City *of* Tigard
Tigard City Council Meeting Minutes
April 8, 2014

STUDY SESSION

Council Present: Mayor Cook, Councilor Woodard, Councilor Buehner, Council President Henderson and Councilor Snider.

Staff Present: City Manager Wine, Assistant City Manager Newton, Assistant to the City Manager Mills, City Attorney Ramis, Franchise Attorney Werner, Deputy City Recorder Krager

- EXECUTIVE SESSION
  Mayor Cook called the Study Session to order at 6:31 pm and announced an Executive Session to discuss real property negotiations under ORS 192.660 (2) (e). The Executive Session ended at 6:52 pm.

A. Follow-up Discussion on Ballot Measure 34-210

City Manager Wine said council discussed at their March Workshop Meeting what the outcome of the election meant, what the next steps may be and identified some legal questions. Her takeaway from this discussion was threefold:

- Council requests written answers to their legal questions from the City Attorney.
- There may be a future advisory ballot measure.
- Council intends to engage the community soon and in a different format.

She noted that City Attorney Ramis provided written responses to some of council's questions and copies were available for review. A copy has been added to the packet for this meeting. In reference to a question from Councilor Snider about the "Privileged and Confidential" header on the document, City Attorney Ramis explained that the header was placed on his written response as a customary caution by his legal assistant but nothing in the document had not already been discussed in a public session. He said his office listened to a tape of the meeting to list the questions and formulate responses and the only additional information is an expanded discussion on the question of individual liability. Councilor Snider said the personal liability information was clear and helpful and City Attorney Ramis said the key point is to seek the advice of counsel. He said it was important to seek a legal opinion if "you are close to the line."

Councilor Buehner said the response to her query on right-of-way purchases did not answer her question completely and requested additional research into that issue. City Attorney Ramis said a number of terms are undefined, such as "construction," and the first entity to interpret it (before a court does) is the city council. He said it is council's job and responsibility to do that and while the city attorney's office can give legal advice, council is the first arbiter of ambiguous language. Councilor Buehner requested greater clarity on what a term such as "construction" logically connotes. City Attorney Ramis said he could provide her with alternatives but could not say what the answer is because it is up to council to interpret. Councilor Buehner expressed discomfort with this and Mayor Cook asked if there was case law to help interpret definitions. City Attorney Ramis said there has never been a measure like this adopted and interpreted so Tigard will be the first.

Councilor Woodard commented that the good news is that planning is allowed and there is nothing to prevent planning for a discretionary vote. Councilor Snider asked for confirmation that planning is not prohibited and City Attorney Ramis agreed that was true and advised the importance of getting this message out into the region, based on a meeting he attended where a Metro representative said Tigard, "passed a measure that says they cannot be involved in planning."

Councilor Woodard commented that even proponents stated that the measure did not prohibit Tigard from planning. He said it is all about perception and he had concerns initially but feels more comfortable now that the legal opinion was received. He echoed Councilor Buehner's thoughts on definitions. City Attorney Ramis said there have been some circumstances in other jurisdictions where something similar passed and there was ambiguity. He recommended because a council is a coequal legislative branch that there be an interpretive or implementing ordinance adopted. He said council could flesh out the measure and develop certain standards and definitions. Councilor Snider asked if this could be challenged. City Attorney Ramis said it could be if something is done that is inconsistent with the measure. He offered that another solution would be to approach a court and ask them to interpret the measure. Councilor Snider said it seemed like less of a good idea to ask someone for an interpretation if council already holds that power. He said someone may choose to challenge it but then they may not, especially if it is done in a thoughtful way. City Attorney Ramis said that was his recommendation over going to circuit court, but wanted council and staff to know this was an option.

City Manager Wine said she heard from council that they desire more communication and information from citizens, whether by an advisory vote or on a project that goes to a vote. She said an approach could be designed to include multiple audiences - proponents, opponents and the general public. She suggested a simple way for council to get input from a variety of citizens. She asked council to consider holding three meetings each with at least ten people. There would be staff support to take notes but council would lead the dialogue to get input on what the next steps should be. She said staff acknowledges that there are multiple audiences and council may wish to engage the initiative proponents to find out more about what prompted them to place the measure on the ballot in the first place. Council may also want to ask the general community what it is important to them as it

relates to high capacity transit. She said the city would seek outside help to support Tigard in a future public dialog, using staff as experts and supporters.

