



City of Tigard

Tigard City Council Workshop Meeting Minutes October 15, 2013

1. WORKSHOP MEETING

- A. At 6:34 pm Mayor Cook called the Tigard City Council meeting to order.
- B. Deputy City Recorder Krager called the roll.

	Present	Absent
Mayor Cook	✓	
Councilor Buehner	✓	
Council President Henderson	✓	
Councilor Snider	✓	
Councilor Woodard	✓	

- C. Mayor Cook led everyone in the Pledge of Allegiance.
- D. Mayor Cook asked council and staff for any Non-Agenda Items. There were none.
- E. Mayor Cook asked for any Council Communications or Liaison Reports.
Councilor Buehner said she would give several liaison reports at the end of the meeting.

Councilor Woodard had a liaison report and also wanted to give a short presentation on the recent National Parks and Recreation Association Conference. Mayor Cook suggested he report on the conference during the PRAB Joint Meeting.

Council President Henderson mentioned that he attended the Oregon Main Street Conference and also attended a League of Oregon Cities Conference session on strategic planning.

2. JOINT MEETING WITH THE PARK AND RECREATION ADVISORY BOARD (PRAB)

Assistant Public Works Director Rager asked members of the PRAB to introduce themselves. In attendance were Gary Romans, Holly Polivka, Chair Troy Mears, Vice Chair Marshall Henry and new member Claudia Ciobanu.

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Councilor Woodard reported on the National Recreation and Parks Association Conference he attended. Highlights include:

- His goal was to get information on partnerships and funding sources that support community recreation. He said he would combine what he learned about city recreation, economic development and downtown and Tigard Triangle branding into a presentation for a later date.
- He recommends that a member of PRAB or staff attend this excellent annual conference.
- Grant writing sessions informed him that there are specific ways to obtain grants and matching funds for parks and recreation. He recommended that the city's trail builder attend this type of training.
- There are choices in ways to meet park funding challenges successfully. They include setting up a district, forming a 501(c) (3) through a network neighborhood, or generating support for a bond measure. The year 2014 is a primary election year and is the next best opportunity to put a parks measure on the ballot. Statistics show that 60-65 percent of voters favorable to city recreation programs also vote in national elections. He noted that cities need to be cognizant of voter demographics and include election timing in their planning processes.
- Mitigation banking promotes conservation and produces revenue for parks. It is a way to conserve, restore and mitigate damages in wetlands and streams with no tax payer dollars. Credits can be matched with tax payer dollars to have a big impact for agencies with many acres of this type of land. He passed this information along to Metro Councilor Dirksen.
- Parks Build Community 2013 – Playground areas are important for cognitive development in children. There is also a direct correlation between lack of playgrounds and crime statistics. A Texas study found that prisoners never played with other children when they were young. Parks and play areas are important for children in ways beyond overall physical health and fitness.
- Sensory information is important. Traditional park planning includes taking into account economic, social and environmental factors; a fourth is including sensory attributes. Parks need to stimulate the senses of smell, taste and touch.
- We need to get something we can brand, such as a gateway. Millennium Park in Chicago did this successfully.
- Parks in the 21st century need to be more business-oriented and cannot depend entirely on tax dollars. There is a performance philosophy.
- Councilor Woodard spoke with Michael Jeffrey in Portland, who is in charge of parks and recreation. Successful events in Portland parks include movies and concerts. He said for every dollar invested, they receive seven dollars in return.
- Springfield, Oregon began with a \$1 million city recreation program in 2008. As of 2011, 94 percent of their costs had been recovered and by 2013 they reached 107 percent recovery. They went through a public process and invited six focus groups representing diverse stakeholders to tell them what services were wanted, which should be subsidized, and at what level they should be subsidized. The offerings were tiered in relation to the subsidy so for example, a senior citizen activity might receive 10 percent of costs from the

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program but a karate class fee would be paid entirely by the individuals in the class. He noted that their classes are always full. A recreation district employee was hired to seek sponsorships and partnerships. The cost of the full-time employee was more than made up by the money obtained. They also have a full-time tournament events coordinator and a full-time marketer. This is a model and process Tigard could follow to develop programs and pricing. He mentioned building a force of volunteers. They will require supervision, but their hours add up and are an in-kind match for grants.

