Officer's Association effective July 1, 2013

KEY FACTS AND INFORMATION SUMMARY

The Tigard Police Officer's Association (TPOA) is in the 2nd of a 3rd year collective bargaining agreement with the City of Tigard. Their contract will expire in June of 2014. The 2nd year of the contract calls for a negotiated wage adjustment. The City and TPOA have discussed this matter and both parties recommend continuing with the cost of living formula currently in the contract for the July 1, 2013 adjustment. This would result in a 2.1% cost-of-living adjustment for July 1, 2013. TPOA has met and their bargaining unit approved this matter. It is now before the Tigard City Council to approve this adjustment effective July 1, 2013.

Jackie Damm, City Labor Attorney, briefed the Council on this matter as part of her presentation in Executive Session on February 26, 2013

OTHER ALTERNATIVES

N/A

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

N/A

DATES OF PREVIOUS COUNCIL CONSIDERATION

Council was briefed on this matter at the Labor Relations Executive Session, February 26, 2013

Fiscal Impact

Fiscal Information:

Council was provided this information at their February 26, 2013 Executive Session on labor relations.

Business Meeting

Meeting Date: 03/26/2013
Length (in minutes): Consent Item
Agenda Title: Contract Award - Main Street Off-Street Parking Lot Improvements
Prepared For: Joseph Barrett
Submitted By: Joseph Barrett, Financial and Information Services

Item Type: Motion Requested

Consent Agenda
Meeting Type: - LCRB

Public Hearing

Newspaper Legal Ad Required?: No

Public Hearing Publication

Date in Newspaper:

Information**ISSUE**

Shall the Local Contract Review Board award the contract for the Main Street Off-Street Parking Lot Improvements to D&T Excavating?

STAFF RECOMMENDATION / ACTION REQUEST

Staff recommends the Local Contract Review Board award the contract for the Main Street Off-Street Parking Lot Improvements to D&T Excavating and authorize the City Manager to carry out all necessary steps to execute the contract.

KEY FACTS AND INFORMATION SUMMARY

The city has planned to construct a 20 stall paved public parking lot with landscaping, stormwater treatment and lighting on two city-owned lots on Burnham Street. The design of the lot will allow for future expansion to the northeast if access and cost sharing with property owners can be agreed upon.

The city released an Invitation to Bid for the project on February 11th and received fourteen (14) bids when the solicitation closed on February 26th. The received bids were as follows:

- D&T Excavating - \$126,492
- Jeff Kersey - \$133,162
- CR Woods Trucking - \$133,269
- Sub Com - \$134,000
- Lyda Excavating - \$134,500
- Northwest Earthmovers - \$137,733
- Jesse Rodriguez Construction - \$150,247
- Rychart Excavation - \$160,596
- Kodiak Pacific Construction - \$162,162
- S-2 Contractors - \$163,861
- Rev Con - \$164,839
- Civil Works NW - \$169,605
- Brown Contracting - \$184,390
- Eagle Elsner - \$184,500

Staff reviewed the bids and found them to be responsible bids. Therefore, in accordance with the city's Public

Contracting Rules, staff recommends the contract be awarded to D&T Excavating as the lowest responsible bidder.

OTHER ALTERNATIVES

The Local Contract Review Board may choose to decline the bids, not award the contract and direct staff to not perform the work.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

DATES OF PREVIOUS COUNCIL CONSIDERATION

This is the first time this contract award has been before the Local Contract Review Board.

Fiscal Impact

Cost: \$126,492

Budgeted (yes or no): Yes

Where budgeted?: UR - Capital Improvements

Additional Fiscal Notes:

The 2012-2013 Urban Renewal Capital Improvements fiscal year budget has \$150,000 budgeted for this project. This is enough to cover the \$126,492 contract.

AIS-1231

4.

Business Meeting

Meeting Date: 03/26/2013

Length (in minutes):

Agenda Title: Report from City Council Members on the National League of Cities Congressional City Conference

Submitted By: Cathy Wheatley, Administrative Services

Item Type: Update, Discussion, Direct Staff **Meeting Type:** Special Meeting

Public Hearing: **Publication Date:**

Information

ISSUE

Council members to give follow up report on the National League of Cities Congressional City Conference.

STAFF RECOMMENDATION / ACTION REQUEST

N/A

KEY FACTS AND INFORMATION SUMMARY

Council members who attended the the National League of Cities Congressional City Conference the second week of March will give a follow up report on sessions attended and contacts made in Washington D.C.

OTHER ALTERNATIVES

N/A

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

N/A

DATES OF PREVIOUS COUNCIL CONSIDERATION

N/A