Councilor Woodard was in favor of taking a needs assessment approach similar to what MACC is going through right now to figure out the best way to communicate with the public. He said he enjoys walking and offered to do walking tours with citizens joining him to ask questions and give input. City Manager Wine said council could be as creative as they wanted and there are many tools and ways to get and give input including web surveys, coffees, or phone calls. Councilor Snider said he liked the idea and suggested standardized questions be used. Council President Henderson commented that the city needs to keep the communication constant and frequent, reminding people weekly that we need to know what they think.

City Manager Wine said if council wanted to go to an advisory vote in November, the deadline for sending this to Washington County Elections is August 8. The council talks are time-sensitive to allow evaluation of the input received. Councilor Woodard said he is willing to meet on Saturdays as a way to give people more options to attend. He said walking may attract a younger, more physically fit demographic that is interested in connectivity and he is interested in what they have to say. Councilor Snider suggested using elementary school meetings to gain greater geographical coverage. City Manager Wine said staff will create logistics and survey cards and forward this information to council. Councilor Buehner asked if staff could create flyers for those that want to hold coffee meetings in homes.

B. Council Calendar

Budget Committee meeting dates were discussed. Councilor Woodard said he will be absent from the May 12 Budget Committee meeting.

1. BUSINESS MEETING – APRIL 8, 2014

A. At 7:30 pm Mayor Cook called the meeting of the Tigard City Council to order.

B. Deputy City Recorder Krager called the roll.

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

C. Mayor Cook asked everyone to join him in the Pledge of Allegiance.

D. Council Communications & Liaison Reports – Councilor Buehner said she had three reports and if time allows she will present them at the end of the meeting. Councilor Woodard said he had a brief report.

Council President Henderson said his great interest in sustainability led to his desire to have a sustainability program for the City of Tigard. He said he recently traveled to Vancouver, BC to attend an ICLEI (International Council for Local Environmental Initiatives) conference. They have a Livable Cities Forum called Building Resilient Communities. He learned that those concerned about global warming have changed their approach. A 1970 report by the IPCC (Intergovernmental Policy on Climate Change) predicted drastic global climate changes and consequences but created problems due to overestimating consequences. He said they were not entirely wrong, as polar ice caps are melting and the sea levels rising. CO2 emissions are up by 40 percent which causes unusual storms and wind currents.

Council President Henderson said the cost of cleanup is becoming an issue because insurance companies are refusing to insure reasonable costs. A new way of looking at sustainability is mitigation and adaptation. Mitigation refers to policies and measures designed to reduce greenhouse gases and adaption refers to adjustment in natural and human systems to a new or changing environment. He said there were over 200 participants at the conference and the focus was not on who caused it; it is on what we can do about this. Local governments are being sued for not doing enough to prevent disasters related to changes in climate. He said he had some materials to share with council and staff.

Councilor Buehner asked if there was a mention from weather service agencies about greater variation in the jet stream. Council President Henderson said he did not hear that but commented, "Everything has a cause and effect."

Councilor Woodard said he had the honor of presenting for Mayor Cook at the Metro Council meeting on the SW Corridor next steps in light of Tigard's election. The two-page report is published on the website and a shortened version will appear in the May Cityscape.

E. Call to Council and Staff for Non-Agenda Items – None

2. CITIZEN COMMUNICATION

A. Follow-up to Previous Citizen Communication – Mayor Cook asked City Manager Wine if there is any follow-up. City Manager Wine responded that there was follow-up regarding Ms. Jill Warren's comments from the March 25, 2014 meeting and concerns she raised about erosion and liability for flooding. City Manager Wine said the proposal referred to by Ms. Warren is not yet in the application process and she is unsure about the natural resources conflict. She will respond to Ms. Warren by mail.

B. Tigard High School Student Envoy - EJ Albaugh gave a report on current activities at Tigard High School. The Tigerettes won a national competition. Spring sports are in

full swing. The annual "Tigard's got Talent" show is April 10. There is a school-wide sock drive for Night Strike, an organization that provides clothing and basic need items to the homeless. He said this year's prom theme is Diamonds are Forever and the prom will be on May 10. In response to a question from Councilor Buehner, Mr. Albaugh said the baseball team is looking ahead to a good season.