- Whether Tigard starts out small or large, the public process is crucial for park and recreation program development.

Assistant Public Works Director Rager commended the PRAB for their work. He said they physically looked at over 70 properties under consideration for parks bond funding. They evaluated them and made good recommendations to council and staff. Mayor Cook echoed his appreciation.

Assistant Public Works Director Rager walked council and PRAB through the bond report and said \$926,000 remains. The goal is to spend 80 percent of the bond on acquisitions and the city has reached 88% of that 80% goal. Up to 20 percent could be spent on park development and the city is 52 percent complete. He said there are some contracts under encumbrance such as Heritage Park and Jack Park construction and Dirksen Nature Park consulting work. He noted there is a set-aside for the downtown remaining. He said the acquisition portion of the parks bond program has leveraged \$6.05 million of grant and local agency contributions, which is significant. The voters paid for \$17 million and Tigard has \$23 million in parks because of that leveraging.

PRAB Chair Mears thanked staff for their support. He said, “Almost three years ago we received \$17 million and today we have 108 acres. We’ve spent not quite \$23 million and have money left over to do projects.” He said although there are 108 acres, the city was unable to purchase property in every section of the city. They want to look at projects to serve these areas and also look for future development possibilities in the River Terrace area. With the help of a consultant PRAB plans to focus on recreation.

PRAB Vice-Chair Henry said it is encouraging to have the River Terrace land added to the city as it includes some choice park areas. He said there may be more funding sources and matching grants as the tax base expands in that area.

PRAB Member Polivka added that the smaller development projects help reach more people and make these parks available for citizens to experience and use.

PRAB Chair Mears said a goal was set to develop a master plan for each park property within six months of acquisition. One reason is that master plans help the city to obtain grants for the park property. Master plans have been developed for all but two purchased properties.

Mayor Cook referred to the Smaller Development Project List and asked about school park facilities, noting that Metzger was listed but the amount indicated a second school. He asked which school that was. Assistant Public Works Director Rager said discussions are currently being

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held with the Tigard-Tualatin School District about adding school park facilities at Twality Middle School or Templeton Elementary. He said he will report to council on the total dollars spent. Councilor Snider commented that many of these projects are complete or underway and asked what staff was asking of council. Assistant Public Works Director Rager said PRAB is on track to complete these small park bond projects, unless council directs otherwise tonight.

Councilor Buehner said she brought forth a low-cost idea before but nothing ever happened. She said there is a water reservoir in her Bull Mountain neighborhood with a small, flat piece of land next to it. She suggested buying that land and adding a play structure. She said the city already owns part of it because it is water district property. She estimates there would also be adequate space for a few parking spots. Assistant Public Works Director Rager said he would look into this and have a dialog with PRAB.

Mayor Cook said the PRAB recommended these small projects and council agreed so he saw no reason for the PRAB to stray from their direction. He asked them to continue forward on their list and if there is money left, to look at Tigard Street Trail or River Terrace.

Mayor Cook suggested looking at new parks where the master plan is farther along and there has been community involvement to see if there is something that can be done on a small basis to move it along further even though the rest of the area will not be developed now. PRAB Chair Mears said he would recommend the Paull property. Council President Henderson asked what amount is available for the Paull property. Assistant Public Works Director Rager estimated \$400,000-\$500,000 is available.

Council President Henderson went to the Oregon Main Street program and found many people energized about downtown areas. The newly coined term is “zealous nuts.” He said Councilor Woodard and PRAB Chair Mears are zealous nuts and he is proud that they are so passionate about parks.

Councilor Woodard referred to the parks without master plans and asked if there were any that have concepts prepared and are ready to go for grant submission. PRAB Chair Mears said the Paull property is at top of the list as well as Sunrise Park. Council Woodard said PRAB might want to consider maintenance and ways to leverage dollars to activate the spaces. PRAB Chair Mears said the PRAB struggled with finding park land in the city’s NE quadrant. Their latest purchase, off of Steve Street is a property that people would be excited to have developed. Councilor Snider asked about the Bagan property but PRAB Chair Mears said it is too close in proximity to the Dirksen Nature Park. He said the other goal in that quadrant of the city is the Metzger School project but they are still in discussions with TTSD.