C. Tigard Area Chamber of Commerce – Chamber CEO Debi Mollahan named the winners of the Tigard Shining Stars for 2014. The "From the Heart" Volunteer of the Year goes to Carol Herron for her work with St. Anthony's Severe Weather Shelter. Katie Howell won Youth Volunteer of the Year for volunteering within her high school, church and community. Tigard's First Citizen Award went to Tom Murphy for his volunteerism with the City Center Advisory Commission, Community Partners for Affordable Housing, Tigard Downtown Alliance and his recent work on the Stop Congestion Vote No political action committee. The Business of the Year is DeAngelo's Catering and Events. The Chamber volunteer of the year is Meg DiSalvo. She announced that the Tigard Farmers' Market is opening on May 11. She reminded viewers that all businesses are open during Main Street construction and there is plenty of parking in the new lot on Burnham Street. In response to a question from Councilor Buehner, Ms. Mollahan said the bowling event went very well and Tigard Auto won first place.

D. Citizen Communication – No one signed up to speak.

3. CONSENT AGENDA: Mayor Cook asked if any councilor requested removal of an item from the consent agenda for separate discussion. There was no request.

A. Receive and File:
   1. Official March 11, 2014, Special Election Results for Ballot 34-210
   2. Council Calendar
   3. Council Tentative Agenda for Future Meeting Topics

B. Authorize the Mayor to Execute a Joinder Agreement Regarding Tigard's Participation in the TVWD/Hillsboro Willamette River Water Supply Program

C. Authorize the Mayor to Execute an Agreement with ODOT Regarding Power Costs to Operate a Streetlight at the Intersection of Pacific Highway and Durham Road

D. Authorize the Mayor to Execute an Agreement with ODOT to include a Water Line Replacement in the Main Street Green Street Project

Councilor Snider moved for approval of the consent agenda and Councilor Buehner seconded the motion.

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

Mayor Cook announced that the consent agenda passed unanimously.

4. PROCLAIM NATIONAL COMMUNITY DEVELOPMENT WEEK

Mayor Cook read the proclamation for National Community Development Week and mentioned that Council President Henderson serves as council liaison for the Community Development Block Grant (CDBG) program. National Community Development Week is April 21-26, 2014.

5. LEGISLATIVE PUBLIC HEARING – AMENDING TIGARD MUNICIPAL CODE TITLE 15.06 FRANCHISE UTILITY ORDINANCE

a. Mayor Cook opened the public hearing.

b. Hearing Procedures – City Attorney Ramis said this is a legislative public hearing in which any person shall be given the opportunity to comment.

c. Staff Report – Assistant to the City Manager Mills introduced Nancy Werner from the firm of Beery Elsner & Hammond, city attorney for franchise matters. Ms. Mills noted that the franchise ordinance was originally written in 2006 and this is the first major update. She said the City of Tigard had opportunities in the last 18 months to negotiate franchises with several utilities and found that language in the code is antiquated in the areas of franchising law and insurance requirements. She said staff met with council last November and discussed the proposed improvements and Council asked about financial reporting from the utility companies. The utility companies were given the opportunity to comment and where appropriate, staff made changes to the proposed language based on this input. She said staff is proposing changes in nine sections of the code and there should be no impact to the General Fund based on these changes. Staff estimates that $5.6 million will be received this fiscal year from franchise right-of-way fees.

Attorney Werner reviewed the list of changes to the code. She noted that all of the changes are marked but she wanted to highlight two changes. The change to the right-of-way usage fee clarifies how that fee is going to apply. The new section will require utilities that serve Tigard customers to pay the greater of a percentage of their revenues, or $10,000. Those utilities that have facilities in Tigard's right of way but are not serving customers in the city will pay the greater of a per linear foot fee or $10,000. This is a way to make sure they are compensating the city for use of the public right of way.

Attorney Werner said another change is the addition of the definition of Telecommunications to prevent ambiguity in the way the term is used.

Ms. Mills said there is a typo in the ordinance council received in their packet. On page 4, Section 15.06.090, paragraph E, third line, the term "qualified" should be changed to "authorized."

d. Public Testimony

- Proponents Mark Fryberg, PGE Government Affairs, commented that one measure of a city is how it handles regulations and tells businesses what they can do. He said some cities assume they already know about a business and impose regulations and others decide to take the time sit down with a business and learn about how it works. They are flexible and make changes where appropriate. Mr. Fryberg said PGE is appreciative that Tigard falls into the latter category, which is largely due to the efforts, diligence and accessibility of Assistant to the City Manager Mills. He said he realizes that Council sets the policy that directs her and PGE is very appreciative of the changes she made to the proposed amendments.
- Shana Brownstein, representing NW Natural echoed Mr. Fryberg's comments. She said they have a great relationship with the City of Tigard and look forward to working with council and staff in the future.
- Opponents - None
- Response to testimony by staff.