Councilor Snider said the Paull property has become somewhat usable but the Sunrise property could really use improvements. He asked why the Sunrise property was not the first priority. PRAB Chair Mears replied that there has been tremendous support from the community at the Paull property. He said the city doing something there is a payback to the community for what they have invested. Sunrise Park gives people in that area a flat field space but it will take a major undertaking to get it ready for use.

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Councilor Buehner said there will be a large development on property within one block of the Sunrise property.

Mayor Cook asked the PRAB if they needed further information or recommendations from council on determining 2014 issues. Councilor Woodard showed a brochure of accessible adult play and exercise equipment that he will pass along to PRAB.

Councilor Snider commented that the city is at a point where a decision needs to be made whether or not to be in the recreation business. He asked what PRAB's plans were in 2014 involving recreation. Assistant Public Works Director Rager said staff formed a team and built a task charter. He said their basic question is "What role should the city play in a recreation program?" On the team are members of various city departments such as Library and Police, which already provide services that might fall under the umbrella of recreation. PRAB Chair Mears and Councilor Woodard are also on the team.

Assistant Public Works Director Rager said the team identified the need to bring in a consultant so they prepared a work scope and list of required expertise areas. Work is currently underway on an informal RFP. The work will include surveys, a gap analysis, cost analysis, funding ideas and ultimately a recommendation to the team. Council President Henderson reminded staff that there is an entire chapter in the Parks Master Plan relating to recreation.

PRAB Chair Mears noted that the city is also receiving exercise equipment donated by the Noon Rotary Club that will be installed at the Dirksen Nature Park.

3. FIRST QUARTER MEETING WITH THE BUDGET COMMITTEE

Finance and Information Services Director LaFrance introduced this item. He asked everyone to introduce themselves. In attendance were citizen Budget Committee Member Rone, citizen Budget Committee Member Graeber, Senior Management Analyst Collins, Executive Assistant Lutz and Assistant Finance Director Smith-Wagar. Finance and Information Services Director LaFrance referred to the Budget Committee Agenda and said there were many items to cover briefly and his main objective is to determine if the Budget Committee thinks the upcoming budget process is headed in the right direction.

Budget Committee Member Buehner moved for approval of the minutes from the May Budget Committee meeting. Budget Committee Member Henderson seconded the motion and all voted in favor.

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	Yes	No
Budget Committee Chair Cook	✓	
Budget Committee Member Buehner	✓	
Budget Committee Member Henderson	✓	
Budget Committee Member Snider	✓	
Budget Committee Member Woodard	✓	

Assistant Finance Director Smith-Wagar updated the Budget Committee on audit progress. Fieldwork is finished and draft financial statements are complete and have been given to the auditors. The city is much farther ahead in the audit process than in previous years and should finish by Thanksgiving. Councilor Snider asked if there were any findings related to internal controls or monitoring processes. Assistant Finance Director Smith-Wager said the auditors had recommendations for the utility billing area but there were no significant findings. She said she will be calling the Audit Committee together soon. Finance and Information Services Director LaFrance expressed appreciation to Ms. Smith-Wagar and her work group for a great job with the audit.

Finance and Information Services Director LaFrance noted that the Fourth Quarter report was sent to council in their packets and emailed to citizen members of the Budget Committee. He said they are not the audited financial reports and changes should be expected.

Senior Management Analyst Collins touched on 2013 Fourth Quarter highlights. She said revenues were higher than budgeted due to increased development and reflect increases in business licenses and building permits. The ending fund balance is higher due to the departments spending at a 91 percent expenditure rate rather than the assumed 95 percent rate. The Building Fund increased significantly. Other funds related to development also showed significant increases, including Park and Water SDC Funds.

Budget Committee Chair Cook noted that while the General Fund is up 2 percent, the charges for services are 21 percent under what was budgeted. Finance Director LaFrance said he would reexamine what is included in services, but one component is that the city is charging itself engineering services for capital projects.

Budget Committee Member Henderson asked why the gas tax income increased. Assistant Finance Director Smith-Wager replied that the city's gas tax fund was up 114 percent because one local gas station was audited by the State and found not to have done their gas tax turnovers. They owed the city a significant amount of money. Budget Committee Member Buehner asked if the state processing of gas taxes continues to be late. Assistant Finance Director Smith-Wagar said each report would contain 12 months of gas tax receipts so it balances out annually.