e. Staff Recommendation: Staff recommends adopting the ordinance in packet and request that in the motion adding to amend section 15.06.090 substituting the word "qualified" for the word "authorized" in the third line.

f. Mayor Cook closed the public hearing.

g. Council Discussion and Consideration of Ordinance No. 14-06:

Councilor Woodard moved for adoption of Ordinance No. 14-06. Councilor Snider seconded the motion. Councilor Buehner moved that the amendment proposed by Assistant to the City Manager Mills be added and Councilor Woodard accepted the amendment. Deputy City Recorder Krager read the number and title of the ordinance:

ORDINANCE NO. 14-06 - AN ORDINANCE AMENDING TIGARD MUNICIPAL CODE CHAPTER 15.06 "FRANCHISED UTILITY ORDINANCE" TO MODIFY A PER FOOT FEE, UPDATE DEFINITIONS, CLARIFY INSURANCE REQUIREMENTS AND UPDATE OTHER SECTIONS, AS AMENDED

Deputy City Recorder conducted a roll call vote.

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

Mayor Cook announced that Ordinance No. 14-06 passed unanimously.

6. PRESENTATION FROM TVF&R CHIEF DUYCK – STATE OF THE DISTRICT

Chief Duyck introduced Al Kennedy, TVF&R Division Chief at Central Operations, Stephan Meyers, Public Affairs Officer and said local heroes, the Heavy Rescue Team from Station 51 were in the audience. He gave an annual update and PowerPoint presentation.

- Over 5,000 calls were responded to within Tigard's city limits.
- 80 percent were medical calls.
- Steps were taken to flatten out call response statistics (fire alarms and calls to assisted living centers for the elderly)
- Most fire alarm calls are false alarms. They work closely with commercial businesses and in some cases residential fire alarm owners to reduce them.
- Assisted Living Center calls led to working with facilities to make them safer by removing fall hazards and increase staffing to mitigate lower acuity issues.
- The increase in calls is closely aligned with population growth and an aging community.
- They responded to nearly 500 traffic accident calls in Tigard, which does not include all accidents. Tigard Police Department responds to more than 500 traffic accidents a year.
- An award-winning apartment manager program has reduced the number of apartment fires in the district. The program is free and once a manager goes through the one-day training, the incidence of significant fire in their apartment complex is near zero.

Chief Duyck said TVF&R offers several specialty rescue services including water, hazardous materials and technical rescue. The technical rescue team is housed across Burnham Street at Fire Station 51. Some members of the technical rescue team that performed an extremely complex trench rescue in Beaverton recently are present. The victim is alive and recovering at home, thanks to them.

Chief Duyck said there are 21 fire stations across the district. They have a variety of apparatus, including single-person units, which are unusual for a fire district but allow them to handle lower acuity calls with one person. The heavier assets are then available for higher acuity calls such as cardiac arrests, traffic crashes, and structure fires.

The TVF&R Board of Directors has placed a measure on the May 20, 2014 ballot that will replace the 2000 local option levy. This will add 44 new fire fighters and three new station sites. Their problem is not that they need more fire fighters in existing stations, but more sites to cut down on response time.

He said TVF&R is promoting Pulse Point, a smartphone application that can help save lives. The program knows the user's location and the location of a cardiac arrest call that TVF&R is being dispatched. If you are in one-quarter mile of the incident and you know hand-CPR you will be notified and you can start live saving chest compression until the emergency response team arrives. 7,000 people in this service area have signed up but they need more participation. He commented that Tigard Police carry automatic external defibrillators (AEDs) in their vehicles and are great partners with TVF&R.

Councilor Buehner stressed the importance of the CPR program and said she was privileged to be able to use this in two rescues. She wanted the public to be aware of the TFV&R's ride-along program and mentioned the grass fire program.

Council President Henderson asked about home inspections and what the process is if they find something. Chief Duyck clarified that they have more authority in commercial buildings and can only enter private homes by invitation. They check work sites, offices, churches, apartment complex laundry and recreation rooms.

Council President Henderson asked what the response time is on Pacific Highway and Chief Duyck said it depends on the time of day. He said they can get there quickly but can only move as fast as the traffic. He said their goal is a 5-minute, 12-second response time 90 percent of the time. Congestion is a big issue. He has spoken to Mayor Cook about the transportation system and how to keep traffic moving.