Finance and Information Services Director LaFrance discussed the 2014 First Quarter report. He said there is always a lot of activity due to the summer construction season. The Clean Water Services cogeneration project began in the first quarter. The General Fund needs to have the necessary fund balance in the beginning of the fiscal year to get the city through to the property

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tax receipt time in the fall. There were seven pay periods this year in the first quarter instead of six and that further skewed things. Community Services purchased their e-citation equipment, a large, one-time expenditure. Two-thirds of the vehicle budget was expended in the first quarter. Some operations are over 25 percent spent; however, the Beginning Fund Balance is above budget due to three factors: operations came in at 91 percent of budget, transfers ended at about 50 percent of budget, and revenues came in at 102 percent of budget. He said General Fund expenditures exceeded revenues by approximately \$6.3 million, leaving an anticipated fund balance prior to property tax collection of \$1.5 million.

Budget Committee Member Snider said private industry would address this cash flow issue with a line of credit or other means and asked if other government entities do this. Finance and Information Services Director LaFrance agreed that there are TAN's (taxing anticipation notes) but thought that would be akin to going to a short-term loan office. He said a high premium is paid and the city would wind up spending money to get the cash flow. Assistant Finance Director Smith-Wagar said there are other government entities using this financing method but, "once you get into that cycle you can't get out of it." Budget Committee Member Snider said it may not be realistic to squirrel away 22 percent to get through until property tax collection time and he recommended a line of credit that would be there in case it is needed. Finance and Information Services Director LaFrance said he will check with the city's financial advisor on this.

Budget Committee Member Henderson asked about fleet expenditures. Finance and Information Services Director LaFrance said police vehicle purchases are in the Community Services budget. In response to a question about \$50,000 coming into the fleet budget, he replied that amount is for internal service charges. City Manager Wine said the fleet ending fund balance is \$87,101.

In response to a question from Budget Committee Member Woodard, Assistant Finance Director Smith-Wagar confirmed that the audit must be completed by December 31. He asked about the Storm Water Fund and why it jumped up 100 percent. Finance and Information Services Director LaFrance said he will look into it and respond to him.

Finance and Information Services Director LaFrance discussed key aspects of the budget process for FY 2015. A draft Budget Preparation Calendar was distributed. He said that in every year, process consistency is balanced with improvement. He noted that the primary area staff heard back from council was the development of the CIP, both on the department side and working with the Budget Committee. Council and staff talked in June and a few key things were identified.

- Council will be reviewing a list of projects that are going to be prioritized.
- The sources of these projects are citizen nominations, master plans and the current CIP list. The list is now at 153 projects.
- Staff is adding brief descriptions to the projects and developing a process to prioritize the projects.
- The prioritized list will then be sent to council for the following input: (1) Are any projects missing? (2) Should a project move down in priority? Should a project move up in priority? He said the same information can be sent to the citizen members of the Budget Committee.

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- Staff and committees will go through and prioritize the projects and then return the list to the Budget Committee by the Second Quarter budget meeting.

Budget Committee Member Snider asked how many projects were submitted by citizens who are not regular volunteers or members of a board or committee. Senior Management Analyst Collins said the majority came from the public at large. She said this year the city has received the most responses from citizens.

Budget Committee Member Buehner requested a meeting offline with Finance and Information Services Director LaFrance to examine the water budget and SDCs in the next few weeks.

Budget Committee Chair Cook noted that interviews are scheduled in November to fill Budget Committee member vacancies. Finance and Information Services Director LaFrance said there were three vacancies.

Finance and Information Services Director LaFrance said there will be more complete Capital Improvement Plan information. Each project will have project charters, detailing the problem we are trying to fix, how it will be fixed and why public money should be spent on it. In response to a question from Budget Committee Member Woodard he said the CIP usually has what would be considered mid-term projects, or those that are achievable in five years.

Senior Management Analyst Collins said the project charters will list impacts on operations. Budget Committee Member Henderson requested this information for CIP quarterly reports on projects that shows dollars spent by fiscal year. Mr. LaFrance said the Public Works, Community Development and Finance Departments have put together a Capital Improvement action team to make sure this year's CIP is being executed. The reporting is in development so council can expect a better idea of where the city is in the execution of each CIP project. It may become part of the City Engineer Stone's report or be included in the Finance Department's quarterly reports.

City Manager Wine clarified that for the CIP happening right now, the City Council will receive a quarterly report on projects with the financial information for each. But the Budget Committee is where to talk about what we are going to fund next year. The Budget Committee will have more timely and descriptive information. Budget Committee Member Woodard said this process will help eliminate surprises, which were a problem last year.

Budget Committee Member Rone said he is assuming that some vetting will have already been completed by city committees who have their own priorities and can make recommendations. Finance and Information Services Director LaFrance said committees and staff are doing a lot of legwork. The committees will consider all 153 projects but the Budget Committee will focus on the 60 that rise to the top. He said there are 80 transportation projects alone and it is too much to ask of the TTAC to prioritize them.

Budget Committee Member Snider said he recognized that it is a lot of work, but that is their job. He suggested that the Budget Committee spend more time meeting jointly with the other boards and committees. Budget Committee Member Rone expressed agreement with this suggestion,

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saying that Budget Committee members do not know what other committees have vetted and what public input was received.

Budget Committee Member Buehner said it is a councilor's job as a board and committee liaison to bring this input back to the Budget Committee. Budget Committee Member Snider said he agreed and trusted the liaisons, but thought the committees should meet for the discussion. City Manager Wine said staff will ask committee chairs to attend Budget Committee meetings.

Finance and Information Services Director LaFrance asked the Budget Committee if, with the enhancement of having committee chairs attend second-quarter Budget Committee meetings, the process and timeline he distributed is acceptable. The consensus of the Budget Committee was affirmative. The next Budget Committee meeting will be on January 21, 2014.

4. COUNCIL BRIEFING ON URBAN FORESTRY CODE REVISIONS 6-MONTH UPDATE

Associate Planner Grass shared with council a 6-month update on the Urban Forestry Code Revisions. Her PowerPoint presentation is in the packet for this meeting.

She said the new UFC went into effect on March 1 and she would report on the period from March through September 15, 2013, including permit data. Proposed Administrative Rules and next steps in the process would be discussed.

Associate Planner Grass said that when property is developed, the new UFC requires larger projects to submit an urban forestry plan. This requires looking at what is on the site prior to development and deciding what option(s) will be used to meet canopy targets. The four options include preserving, planting, paying or proposing something that has similar benefits as trees. Canopy requirements are tiered based on zoning. The owner or developer puts their proposal into an urban forestry plan for staff review. Once approved, the urban forestry plan must be implemented under the oversight of the project arborist or a landscape architect.

- Ten applications have been received since March. Nine out of ten chose a combination of preserving and planting. One chose to meet their requirements with planting.
- Most were in the top two canopy requirement tiers (32 percent to 50 percent).
- The zoning was a mix of residential and commercial.

A running log was kept on feedback received on the UFC process and the most feedback was received on this aspect of the UFC. Input came from a variety of sources, including staff. Most of the information received led to minor re-working of language. Appendix A lists all proposed changes. For example, there is a double canopy credit for preserving trees but what was not considered was these might be nuisance trees. Administrative Rules will correct these issues.

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Associate Planner Grass discussed Tree Grove Preservation Incentives.

- No applications have been received yet for one of these sites.
- The River Terrace area has been included – nine significant tree groves over 61 acres, or 12 percent of the study area.

Council President Henderson asked if the land use for the new Westside Christian High School was approved prior to the new tree code going into effect and Associate Planner Grass confirmed that it was.

Tree Removal Permit requirements were outlined. There are two types: simple and complex

- By far, this created the most UFC-related activity; 25 applications were received.
- Most were due to tree footprints causing issues.
- The types of trees are tracked.
- No complex tree removal permits have been filed yet.

Most comments on this process were internal. Staff had to create a new permit and process within the city's permitting software. The city lost its arborist and another change was the new system of rotating "planners on duty" at the permit counter. Review went from the responsibility of one person to eight different planners handling tree permits.

Associate Planner Grass talked about the Hazardous Tree Resolution Process. She said there is a lot of interest but no one has applied for a permit yet. She said it is required that citizens talk to their neighbors and try to resolve the issue first. If a tree situation is turned in to the city as a nuisance, the city will send a letter. If there is a hazard, someone will go out immediately and investigate.