Councilor Snider asked for an update on motorcycle response concept. Chief Duyck said it is still a concept but TVF&R is motivated to continue looking at this. He said it would not replace larger apparatus but would make sense in congested rush hour traffic for certain types of calls. Councilor Snider said it is common in Europe.

Councilor Snider asked what data they were basing their need to add stations and what zones are being considered. Chief Duyck said the zones are across the district and are places where heavy development has or will occur. Adding a few sites allows stations to stay in their local areas for a longer period and cuts response time. Chief Duyck said they have seven specific sites in the district that are under discussion. It depends on the ease of land purchasing and zoning restrictions.

Councilor Buehner asked about previous discussions on closing or relocating the 175th Avenue fire station. Chief Duyck said that was certainly considered but when they looked at the data, it was determined to keep it and add a new facility near West Bull Mountain.

7. LEGISLATIVE PUBLIC HEARING – AMENDING TIGARD MUNICIPAL CODE CHAPTER 10.28.130 PROHIBITING PARKING ON ONE SIDE OF SW 116TH PLACE NORTH OF SW BEEF BEND ROAD

Purpose of hearing is to consider an amendment to TMC 10.28 Parking.

a. Open Public Hearing - Mayor Cook opened the public hearing at 8:40 pm.

b. Hearing Procedures – Mayor Cook announced that this is a legislative public hearing in which any person shall be given the opportunity to comment

c. Staff Report: Police Department Lieutenant Rhodes and Senior Project Engineer McCarthy presented the staff report. Lieutenant Rhodes said Officer Enzenberger was in the audience. He said the Tigard Police Department has embraced the concept of using a district officer who takes ownership of an area and seeks opportunities for solutions to problems. He said Officer Enzenberger responded to repeated calls for seven years on parking issues on 116th Place. He held meetings and talked to neighbors. It seemed that nothing could be done. He met with Lieutenant Rhodes who noticed the narrowness of the 116th Place and potential problems for fire or other emergency vehicles. He approached the city's engineering department for potential solutions. A survey was sent to all residents on the 116th Place and listed two options – parking allowed only on one side of the street, or doing nothing. Six of the twelve residents favored one-side parking. A public meeting was held on January 30, 2014. Seven residents attended and discussed options. The group decided that one-side parking was the best solution.

c. Project Engineer McCarthy said from an engineering standpoint the grade is steep a street has a 15 percent grade and at 28 feet is narrow. The normal standard is 32 feet. He said Tigard's code does have skinny street language but the engineering recommendation is to limit parking to one side. He said it made more sense to prohibit parking on the east side because it is the inside of a curve and because of the group mailbox and fire hydrant locations.

Councilor Snider asked if it would be painted. Engineer McCarthy said the curb will be painted yellow and signage would also be needed to reinforce no parking.

Councilor Buehner commended Officer Enzenberger for reaching out to the community and practicing proactive community-based policing. Councilor Woodard said this has been a long time issue and the noted that the majority of neighbors are favorable to this solution.

d. Public Testimony - No one signed up
e. Staff Recommendation – Staff recommends creation of the no parking zone.
f. Mayor Cook closed the public hearing.

g. Council Discussion and Consideration of Ordinance No. 14-07. Mayor Cook asked if there was a motion to approve the ordinance.

Councilor Buehner moved for adoption of Ordinance No. 14-07. Councilor Snider seconded the motion. Deputy City Recorder read the number and title of the ordinance.

ORDINANCE NO. 14-07 - AN ORDINANCE AMENDING TIGARD MUNICIPAL CODE CHAPTER 10.28.130 PROHIBITING PARKING ON ONE SIDE OF SW 116TH PLACE NORTH OF SW BEEF BEND ROAD

A roll call vote was conducted:

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

Mayor Cook announced that Ordinance No. 14-07 was adopted by a unanimous vote of Council.

8. CONSIDER A MOTION TO AUTHORIZE THE CITY MANAGER TO COMPLETE THE ACQUISITION OF THE MILTON COURT PROPERTY FOR THE BONITA PUMP STATION

Public Works Director Koellermeier gave the staff report and said negotiations have been successfully completed with the owner of the Milton Court property which allows the city to avoid going to a condemnation trial. There is an outstanding issue of coverage for attorney and witness fees for the property owner. He recommended council amend the $115,000 legal fee reimbursement amount to $122,000 and noted that the actual number is still under negotiation and this is the upper limit.