- No permit applications have been received yet.

Councilor Woodard asked who would apply for a permit for a tree removal. It was clarified that it is the citizen's responsibility to take care of a tree on their property. Councilor Woodard asked about trees on city property. Associate Planner Grass said it is important to apply the UFC fairly and be treated as a citizen would be, so hazardous trees on city property are taken down by the city.

Councilor Buehner asked about limbs overhanging the right of way. She said she has noticed several in her neighborhood. Mayor Cook said it is still the property owner's responsibility and if it is reported as a nuisance, they will receive a letter from the city. In an emergency however, the city would go to the property and take care of the problem, such as in the case of a tree branch blocking a stop sign. Associate Planner Grass suggested that Councilor Buehner complete an online code compliance form for the branches she has noticed overhanging the right of way.

Associate Planner Grass discussed the next step which is updating the Administrative Rules. She said the council has the option to discuss or not to discuss them before the 14-day notice period. She asked the council if they wanted this added to a future meeting agenda. Councilor Snider said he did not wish to discuss the seven rules and proposed that staff move ahead with the 14-day period.

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Mayor Cook said he had a few questions. He mentioned a property owner with a 5,000 square-foot lot who had to hire an arborist even though there were no trees on his land. They were required to check the trees on a neighboring lot. He understands why they need to check a neighbor's trees because the roots may come onto your property. But if the neighbor's tree roots enter and completely surround your property, are you prevented from doing anything on your property?

Assistant Community Development Director McGuire responded that this is one reason to hire an arborist. They have several techniques to remove roots but save the tree. He said there is flexibility in the code. He said you could propose to take the tree down and pay the replacement cost and plant the tree on the neighbor's property.

Mayor Cook asked about a situation that was brought before council where a citizen could not meet the required parking and setback requirements and also the 40 percent required canopy. He said the number of fees would make his property unsalable. Assistant Community Development Director McGuire will look into this and respond to the property owner. City Manager Wine said she will share his response with council.

Associate Planner Grass confirmed that staff can move ahead with the 14-day comment period.

5. NON AGENDA ITEMS - None

6. COUNCIL LIAISON REPORTS

Councilor Buehner reported on a Water Consortium meeting she attended on October 4 to hear an expert presentation on the havoc earthquakes create on pipes and other infrastructure. The presentation covered welds, piping materials, and how different types of earthquakes affect water, sewer and storm pipes in different ways. She said this information was extremely valuable for local government officials due to its relevance on design and retrofitting, and recommended a presentation for city officials. She expressed concern for the damage that could occur from the water in Fanno and Summer Creeks.

Councilor Buehner reported on Lake Oswego/Tigard Water Partnership treatment plant issues. She said almost all permits are complete. One easement has not been signed in Lake Oswego. She attended the LUBA hearing and said the opinion will be released on November 4, 2013.

City Manager Wine reported on the Community Investment Initiative and the Regional Infrastructure Enterprise. Metro is one of the sponsors and organizers of this effort but it is largely a business-based initiative to bring visibility to funding and building major regional infrastructure. She said Tigard has asked to partner in this effort and the business plan includes two projects in downtown Tigard. She said council will be hearing soon about the decision on whether these projects are competitive and successful. Councilor Buehner encouraged city involvement in this process. Mayor Cook noted that updates on the initiative are given at Westside Economic Alliance and regional mayors meetings.

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Councilor Woodard updated council on a Metropolitan Area Communications Commission (MACC) meeting he attended and reported that they are currently in negotiations with Comcast.

- 7. EXECUTIVE SESSION: At 9:26 pm Councilor Snider requested an Executive Session called under ORS 192.660 (2) (d) to discuss labor negotiations. Mayor Cook read the executive session citation and announced that council would come out of Executive Session and adjourn immediately after. The Executive Session ended at 10:15 pm.

- 8. ADJOURNMENT: Councilor Snider moved for adjournment at 10:15 pm and the motion was seconded by Councilor Buehner. All voted in favor.

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

/s/Carol A. Krager
Carol A. Krager, Deputy City Recorder

Attest:

/s/John L. Cook
John L. Cook, Mayor

December 10, 2013
Date

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