Councilor Woodard moved to authorize the City Manager to complete the acquisition of the Milton Court Property for the Bonita Road Pump Station as amended, with an additional amount of $122,000, and a total amount of $557,000. Council President Henderson seconded the motion. The motion passed unanimously.

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

9. CONSIDER A MOTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO LEASE AGREEMENT FOR OREGON DEPARTMENT OF TRANSPORTATION AND PORTLAND & WESTERN RAILROAD PROPERTY

City Manager Wine said she was pleased to report that ODOT and Pacific Western Railroad have agreed to allow the city to develop the old railroad bed property that runs along Tigard Street and have dedicated it to public space. The lease period is 99 years with terms that allow the railroad to take back the railroad bed if they need it in the future. Councilor Snider commented that would not be a real risk since all the tracks have been removed.

Councilor Woodard said there is a possibility of installing exercise stations, including equipment specially designed for physically disabled citizens.

Council President Henderson asked about limitations on placing structures on the site. City Manager Wine read the section and said there is a height limitation so the sightlines of train operators are not disrupted. She said a trail with plantings is envisioned and other installations are subject to agreement with the railroad. Councilor Woodard said public restrooms may be installed at some point.

Councilor Buehner said this news is very gratifying for those who attended the dedication of this trail in the summer of 2010. Council President Henderson suggested that Tom Brian and others who helped with this project in the beginning be notified and City Manager Wine agreed.

Council President Henderson moved to authorize the City Manager to enter into a lease agreement for Oregon Department of Transportation and Portland & Western Railroad property. Councilor Buehner seconded the motion and all voted in favor.

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

Mayor Cook convened the City Center Development Agency.

10. CONSIDER A RESOLUTION TO AUTHORIZE THE EXECUTIVE DIRECTOR OF THE CITY CENTER DEVELOPMENT AGENCY TO NEGOTIATE VOLUNTARY PROPERTY ACQUISITIONS

Executive Director Wine gave the staff presentation. She said a previous CCDA discussion clarified that the Executive Director has the authority to enter into acquisition and disposition agreements to allow the agency to acquire property. The City's practice is to inform the CCDA Board in executive

sessions about the status of negotiations, key terms and conditions. Permission will still be requested prior to entering into negotiations and the purchase would be brought back to the CCDA Board for approval. The process is what is already in place but an official authorization from the Board is requested. Director Woodard said the urban renewal plan authorizes property acquisition and disposition from willing sellers within the district and he had no problem with this because it is efficient - the Board receives the information they need and ultimately makes the decision.

Director Snider said alternatives are problematic from a process standpoint because it puts information in the public purview that is not appropriate time wise and from a negotiation standpoint. Director Buehner commented that due diligence such as investigating wetland or hazardous waste conditions should be done prior to a purchase and without the Executive Director having this authority, everyone's job is more difficult. She expressed support for this resolution.

Director Buehner moved for adoption of CCDA Resolution No. 14-01 and Director Woodard seconded the motion. The motion passed unanimously.

CCDA RESOLUTION NO. 14-01 - A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OF THE CITY CENTER DEVELOPMENT AGENCY TO NEGOTIATE VOLUNTARY PROPERTY ACQUISITIONS SUBJECT TO CCDA BOARD OVERSIGHT AND CONDITIONS

	Yes	No
Director Henderson	x	
Director Snider	x	
Director Woodard	x	
Chair Cook	x	
Director Buehner	x	

Mayor Cook adjourned the City Center Development Agency and reconvened the City Council.

11. COUNCIL LIAISON REPORTS

Councilor Buehner reported on the MPAC meeting where a preliminary draft of the Transportation Plan was issued. She gave a copy of the PowerPoint presentation to staff and requested that it be forwarded to council in the Thursday's packet. She noted that the plan is in the public comment period and anyone interested can view the presentation on the city's website and contact Metro directly. She said Climate Smart Communities were also discussed and this plan will be reviewed in May, with a vote held in June and adoption planned for September.

12. NON AGENDA ITEMS - None

13. EXECUTIVE SESSION - None

14. ADJOURNMENT – At 9:12 pm Councilor Woodard moved for adjournment. Councilor Buehner seconded the motion and all voted in favor.

Carol A Krager

Carol A. Krager, Deputy City Recorder

Attest:

John L. Cook, Mayor

May 27, 2014

Date